



REGIONAL MUNICIPALITY
OF **WOOD BUFFALO**

Consolidated Version Of Land Use Bylaw

(being Bylaw No. 99/059 of the Regional Municipality of Wood Buffalo, as amended by Bylaw No. 17/014, consolidated and printed under the authority of the Chief Administrative Officer of the Regional Municipality of Wood Buffalo)

This is certified to be a true copy of consolidated Bylaw No. 99/059 of the Regional Municipality of Wood Buffalo.

Audrey Rogers
Chief Legislative Officer

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The text shown in parentheses in various locations throughout this document identifies the corresponding amending bylaw which authorized the change. For example (BL 17/014) refers to Bylaw No. 17/014.

PART 1 - Enactment and Interpretation

1. Title

This Bylaw is cited as the “Regional Municipality of Wood Buffalo Land Use Bylaw”.

2. Purpose

The purpose of this Bylaw is to regulate the use and development of land and buildings within the Regional Municipality of Wood Buffalo.

3. Application

The provisions of this Bylaw apply to all land and buildings within the boundaries of the Regional Municipality of Wood Buffalo.

4. Conformity with Bylaw

No person shall commence any development unless it is in accordance with the terms and conditions of this Bylaw.

5. Repeal of Existing Land Use Bylaws

Bylaw No. 84/2, being the Land Use Bylaw for the Regional Municipality of Wood Buffalo - Fort McMurray Urban Service Area, and all subsequent amendments thereto are hereby rescinded.

The Land Use Order adopted pursuant to Ministerial Order No. 881/92, being the Land Use Order for the Regional Municipality of Wood Buffalo - Rural Service Area - Fort Chipewyan and Area, and all subsequent amendments thereto are hereby rescinded, except that the sign provisions of Section 3.12 are carried forward and remain in effect until such time as a new Rural Sign Bylaw is proclaimed by Municipal Council.

The Land Use Order adopted pursuant to Ministerial Order No. 655/93, being the Land Use Order for the Regional Municipality of Wood Buffalo - Rural Service Area, and all subsequent amendments thereto are hereby rescinded, except that the sign provisions of Section 3.12 are carried forward and remain in effect until such time as a new Rural Sign Bylaw is proclaimed by Municipal Council.

6. Effective Date

This Bylaw comes into effect upon the date of its third reading by Council and is signed by the Mayor and the Regional Clerk.

7. Land Use Map

7.1 The Regional Municipality of Wood Buffalo is hereby divided into districts and the boundaries of each and every district are delineated on the Land Use Maps.

7.2 The Land Use Maps, as may be amended or replaced by Bylaw as required, are the maps incorporated as Appendix “A” of this Bylaw.

7.3 Boundaries between districts shall be determined as follows:

- (a) where a district boundary is indicated as approximately following a street, lane or other public thoroughfare, the boundary shall be the center line thereof;
- (b) where a district boundary is indicated as approximately following lot lines, the boundary shall be the lot lines thereof;
- (c) where a district boundary is indicated as approximately following the limits of the Urban Service Area or a hamlet boundary, it shall be deemed to be following the limits of the Urban Service Area or the hamlet boundary;
- (d) where a district boundary is shown as approximately following the center of pipelines, railway lines, or utility easements it shall be deemed to follow the center line of the right-of-way thereof;
- (e) Where a district boundary is shown as approximately following the edge of shore lines of rivers, lakes or other bodies of water or water courses, it shall be deemed to follow such lines and in the event of change in such edges or shorelines, it shall be deemed as moving with the same;
- (f) where a district boundary is shown as being parallel to, or as an extension of, a feature noted in subsection (e) it shall be so construed;
- (g) where a district boundary is shown as approximately following a topographic contour line or a top-of-bank line, it shall be deemed to follow such line and in the event of change in such line, it shall be deemed as moving with that line;
- (h) where none of the above provisions apply, and where appropriate, the district boundaries shall be determined by dimensions indicated on the Land Use Map or by measurements scaled from the digital version of that map.

7.4 This Land Use Bylaw does not apply to First Nation Reserves.

7.5 This Land Use Bylaw applies to Metis Settlements.

8. Interpretation and Clarification

This Bylaw shall be interpreted as follows:

- (a) “shall” means mandatory compliance;
- (b) “may” means discretionary compliance or a choice in applying regulations and provisions of this Bylaw;
- (c) “lot” also includes the words “parcel” and “plot”;
- (d) “person” includes a corporation or business as well as an individual;
- (e) “used” or “occupied” as applied to any land or building shall be construed to include the words “intended, arranged or designed to be used or occupied”;
- (f) words used in the present tense include the future tense;
- (g) words used in the singular include the plural;
- (h) any word defined in the Municipal Government Act S.A., 1994, Chapter M-26.1 as amended, or the Subdivision and Development Regulation (AR 212/95) shall have the same meaning and bear the same interpretation as set forth in the Municipal Government Act S.A., 1994, Chapter M-26.1, as

amended, or the Subdivision and Development Regulation (AR 212/95) unless specifically defined otherwise in this Bylaw.

- (i) when a question respecting the interpretation of a provision of this Bylaw arises, which in the opinion of the Development Officer or Wood Buffalo Planning Commission warrants clarification, the Development Officer or Wood Buffalo Planning Commission shall prepare a written statement of interpretation for consideration by Council. Every statement of interpretation approved by Council shall be entitled "Clarification of Interpretation", shall be numbered, shall state the provision interpreted and shall be appended to this Bylaw.
- (j) R1, R1M, R1S, R1E, R2, R3, R4, RMU and RMH-2 are urban residential districts. CR and SE are country residential districts. HR is a hamlet residential district.

9. Transition

An application for a development permit or amendment to the Land Use Bylaw commenced prior to the coming into force of this Bylaw shall be evaluated under the provisions of Bylaw 84/2, as amended.

10. Definitions

In this Bylaw, unless the context requires otherwise:

ABATTOIR means the use of land or building in which animals are slaughtered and may include the packing, treating, storing and sale of the produce.

ACCESSORY BUILDING OR USE means a building or use which is subordinate to, exclusively devoted to, and located on the same site as the principal building or use. Where a structure is attached to a principal building on a site by a roof, an open or enclosed structure, a floor or foundation, or any structure below grade allowing access between the building and the structure, it is considered part of the principal building and shall meet all the requirements of that building.

ACT means the Municipal Government Act, S.A. 1994, c. M - 26.1 as amended or replaced from time to time.

ADJACENT refers to those lands that are next to the parcel of land that is subject to a development permit or subdivision application and includes lands that would be next to the subject parcel if not for a river, stream, railway, road, utility right-of-way, or reserve land.

ADULT ENTERTAINMENT FACILITY means: **(BL 00/70)**

- (a) adult mini-theaters 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 or shown as a principal use or an accessory to some other business activity which is conducted on the premises;
- (b) erotic dance clubs which are any premises other than adult mini-theatres wherein live performances, the main feature of which is the nudity or partial nudity of any person, are performed as a principal use or an

- accessory to some other business activity which is conducted on the premises;
- (c) adult video store which are businesses where the main feature of more than 50% of the inventory of the business is used to sell, rent, lease and/or loan “X-rated adult video tapes, digital video discs or other similar electronic or photographic reproductions, the main feature of which are the depiction of sexual activities and the display of persons in states of nudity or partial nudity;
 - (d) love boutiques/shops which are retail or wholesales businesses where the main feature of more than 50% of the inventory of the business is used to which the principal activity is the display and sale of non-clothing merchandise and/or products intended to be used for sexual pleasure;
 - (e) massage service establishment (for adult use only) that is distinguished or characterized by its emphasis on sexually oriented materials or entertainment depicting and/or describing, conduct or acts of a secularly explicit nature. For example, to provide live entertainment for its patrons which includes the display of nudity. **(BL 04/012)**

AIRPORT means:

- (a) any area of land or water, including the frozen surfaces thereof, or other supporting surface used or intended to be used either in whole or in part for the arrival and departure or servicing of aircraft or helicopter, and;
- (b) includes any building, installation or equipment in connection therewith, operated by the Department of National Defense or for which an airport license has been issued by the Ministry of Transport.

AIRPORT RESERVE means lands within the airport not identified for a specific use but protected as reserve lands. This may include lands which have no development potential due to terrain, water courses, etc. **(BL 12/011)**

AIRSIDE means the movement area of an airport, adjacent terrain and buildings or portions thereof, access to which is secured and controlled. **(BL 12/011)**

AIRSIDE BUSINESS INDUSTRIAL means lands within the airport reserved for commercial/light industrial development purposes which require direct access to the airport airside areas such as runways and taxiways. **(BL 12/011)**

AIRSIDE RESERVE means lands within the airport reserved for aircraft manoeuvring including runways, taxiways, aprons, electronic and visual navigational aids, and associated utilities. **(BL 12/011)**

AIRPORT SUPPORT means lands reserved for airport support functions including maintenance structures, equipment storage sheds, sand sheds, fire halls, air traffic control tower and other airport related supporting functions. **(BL 12/011)**

AMATEUR RADIO ANTENNA means an installation consisting of an antenna or antenna array, mounted on a metal tower or support structure, designed for the purpose of the reception and transmission of radio signals by federally licensed amateur radio operators.

AMENITY SPACE means an area comprised of on-site space, either communal or private, indoor or outdoor, that is designed for active or passive recreational use.

ANIMAL SERVICE FACILITY, MAJOR means development for the purposes of treatment, boarding, training, or grooming of animals and includes retail sales of associated products. This may include such uses as veterinary clinics, grooming, boarding and breeding kennels, impounding and quarantining facilities, and animal shelters, but does not include the sale of animals.

ANIMAL SERVICE FACILITY, MINOR means development for the purposes of outpatient care treatment and grooming of animals and includes retail sales of associated products. Typical uses are pet grooming salons and small animal veterinary clinics.

APARTMENT BUILDING means development comprised of three or more dwelling units contained within a building having shared entrance facilities, in which the dwellings are arranged in any horizontal or vertical configuration, and which does not conform to the definition of any other residential use.

APARTMENT HOTEL means development consisting of dwellings contained within a building or a part of a building having a principal common entrance. Dwellings are suitable for use by one or more persons for more than five consecutive days, and includes cooking facilities within each dwelling, furnished including dishes and linen, and either maid service, telephone service, or desk service is provided.

AQUACULTURE FACILITY means a facility for breeding and/or raising fin-fish or shellfish. (BL 07/055)

ARCADE means a development where five or more mechanical or electronic games are provided for public entertainment for any consideration, but does not include adult entertainment, casino, or bingo.

AUCTIONEERING FACILITY means development intended for the auctioning of goods and equipment, including the temporary storage of such goods and equipment, but does not include flea markets.

AUTOMOTIVE AND EQUIPMENT REPAIR means development used for the servicing and mechanical repair of automobiles, light trucks, utility vehicles, motorcycles, snowmobiles, and similar vehicles and the sale, installation or servicing of related accessories and parts. This includes transmission shops, muffler shops, tire shops, automotive glass shops, and upholstery shops.

AUTOMOTIVE and EQUIPMENT REPAIR and STORAGE means the servicing, mechanical repair and storage of automobiles, light trucks, and utility vehicles, motorcycles, snowmobiles, and similar vehicles and the sale, installation, servicing or storage of related accessories and parts, this includes transmission shops, muffler shops, tire shops, body shops, automotive glass shops and upholstery shops.

AUTOMOTIVE/RECREATIONAL VEHICLE SALES AND RENTAL means development used for the retail sale or rental of new or used automobiles, recreational vehicles, motorcycles, snowmobiles, tent trailers, boats, travel trailers or similar light vehicles or crafts, together with incidental maintenance services and sale of parts. This use

includes automobile dealerships, rental agencies, and motorcycle dealerships, but does not include dealerships for the sale of trucks with a gross vehicle rating greater than 4,000 kg.

AUTOMOTIVE WRECKER means a development used for the storing, junking, dismantling, wrecking or crushing of 3 or more motor vehicles, not in running condition, or parts of them, and may include the sale of parts of such vehicles.

BALCONY means a platform attached to and projecting from the face of a building with or without a supporting structure above the first-storey, normally surrounded by a railing and used as an outdoor amenity area with access only from within the building. **(BL 04/012)**

BARE LAND CONDOMINIUM UNIT means a bare land unit as defined in the Condominium Property Act, RSA 1980 c. C-22.

BASEMENT means that portion of a building that is located wholly or partially below grade, the ceiling of which does not extend more than 1 metre above grade.

BASEMENT SUITE means a dwelling unit that is located on the basement level of a single detached or semi-detached dwelling.

BED AND BREAKFAST means a secondary commercial use of a single detached dwelling, whereby temporary accommodation with or without meals is provided for remuneration to members of the travelling public. Bed and breakfast establishment is not allowed in a boarding house, manufactured home, family care dwelling or group home.

BOARD means the Subdivision and Development Appeal Board established by separate Bylaw.

BOARDING HOUSE means development of a dwelling unit where accommodation is provided for compensation, consisting of three or more Sleeping Units without cooking facilities. **(BL 04/012, BL 08/001)**

BOXOUT means the projection of non-livable space outside the foundation. Examples include, chimneys, built-in shelves, and built-in china cabinets. **(BL 04/012)**

BREEDER (DOG) means an occupant of a dwelling on a residential site who maintains up to two dogs for breeding purposes, and their puppies as long as such pups are less than six months old.

BROADCASTING HOUSE means development used for the production and/or broadcasting of audio and visual programming typically associated with radio, television and motion picture studios.

BUILDING includes anything constructed or placed on, in, over or under land including supporting structures of any type but does not include a highway or public roadway or a bridge forming part of a highway or public roadway.

BUILDING HEIGHT means the vertical distance of a building measured from the average grade adjacent to the building to the highest point of the roof.

BUILDING SEPARATION means the minimum distance between two abutting buildings.

BULK OIL AND CHEMICAL STORAGE means a development where refined or crude oil or liquid or solid chemical is stored outdoors.

BUSINESS SUPPORT FACILITY means development for support services to business generally, which for example include: the use of minor mechanical equipment for batch printing; processing and binding; drafting; word and photographic processing services; office maintenance or security services; business related equipment sale, rental, service, repair.

CAMPGROUND means a planned development for the use of recreational vehicles, campers and tents and is not used as a year round storage. A Campground shall be developed in association with a Resort Facility. **(BL 04/012, BL 07/034)**

DELETED (BL 04/012)

CANTILEVER means the projection of habitable or livable space outside the foundation, and it is typically floor to ceiling space. Cantilevers include any floor space that a person can enter, **such** as closets, cantilevered room space, bay windows that create floor space, etc. **(BL 04/012)**

CARNIVAL means temporary development providing a variety of shows, games and amusement rides, for a period of less than 30 days, in which the patrons take part.

CASINO means development providing facilities for patrons to participate in gaming opportunities as the principal use, and includes bingos.

CEMETERY means development of a parcel of land primarily as landscaped open space for the entombment of the deceased, and may include the following accessory developments: crematories, cineriums, columbariums, and mausoleums. Typical uses include memorial parks, burial grounds and gardens of remembrance.

CHILD CARE FACILITY means a development licensed by the province to provide personal care, maintenance, supervision or education, without overnight accommodation for seven or more children at one time for more than 3 but less than 24 consecutive hours in a day. This definition includes daycare centers, nurseries, kindergartens, nursery schools and play schools and other similar uses.

CLUSTER HOUSING means a development of multiple dwellings other than apartment buildings and may include duplex and semi-detached dwellings located on a site or several such developments located on adjoining lots, which are designed to be architecturally integrated.

COMMERCIAL ENTERTAINMENT FACILITY means an enclosed facility in which:

- (a) a fee is charged to the public for the provision of a performance; or
- (b) a minimum fee is charged for admission to the facility or sale of any item, food, or beverage therein, which includes the provision of a performance and, without limiting the generality of the foregoing, may include facilities for movies, live theatres, and dancing, but does not include an adult entertainment facility.

COMMERCIAL RECREATION FACILITY, INDOOR means a facility in which the public participate in recreational activity, and without limiting the generality of the

foregoing, may include amusement arcades where more than five mechanical or electronic games are provided, billiard or pool halls, bowling alleys, fairs, racquet courts, roller skating, gymnasiums and simulated golf.

COMMERCIAL RECREATION FACILITY, OUTDOOR means a development providing facilities for entertainment and amusement activities which primarily take place out-of-doors, where patrons are primarily participants. Typical uses include amusement parks, go-cart tracks, and simulated golf establishments.

COMMERCIAL SCHOOL means a development used for training and instruction in a specific trade, skill or service for the financial gain of the individual or company owning the school.

COMMUNITY FACILITY means a building or premises intended for use by the general public. This includes community recreational facilities, community service facilities, places of religious assembly, education service facilities, and medical or health service centre. **(BL 13/041)**

COMMUNITY RECREATION FACILITY means an indoor recreation facility intended to serve the community at large. Typical uses include swimming pools, hockey rinks, gymnasiums, tourist information/interpretive centre or a multi-purpose facility.

COMMUNITY SERVICE FACILITY means a development for use by the public or public groups for cultural or community activities. Typical uses include museums, libraries, and public and private clubs.

CONTRACTOR, GENERAL means development used for industrial service support and construction. Typical uses include oilfield support services, laboratories, cleaning and maintenance contractors, building construction, landscaping, concrete, electrical, excavation, drilling, heating, plumbing, paving, road construction, sewer or similar services of a construction nature which require on-site storage space for materials, construction equipment or vehicles normally associated with the contractor service. Any sales, display, office or technical support service areas shall be accessory to the principal general contractor use.

CONTRACTOR, LIMITED means development used for the provision of electrical, plumbing, heating, painting, catering and similar contractor services primarily to individual households and the accessory sales of goods normally associated with the contractor services where all materials are kept within an enclosed building, and there are no accessory manufacturing activities or fleet storage of more than four vehicles.

COUNCIL means the Municipal Council of the Regional Municipality of Wood Buffalo.

COUNTRY INN means development of a building designed and containing between five and fifteen sleeping units which is operated to provide temporary accommodation for the travelling public and includes a dining room or kitchen facilities for the provision of meals to registered guests and one parking space for each unit.

CUSTOM MANUFACTURING means development used for small scale on-site production of goods by hand manufacturing, primarily involving the use of hand tools and provided such developments have fewer than five production employees.

DATING and ESCORT SERVICES means any business activity which offers to provide or does provide introductions for a person or persons with another person or persons for a period of companionship of short duration, for which service or introduction of a fee is charged or imposed for each occasion companionship is provided or for each occasion an introduction is made.

DECK means an uncovered or unenclosed amenity area that is attached to a dwelling. **(BL 08/001)**

DETENTION FACILITY means a development used to hold, confine or to provide regulated or temporary residential facilities for young or adult individuals either awaiting trial on criminal charges or as part of the disposition of criminal charges, or released from custody under the supervision of the National Parole Board, a parole or Probation Officer or similar authority. Typical uses are a remand center, jail, or half-way house.

DEVELOPMENT means:

- (a) an excavation or stockpile and the creation of either of them;
- (b) a building or an addition to or replacement or repair of a building and the construction or placing of any of them in, on, over or under land;
- (c) a change of use of land or a building or an 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
- (d) a change in intensity of use of 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 AUTHORITY means the Development Officer or Municipal Planning Commission of the Regional Municipality of Wood Buffalo, or both, as the case may be.

DEVELOPMENT COMPLETION CERTIFICATE means a document or certificate issued by the Development Officer confirming that the requirements and conditions of a development permit have been met.

DEVELOPMENT OFFICER means the person appointed to the office established by Section 16 of this Bylaw.

DEVELOPMENT PERMIT means a document authorizing the commencement of a development pursuant to the provisions of this Bylaw.

DISCRETIONARY USE means the use of land or of a building which is listed in the column captioned Discretionary Uses in a table of uses for the land use districts in this Bylaw, and for which a development permit may be issued.

DRINKING LOUNGE, MAJOR means an establishment that seats 100 persons or more or has more than 120 m² of public space, where the primary purpose is the sale of alcoholic beverages to the public for consumption on the premises. This use typically has a limited menu and minors are prohibited from patronizing the establishment during at least some portion of the hours of operation. Entertainment is a very minor component of operation. Typical uses include but are not limited to bars, pubs, beverage rooms and cocktail lounges. **(BL 05/013)**

DRINKING LOUNGE, MINOR means an establishment that seats less than 100 persons or has a public space of less than 120 m², where the primary purpose is the sale of alcoholic

beverages to the public for consumption on the premises. This use typically has a limited menu and minors are prohibited from patronizing the establishment during at least some portion of the hours of operation. Entertainment is very minor component of the operation. Typical uses include but are not limited to bars, pubs, beverage rooms and cocktail lounges. (BL 05/013)

DELETED (BL 05/013)

DELETED (BL 04/012)

DUPLEX means development of a building containing only two dwellings, with one being placed over the other in whole or in part with individual and separate entrances to each dwelling from grade or landscaped area.

DWELLING means a self-contained living quarter including sleeping, kitchen, eating and sanitary facilities for the domestic use of one or more persons. (BL 04/012)

DWELLING UNIT means a complete building or self-contained portion of a building used by a household, containing sleeping, kitchen and sanitary facilities intended as a permanent residence and having an independent entrance either directly from the outside of the building or through a common area inside the building. (BL 04/012)

DELETED (BL 05/013)

DELETED (BL 05/013)

EDUCATIONAL SERVICE FACILITY means a publicly or privately supported development used for education and includes its administrative offices. Typical uses include elementary and secondary schools but does not include commercial schools. Uses also include colleges and on-site student housing. (BL 01/043)

EQUIPMENT RENTAL means development used for the rental of tools, appliances, recreation craft, office machines, furniture, light construction equipment, or similar items, but does not include the rental of motor vehicles or industrial equipment.

ESSENTIAL PUBLIC SERVICE means a development which is necessary for the continued health, safety or welfare of the residents of the Municipality. This includes fire stations, police stations, municipal offices or other similar facility. (BL 01/043)

EXTENSIVE AGRICULTURE means those agricultural operations producing crops or livestock which require large tracts of land (larger than 32.38 ha).

EXTENSIVE RECREATION means uses which locate in areas to take advantage of natural physical features and to provide for non-facility oriented recreational activities such as hunting, trail riding, snowmobiling, hiking, cross-country skiing, rustic camping and similar uses.

FAMILY CARE DWELLING means a dwelling used to accommodate persons who are parents, brothers, sisters, sons or daughters of the residents of another dwelling on the same parcel, and who provide personal care to or require personal care from those residents, provided that:

- (a) such personal care is necessary due to elderly age, physical disability and/or mental handicap;

- (b) the need for such personal care is verified; and
- (c) such family relationship is proven.

FARMERS/FLEA MARKET means development used for the sale of new or used goods and food products by multiple vendors renting tables and/or space in an enclosed building. Vendors may vary from day to day, although the general layout of space to be rented remains the same, and such operations are usually conducted on weekends and holidays only.

DELETED (BL 08/001)

FLEET SERVICE means development using a fleet of vehicles for the delivery of people, goods, or services, where such vehicles are not available for sale or long term lease. This **includes** ambulance services, taxi services, bus lines, messenger and courier services, but does not include moving or cartage firms involving trucks with a gross vehicle weight of more than 3,000 kg.

FLOOD PLAIN means the area of land along a river, stream, or creek that is potentially at risk to flooding from time to time.

FLOOR AREA RATIO means the numerical value obtained by dividing the gross floor area of all buildings on a site, excluding parking structures, by the total area of the site.

FOOD SERVICE, DRIVE-IN or DRIVE-THROUGH means an establishment providing services at drive-up windows for patrons in motor vehicles. **(BL 05/013)**

FOOD SERVICE, MAJOR RESTAURANT means an establishment where the primary purpose is the sale of prepared food and beverages to the public for consumption on or off the premises. Minors are never prohibited from any portion of the public space of the establishment at any time during the hours of operation. This use typically has a varied menu, with fully equipped kitchen preparation area. This use has a capacity of 100 or more persons or 120 m² or more of public space. The use may include drive-through food pick-up service when appropriate approvals are received. **(BL 05/013)**

FOOD SERVICE, MINOR RESTAURANT means an establishment where the primary purpose is the sale of prepared food and beverages to the public for consumption on or off the premises. Minors are never prohibited from any portion of the public space of the establishment at any time during the hours of operation. This use typically has a varied menu, with fully equipped kitchen and preparation area. This use has a capacity of less than 100 persons and less than 120 m² of public space. The use may include drive-through food pick-up service when appropriate approvals are received. **(BL 05/013)**

FOOD SERVICE, MOBILE CATERING means an establishment using a vehicle or fleet of vehicles for the delivery and sale of food to the public from the vehicle or vehicles. **(BL 05/013)**

FOOD SERVICE, TAKE OUT RESTAURANT means an establishment where the primary purpose is the sale of limited types of prepared food and beverages to the public for consumption off the premises and may include a waiting area. **(BL 05/013)**

FOURPLEX means a development comprised of four dwelling units each having a separate, direct entrance from grade or landscaped area.

FUNERAL HOME/CREMATORIUM means development used for the preparation of the dead for burial, the holding of funeral services, and the purification and reduction of the human body by heat.

GARAGE means an accessory building or part of the principal building designed and used primarily for the storage of non-commercial motor vehicles.

GARAGE SALE means the sale of used household goods by the occupant of a dwelling for a maximum of two (2) consecutive days and for a maximum of three (3) sales in one calendar year starting on January 1. A garage sale may also be called a yard sale, lawn sale, moving sale, rummage sale, renovation sale, tag sale, attic sale, or junk sale, but does not include Home Business or Home Occupation. **(BL 13/014)**

GAS BAR means development used for the retail sale of gasoline, other petroleum products, and incidental auto accessories. This use does not include Minor and Major Service Stations. **(BL 04/012)**

GENERAL INDUSTRIAL means the following activities:

- (a) the processing of raw or finished materials;
- (b) the manufacturing or assembly of goods, products or equipment;
- (c) the cleaning, servicing, repairing or testing of materials, goods and equipment normally associated with industrial or commercial businesses or cleaning, servicing and repair operations to goods and equipment associated with personal or household use, where such operations have impacts that would make them incompatible in non-industrial districts;
- (d) the storage or transshipping of materials, goods and equipment, including petro-chemical products and supplies;
- (e) the training of personnel in general industrial operations. It may include any indoor display, office, technical or administrative support areas or any sales operation accessory to the general industrial uses. A general industrial development shall not adversely affect surrounding non-industrial uses through the generation of emissions, noise, odours, vibrations, heat, bright light or dust.

GREENHOUSE/PLANT NURSERY means development for the growing, acclimatizing, propagating, harvesting, displaying and selling of bedding, household, and ornamental plants and may include accessory uses related to the storing, displaying, and selling of gardening, nursery and related products.

GROSS FLOOR AREA means the sum of the areas of all floors of a building measured to the outside surfaces of the exterior walls, or where buildings are separated by firewalls, to the centerline of the fire wall and includes all floors totally or partially above grade, and all floors totally below grade developed for commercial, industrial or institutional use, and includes all mechanical and electrical equipment areas.

GROUP HOME means a development using a dwelling unit as a facility which is authorized, licensed or certified by a provincial authority to provide room and board for foster children or for physically, mentally, socially, developmentally or behaviorally challenged persons and which may be for the personal rehabilitation of its residents either through self-help or professional care, guidance and supervision. The residential character

of the development shall be maintained with the occupants living together as a single housekeeping group using shared kitchen facilities. A group home may incorporate accommodations for resident staff as an accessory use.

GUEST RANCH means development of a privately owner-occupied ranch house which includes sleeping facilities which are rented on a daily basis to registered guests and meals are prepared in a residential kitchen.

HABITABLE ROOM means any room in a dwelling other than a non-habitable room.
(BL 01/043)

HAMLET means an unincorporated community established by an order of the Minister of Municipal Affairs or designated as a hamlet by Council pursuant to the Act.

DELETED (BL 08/001)

HEIGHT means the maximum vertical distance between the average grade and the highest point of a building that is not a roof stairway entrance, ventilating fan, skylight, steeple, chimney, smoke stack, firewall, parapet wall, flag pole, or similar device not structurally essential to the building.

HOME BUSINESS means the secondary use of a principal dwelling, its accessory buildings and site, or combination thereof, by at least one (1) permanent resident of the dwelling, to conduct a business activity or occupation. A home business does not include:

- (a) adult entertainment service;
- (b) automotive and equipment repair and storage;
- (c) automotive sales, rental or storage and recreational vehicle sales;
(BL 00/068)
- (d) dating or escort service;
- (e) industrial vehicle and equipment sales, rental or storage;
- (f) services or sales except the type of sales or services as listed in Part 5, Section 70.1(e) of this Bylaw; and
- (g) veterinary services.

HOME OCCUPATION means the secondary use of a principal dwelling by only the permanent residents of the dwelling to conduct a business activity that does not require client visits to the residence, (consulting service, making crafts for sale elsewhere, etc.), as compared to a Home Business which permits limited client visits to the residence. A Home Occupation does not include:

- (a) adult entertainment service;
- (b) automotive and equipment repair and storage;
- (c) automotive and recreation vehicle sales, rental or storage;
- (d) dating or escort service;
- (e) industrial vehicle and equipment sales, rental or storage;
- (f) services or sales except the type of sales or services as listed in Part 5, Section 69.1(g) of this Bylaw; and
- (g) veterinary services.

HOSPITAL means an institutional development used to provide in-patient and out-patient health care to the public. Typical developments include a community health center and a full service hospital.

HOSTEL means development of an establishment operated to provide temporary accommodation to transients for remuneration and may include recreational facilities but may not include additional services such as room service.

HOTEL means development used for the provision of rooms or suites for temporary sleeping accommodation where the rooms have access from a common interior corridor and may be equipped with individual kitchen facilities, and may include accessory eating and drinking establishments, meeting rooms, personal service shops, and general retail shops. A hotel shall have on-site check-in facility. **(BL 01/043)**

HOUSEHOLD EQUIPMENT REPAIR means development used for the provision of repair services to goods, equipment and appliances normally found within the home.

INDUSTRIAL SUPPORT FACILITY means development providing support services to industry. Typical uses include printing and duplicating services, building security, cleaning or maintenance services, laboratories, oilfield services, construction trade or construction contractor.

DELETED (BL 04/012)

INTENSIVE AGRICULTURE means a commercial agricultural operation other than an intensive livestock operation which, due to the nature of the operation, requires a relatively small tract of land (i.e. 4.08 to 32.38 ha). Without restricting the generality of the foregoing, this shall include greenhouses, market gardens, sod farms, bee keeping, tree farms, horse holding areas, and dog holding areas, and may include a supporting dwelling unit.

INTENSIVE LIVESTOCK OPERATION means a feedlot or covered facility of significant investment or permanence capable of confining livestock for growing or finishing for market at a density of more than one (1) livestock manure unit per 185.8 m².

| Livestock Type | Threshold # | Livestock Type | Threshold # |
|---------------------------------|--------------------|--------------------------|----------------------|
| Beef Feeder (225 – 545 kg) | 300 | Poultry (broilers) | 1,000 m ² |
| Dairy Cows (milking) | All | Poultry (breeders) | 500 |
| Piggery (sows farrow to finish) | 30 | Poultry (layers) | 5,000 |
| Piggery (sows farrow to wean) | 50 | Poultry (turkey boilers) | 3,000 |
| Piggery (feeders only) | 300 | Sheep (ewes) | 650 |
| Veal | 100 | Other | Discretionary |
| Horses (PMU) | 75 | | |

KENNEL means a development used for the breeding, boarding or training of four or more dogs which are not owned by the occupant of the dwelling site.

KITCHEN means facilities for the preparation of cooking of food and includes any room containing counters, cabinets, plumbing, appliances or wiring which taken together, may be intended or used for the preparation or cooking of food. **(BL 04/012)**

LAND FARM means a site used for the treatment of soils contaminated by hydrocarbons and non-hazardous organic oil field waste, whereby the soil in question is remedied through aeration or cultivation into agricultural or other suitable lands.

LANDING means the entrance area at the top of exterior stairs to a building required by Alberta Building Code. The full arc of the swing of the doors shall be over a landing, and the landing shall be at least as wide as the stairs itself. A landing implies the requirement for stairs needed to access it. Landing areas larger than 1.8 m² shall be classified as decks. **(BL 00/011, BL 04/012)**

LANDSCAPING means the modification and enhancement of a site through the use of any or all of the following elements:

- (a) soft landscaping consisting of vegetation such as trees, shrubs, hedges, grass and ground cover;
- (b) hard landscaping consisting of non-vegetative materials such as brick, stone, concrete, tile, and wood, but excluding monolithic concrete and asphalt in the form of patios, walkways, paths and parking lots. **(BL 01/102)**

LAND USE DISTRICT means an area of the municipality established as a land use district by this Bylaw.

LANDSIDE BUSINESS INDUSTRIAL means lands within the airport reserved for commercial/light industrial development purposes which does not require access to the airside. **(BL 12/011)**

LIQUOR STORE means a building or part of a building used for the display and retail sale of alcoholic beverages for consumption off-site.

LIVESTOCK MANURE UNIT means the number of livestock needed to produce sufficient manure to meet the nitrogen requirements of 0.404 ha of crop land. In this Bylaw each 454 kg of live animal weight equals one (1) livestock manure unit.

LOT means:

- (a) a quarter section;
- (b) a river lot shown on an official plan, as defined in the Surveys Act, that is filed or lodged in a land titles office;
- (c) a settlement lot shown on an official plan, as defined in the Surveys Act, that is filed in a land titles office;
- (d) a part of a parcel of land 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, or
- (e) a part of a parcel of land 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. (Municipal Government Act, S.A. 1994, c. M - 26.1)

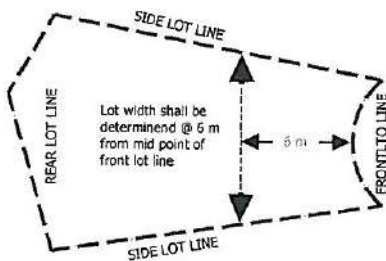
LOT COVERAGE means that percentage of a lot which may be covered by buildings or structures, including accessory buildings, and decks whether attached or not. Patios,

pavement, swimming pools and hard landscaping shall not be considered as part of lot coverage, however, these structures shall not be so extensive that they reduce the area of green soft landscaping to below the minimum standard required by this Bylaw.

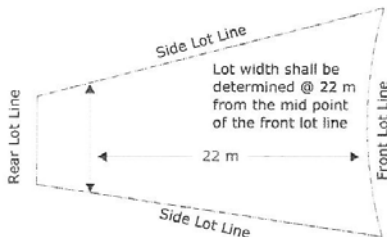
LOT DEPTH means the length of a line joining the mid points of the lot frontage and rear lot line. **(BL 08/001)**

LOT WIDTH, CORNER means a lot that has public road frontage on two sides, where additional width is required to meet setback requirements, possible utility easements and create a lot with usable outdoor living space. The corner lot widths shall be a minimum of two meters wider than the minimum lot width as identified in the appropriate zoning districts for lots less than 15 m wide. **(BL 04/012)**

LOT WIDTH, IRREGULAR means a pie-shaped or other similar irregularly shaped lots whereby either the front or rear lot lines do not meet the minimum lot width as identified in the appropriate zoning district. In this case the Lot Width shall be determined by the distance measured 6 m perpendicular to and at the mid-point of the front yard lot line between the side lot lines as shown in the figure below. The arc length measure at the curb shall not be less than 70% of the minimum lot width.



For a reverse pie lot, the width is the horizontal distance between the side lot lines measured 22 m from the front lot line.



For other lots where the lot width cannot be reasonably calculated by these methods, a Development Officer shall determine the lot width having regard to access, shape and buildable area of the lot, and the lot width and location of buildings on abutting lots. **(BL 04/012, BL 08/001)**

LOT WIDTH REGULAR means a lot having both the front and rear lot lines as measured between the side lot lines that is equal to or greater than the minimum lot width as identified in the appropriate zoning districts. **(BL 04/012)**

MANUFACTURED HOME means a building or structure prefabricated or factory built in one or two sections that is constructed on a chassis, may or may not be equipped with wheels, is designed to be moved from one place to another, provides self-contained year-

round residential accommodation, is complete and ready for occupancy when placed on the site except for incidental connection to utilities, and is built to the CSA Z240 Standard. This does not apply to modular homes, recreational vehicles or industrial camp trailers.

MANUFACTURED HOME PARK means a development on a lot under single ownership and managed by a park operator that is designed to accommodate numerous manufactured homes on leased sites in a community setting.

MANUFACTURED HOME PARK DWELLING SITE means that portion of manufactured home park which has been reserved for the placement of a manufactured home and related accessory buildings.

MARKET GARDEN means the growing of vegetables or fruit for commercial purposes.

MASSAGE SERVICE means a business providing the application of physical external manipulation of the soft tissues of the human body by another person. It includes massages administered as part of a skin care treatment by an aesthetician (where the massage is for the purpose of product application and is a minor or incidental part of the treatment), but does not include massages administered by medical or therapeutic professionals registered or entitled to practice under provincial legislation. **(BL 04/012)**

MEDICAL CLINIC means a use where human health that are preventative, diagnostic, therapeutic or rehabilitative are provided with overnight accommodation for a limited number of patients. **(BL 13/027)**

MILITARY FACILITY means a development, other than an office, operated by the Department of National Defense.

MODULAR HOME means a prefabricated or factory-built frame or shell which comprises the wall or siding of a proposed dwelling. More specifically, a modular unit represents only a section of the dwelling and such a unit has neither chassis, running gear, nor its own wheels, but units may be stacked side-by-side or vertically, and completed to form one or more complete dwelling units for year-round occupancy.

MOTEL means development for the provision of rooms or suites for temporary lodging or light housekeeping, where each room or suite has its own exterior access, and may include accessory eating and drinking establishments. A motel shall have on-site check-in facility. **(BL 01/043)**

MUNICIPAL PLANNING COMMISSION means The Wood Buffalo Planning Commission referenced under Section 11 of this Bylaw.

MUNICIPALITY means the Regional Municipality of Wood Buffalo.

NATURAL RESOURCE EXTRACTION and PROCESSING means the development of oil, gas, gas facilities, sand and gravel, and logging operations.

NIGHTCLUB means an establishment where the primary purpose is the sale of alcoholic beverages to the public for consumption on the premises, in a facility where entertainment facilities take up more than ten percent (10%) of the floor area. This use typically has a limited menu and minors are prohibited from patronizing the establishment. Typical uses include but are not limited to dance clubs, cabarets and nightclubs. **(BL 05/013)**

NON-CONFORMING BUILDING means a building:

- (a) that is lawfully constructed or lawfully under construction at the date a land use bylaw affecting the building or the land on which the building is situated becomes effective, and
- (b) that on the date the land use bylaw becomes effective does not, or when constructed will not, comply with the land use bylaw. (Municipal Government Act, S.A. 1994, c. M - 26.1)

NON-CONFORMING USE means a lawful specific use:

- (a) being made of land or a building or intended to be made of a building lawfully under construction at the date a land use bylaw affecting the land or building becomes effective; and
- (b) that on the date the land use bylaw becomes effective does not, or in the case of a building under construction will not, comply with this Bylaw. (Municipal Government Act, S.A. 1994, c. M - 26.1)

NON-HABITABLE ROOM means a space in a dwelling providing a service function and not intended primarily for human occupancy, including bathrooms, entry ways, corridors or storage areas. **(BL 01/043)**

OFFICE means a development that provides professional, management, administrative, and similar office and business support services, and financial services. **(BL 08/001)**

OIL SANDS MINING, EXTRACTION and UPGRADING means Alberta Energy and Utilities Board approved commercial oil sands mining and upgrading operations, including but not limited to associated industrial infrastructure, offices, laboratories, on-site security, on-site project accommodations integral to the oil sands mining, extraction and upgrading, processing of by-products and utilities and co-generation facilities.

OIL SANDS PILOT PROJECT means Alberta Energy and Utilities Board approved pilot operations to test oil sands extraction technologies, including but not limited to monitoring and laboratory functions, on-site project accommodations integral to the oil sands pilot project, upgrading and test drilling programs. **(BL 06/001)**

ON-SITE SECURITY means a secondary building/buildings or portion of a building used solely in order to provide surveillance for the maintenance and safety of the principle development or the natural habitat located on the lands. On-site security can consist of a security suite and/or other secondary buildings necessary to provide the security service. **(BL 08/001)**

OUTDOOR RECREATION FACILITY means development providing facilities which are available to the public at large for sports and active recreation conducted outdoors. Typical uses include golf courses, driving ranges, ski hills, ski jumps, sports fields, outdoor tennis courts, unenclosed ice surfaces or rinks, athletic fields, boating facilities, outdoor swimming pools, bowling greens, riding stables and fitness trails.

PARCEL OF LAND means the aggregate of the one or more areas of land described in a certificate of title or described in a certificate of title by reference to a plan filed or registered in a land titles office, (Municipal Government Act, S.A. 1994, c. M - 26.1).

PARK means development of land for recreational activities of the general public which do not require major buildings or facilities, and includes picnic areas, playgrounds, pedestrian and bicycle paths, landscaped areas and public washrooms.

PARKING LOT/STRUCTURE means an area of land or a structure providing for the parking of motor vehicles.

PERMITTED USE means the use of land or of a building which is listed in the column captioned "Permitted Uses" in a table of uses for the land use districts in this Bylaw, and for which a development permit shall be issued.

PERSONAL SERVICE FACILITY means development used for the provision of personal services to an individual which are related to the health, care and appearance of the body, or the cleaning and repair of personal effects and includes barber shops, hairdressers, beauty salons, tanning salons, massage service, shoe repairs shops and dry cleaning establishments. Health services entail the provision of physical and mental health services on an outpatient basis and services may be of a preventative, diagnostic, treatment, therapeutic, rehabilitative or counseling nature. This use does not include any facilities for patients to overnight, general retail business or adult entertainment facilities. **(BL 04/012, BL 08/001)**

POST-WILDFIRE RECOVERY PERIOD has the meaning set out in Bylaw 16/013, the Wood Buffalo Recovery Committee Bylaw. **(BL 16/012)**

PRINCIPAL BUILDING OR USE means a building or use which, in the opinion of the Development Authority, is the main purpose for which the building or site is ordinarily used.

PRINCIPAL LIVING ROOM WINDOW means the main or largest glazed area of a Living Room. **(BL 01/043)**

PRIVATE UTILITY means any building, structure, plan or equipment used to provide one or more of the following for public or private consumption, benefit, convenience or use:

- (a) water or steam;
- (b) fuel;
- (c) electric power;
- (d) heat;
- (e) public transportation operated by or on behalf of the municipality;
- (f) irrigation;
- (g) sewage disposal;
- (h) drainage; or
- (i) waste management. **(BL 07/055)**

PROJECT ACCOMMODATION means a residential complex used to house camp workers by various contracting firms on a temporary basis, and without restricting the generality of the above, the camp is usually made up of a number of mobile units, clustered in such fashion as to provide sleeping, eating, recreation, and other basic living facilities. The units may be dismantled and removed from the site from time to time. **(BL 06/001)**

PUBLIC ROAD means the right-of-way for a Primary Highway, Secondary Highway, street, or lane that is registered at Land Titles and is used or intended to be used to accommodate vehicle traffic.

PUBLIC SPACE means space within an establishment, which is open to the public and not restricted to employees only. This definition does not include kitchens, administrative offices, and food or drink preparation areas. **(BL 05/013)**

PUBLIC USE means a development of a building for the operation of public utilities.

PUBLIC UTILITY means a right-of-way used to provide one or more of the following for public consumption, benefit, convenience or use:

- (a) water or steam;
- (b) sewage disposal;
- (c) public transportation operated by or on behalf of the municipality;
- (d) irrigation;
- (e) drainage;
- (f) fuel;
- (g) electric power;
- (h) heat;
- (i) waste management;

and includes the thing that is provided for public consumption, benefit, convenience or use.

RECREATIONAL EQUIPMENT means a powered boat, unpowered boat, all-terrain vehicle, snowmobile, personal watercraft or other similar equipment, or any of them on a utility trailer.

RECREATIONAL VEHICLE means a vehicle or portable structure designed to be carried on a motor vehicle, towed behind a motor vehicle, or designed and built to be transported on its own wheels, to provide temporary living accommodation. For the purpose of this Bylaw this includes such vehicles as motor homes, campers not mounted on a truck, holiday trailers, tent trailers and 5th wheel units but does not include manufactured homes or utility trailers. **(BL 07/034)**

DELETED (BL 04/012, BL 07/034)

RECYCLING DEPOT means development used for the buying and temporary storage of bottles, cans, tetrapaks, newspapers and similar household goods for reuse where all storage is contained within an enclosed building. Pick-up and delivery of goods is permitted.

RECYCLED MATERIAL DROP-OFF CENTER means a development used for the collection and temporary and outdoor storage of recyclable materials. Recyclable materials include, but are not limited to, cardboard, plastics, paper, metal, glass and similar household goods, but shall not include hazardous materials. Recyclable material left at the drop-off center shall be periodically removed and taken to recycling depot for final recycling. **(BL 08/001)**

REGULATION means the Subdivision and Development Regulation AR 212/95.

RELATED INDUSTRIAL FACILITY means those industries related to oil sands extraction and upgrading and include, but are not limited to, processing, fabricating, storage, transportation, receiving or distribution of goods or materials.

RELIGIOUS ASSEMBLY means a development and any related meeting halls used for spiritual worship and related religious, charitable, educational or social activities, but does not include a school. A religious assembly may include an area not exceeding 150.0 m² for the display and sale of religious items, at the discretion of the Development Authority. A religious assembly may include a single family dwelling for the resident religious leader, provided it is an accessory to the principal use. **(BL 08/001)**

RESEARCH AND DEVELOPMENT means premises used for the purpose of conducting research and developing products or services, but does not include retail or wholesale of those products or services. **(BL 07/055)**

RESIDENTIAL SALES CENTRE means development of a show home or temporary building used for a limited period of time for the purpose of marketing residential land and buildings.

RESORT FACILITY means commercial development which offers guest accommodation, as well as complimentary recreational opportunities. The resort may include dining and beverage facilities, concessions and picnic areas. Typical uses include fishing lodges, ski resorts, golf courses, riding, and boating and fishing facilities. **(BL 07/034)**

RETAIL STORE, GENERAL means development used for the retail sale of consumer goods from within an enclosed building, but does not include a liquor store. This type of retail store may include food preparation and consumption areas with a maximum capacity of twelve persons. **(BL 08/001)**

RETAIL STORE, CONVENIENCE means development used for the retail sale of those goods required by area residents or employees on a day to day basis in an enclosed building which does not exceed 275 sq. m. in gross floor area. Typical uses include small food stores, drug stores, video sales and rentals, and variety stores selling confectionery, tobacco, groceries, beverages, pharmaceutical and personal care items, hardware or printed matter, but does not include a liquor store. This type of retail store may include food preparation and consumption areas with a maximum capacity of twelve persons. **(BL 08/001)**

RETAINING WALL means a structure constructed to withstand lateral pressure in order to hold back earth, loose rock. or similar materials, but does not include a foundation wall. **(BL 04/012)**

RURAL SERVICE AREA means that portion of the Regional Municipality of Wood Buffalo located outside of the Fort McMurray Urban Service Area.

SATELLITE DISH ANTENNA means:

- (a) a combination of an antenna or dish antenna, the purpose of which is to receive signals from orbiting satellites;
- (b) a low noise amplifier (LNA) situated at the focal point of the receiving component, the purpose of which is to magnify and transfer signals;

- (c) a cable, the purpose of which is to transmit signals; and
- (d) other associated components.

SCREENING means a fence, berm or hedge used to visually separate areas or functions.

SECRETARY means the secretary of the Subdivision and Development Appeal Board.

SECURITY SUITE means a single dwelling unit forming part of a development, or may be developed in a separate structure on-site, and used solely to accommodate a person or persons related as a family, or employee whose official function is to provide surveillance for the maintenance and safety of the development. **(BL 08/001)**

SEMI-DETACHED DWELLING means development of a dwelling unit joined side by side to one other dwelling unit with a common wall and each dwelling unit having at least one separate entrance.

SENIOR CITIZEN HOUSING means development of a building designed for the long term housing of senior citizens sharing a common cooking, eating and housekeeping facilities but who do not require medical or institutional type care.

SEPARATION SPACE means open space around dwellings separating them from adjacent buildings or activities and providing daylight, ventilation and privacy. Separation space is not a yard. **(BL 01/043)**

SERVICE STATION, MAJOR means development used for the servicing, washing, and repairing of vehicles and the sale of gasoline, other petroleum products, and a limited range of vehicle parts and accessories, and may include minor eating and drinking establishments.

SERVICE STATION, MINOR means development used for the routine washing, servicing and repair of vehicles within a building containing not more than three service bays and the sale of gasoline, petroleum products, and a limited range of automotive parts and accessories.

SETBACK means the distance that a development must be set back from a property line or any other features of a site specified by the Bylaw. A setback is not a yard.

SHOPPING CENTRE means any group of permitted or discretionary uses, designed, developed and managed as a single unit by a single owner or tenant, or a group of owners or tenants, either in a mall type setting or on a common site.

SIGN means any structure, device, light or fixture, or any part thereof, used to identify, advertise or attract attention to any person, object, product, event, place, organization, institution, development, business, group, profession, enterprise or industry and is intended to be seen from on or off the site.

SINGLE DETACHED DWELLING means a building containing one dwelling unit, including a modular home but does not include a manufactured home. **(BL 04/012)**

SITE means an area of land consisting of one or more abutting lots in one ownership.

SLEEPING UNIT means a habitable room, not equipped with self-contained cooking facilities, consisting of a lockable entry and providing accommodations for not more than two persons. **(BL 08/001)**

SPECIAL EVENT means a temporary activity that:

- (a) changes the use of land or a building, or that changes the intensity of use of land or a building;
- (b) does not exceed ten (10) consecutive calendar days, excluding the time required to erect and dismantle the event, which shall not exceed an additional ten (10) cumulative calendar days;
- (c) does not occur for more than fifteen (15) cumulative days in one calendar year, starting on January 1, excluding the time required to erect and dismantle the event;
- (d) is not part of a use at the site for which there is an existing Development Permit; and
- (e) may include a Carnival or a Festival but does not include Project Accommodation or a Garage Sale. **(BL 12/039, 13/014)**

SPECTATOR SPORTS FACILITY means development providing facilities intended for sports and athletic events which are held primarily for public entertainment, where patrons attend on a recurring basis. Typical uses include coliseums, stadia, arenas, animal racing tracks and vehicle racing tracks.

STAFF ACCOMMODATION means a residential building or buildings containing dwelling units which are used to house support staff for the operation of a recreational or commercial facility on the same site as that use. **(BL 08/001)**

STORAGE FACILITY means a site designed for the storage of goods or materials or equipment. No permanent buildings or structures are permitted.

STRUCTURE means anything constructed or erected, the use of which requires location on the ground or attachment to something located on the ground but not including pavements, curbs, walks or open air surfaced areas or movable vehicles.

SUBDIVISION means the division of a parcel of land into one or more smaller parcels by a plan of subdivision or other instrument.

SWIMMING POOL means an artificial body of water, excluding ponds, of more than 10.0 m² in area used for swimming, bathing or diving.

TELECOMMUNICATIONS TOWER means an installation consisting of an antenna or antenna array, mounted on a metal tower or support structure, designed for the purpose of the reception and transmission of cellular telephone or radio signals by federally licensed operators.

TEMPORARY PROJECT ACCOMMODATION means a temporary residential complex used to house camp workers by various contracting firms on a temporary basis of more than 28 days and less than 1 year. The camp is usually made up of a number of mobile units, clustered in such fashion as to provide sleeping, eating, recreation, and other basic living facilities. **(BL 04/012, BL 06/001)**

DELETED (BL 16/014)

TERMINAL RESERVE means lands within the airport reserved for the airport terminal building and associated infrastructure. **(BL 12/011)**

TOWNHOUSE means a multiple dwelling comprised of three or more dwelling units separated from each other by walls extending from foundations to roof, with each dwelling unit having a separate, direct entrance from grade and includes all row, linked, patio, garden court or other housing which meets those criteria.

TRAPPERS CABIN means development of a structure used for temporary habitation, located in isolated areas, not exceeding 74.2 m² in total floor area.

DELETED (BL 04/012)

TRIPLEX means a development comprised of three dwelling units each having a separate, direct entrance from grade or landscaped area.

TRUCK AND MOBILE HOME SALES means development used for the retail sale or rental of new or used trucks, motor homes, mobile homes, and automobiles together with incidental maintenance services and the sale of parts and accessories.

URBAN SERVICE AREA means the Fort McMurray Urban Service Area.

UTILITY TRAILER means a portable structure, designed to be pulled by a motor vehicle, to allow for the transport of goods and possessions, but is not to be used as temporary accommodation.

VERANDAH means an entrance consisting of a roof and floor where the front and sides of the structure remains open to the outside elements and is considered to be part of the principal dwelling. **(BL 08/001)**

VIOLATION TICKET means a violation ticket issued pursuant to the Provincial Offences Procedure Act, as amended, and the regulations thereunder. **(BL 01/095)**

VISITING STUDENTS SUPERVISED HOUSING UNIT means the use of dwelling unit for the provision of room, board, care, maintenance, and supervision by two adult house parents of no more than eight children or young adults, enrolled and attending school facilities within the Regional Municipality of Wood Buffalo.

WAREHOUSE SALES means development for the use of a large enclosed warehouse type building where a range of goods are displayed and/or stored for wholesale or retail sales.

WAREHOUSE AND STORAGE means the use of a building and/or site primarily for the keeping of goods and merchandise, excluding dangerous or hazardous materials, derelict vehicles or parts thereof, or any waste material.

WASTE MANAGEMENT FACILITY means a sanitary landfill, modified sanitary landfill, hazardous waste management facility or dry waste site approved or registered pursuant to the Environmental Protection and Enhancement Act for the processing, treatment, storing, recycling or landfilling municipal, hazardous or industrial waste, but does not include an automobile wrecker.

YARD means a part of a lot upon or over which no building or structure other than a boundary fence is erected except for specifically permitted encroachments and accessory buildings.

YARD, FRONT means a yard extending across the full width of a lot and situated between the front lot line and the nearest exterior wall of the principal building, with the exception of irregular shaped corner lots where the front yard will be determined by the Development Officer. **(BL 04/012)**

YARD, REAR means a yard extending across the full width of a lot and situated between the rear lot line and the nearest exterior wall of the principal building.

YARD, SIDE means a yard extending from the front yard to the rear yard and situated between the side lot line and the nearest exterior wall of the principal building.

YARD, INTERIOR SIDE means a side yard other than an exterior side yard.

YARD, EXTERIOR SIDE means a side yard immediately adjoining a street.

YOUTH ASSESSMENT CENTRE means an institutional development to provide rehabilitation, education and treatment including meals, sleeping accommodation and incidental care, to youths in a supervised environment. **(BL 02/044)**

ZERO LOT LINE means a residential development approach in which buildings are permitted to be located on one or more property lines with no yard between the building and the property line.

11. **Reserved for future use.**
12. **Reserved for future use.**
13. **Reserved for future use.**

PART 2 - Control of Development

14. Subdivision and Development Appeal Board

- 14.1 The Subdivision and Development Appeal Board established by Bylaw shall perform such duties as are specified in Bylaw 95/033, as amended or replaced from time to time, and the Act.

15. The Wood Buffalo Planning Commission

- 15.1 The Wood Buffalo Planning Commission established by Bylaw shall perform such duties as are specified in Bylaw 86/41, as amended or replaced from time to time.
- 15.2 The Municipal Planning Commission is hereby authorized to act as a “Development Authority”.

16. Development Officer

- 16.1 The office of the Development Officer is hereby established and such office shall be filled by a person or persons to be appointed by the Chief Administrative Officer or their designate, and is authorized to act as a “Development Authority.”
(BL 06/009)

17. Duties and Responsibilities of Development Officer

- 17.1 The Development Officer shall:

- (a) receive and process all applications for development permits;
- (b) keep and maintain for inspection of the public during office hours, a copy of this Bylaw and all amendments thereto, and ensure that copies are available to the public at a reasonable charge;
- (c) keep a register of all applications for development, including the decisions therein and the reasons therefore, for a minimum period of seven (7) years;
- (d) issue decisions for development permit applications for those uses listed as “Permitted Uses” in the subject land use district;
- (e) issue decisions for development permit applications for those uses listed as “Discretionary Uses – Development Officer” in the subject land use district; and
- (f) refer all applications for “Discretionary Uses – Planning Commission” to the Municipal Planning Commission for a decision.

- 17.2 The Development Officer may:

- (a) refer development permit applications to the Municipal Planning Commission for those uses not listed either as Permitted Uses or Discretionary Uses in the subject land use district; and
- (b) refer development permit applications to the Municipal Planning Commission for those uses listed as “Permitted Uses” or “Discretionary Uses – Development Officer” which the Development Officer wishes to refer to the Municipal Planning Commission.
- (c) refer any other planning or development matter to the Municipal Planning Commission for its review, support or advice.

17.3 In the absence of a Municipal Planning Commission, the Development Officer shall perform its duties and responsibilities.

18. Duties and Responsibilities of the Planning Commission

18.1 The Municipal Planning Commission shall:

- (a) issue decisions for development permit applications for those uses listed as “Discretionary Uses – Planning Commission” in the subject land use district and any other applications referred to it by the Development Officer.
- (b) where a proposed development contains multiple uses, and those uses have different approving authorities, issue decisions for development permit applications for those uses which are both “Permitted Uses” and “Discretionary Uses – Planning Commission” or “Discretionary Uses – Development Officer” and “Discretionary Uses – Planning Commission” under the terms of this Bylaw.
- (c) if a proposed use of land or a building is not listed as a “Permitted Use”, “Discretionary Use – Development Officer” or “Discretionary Use – Planning Commission” in the Bylaw, the Municipal Planning Commission may determine that such a use is similar in character and purpose to a use listed under that land use district and may issue a development permit.

19. Development Requiring a Development Permit

19.1 Except as otherwise provided in this Bylaw, no person shall undertake any development in the Municipality unless a development permit has first been issued pursuant to this Bylaw, and the development is in accordance with the terms and conditions of a development permit issued pursuant to this Bylaw.

19.2 In addition to meeting the requirements of this Bylaw, it is the responsibility of the applicant to obtain other such approvals or licenses that may be required by other regulatory departments or agencies.

20. Development Not Requiring a Development Permit

20.1 A development permit is not required for the following developments provided that they comply with the requirements of this Bylaw:

- (a) any development exempted under the Act;
- (b) use of building for election or census purposes;
- (c) works of maintenance and repair if such maintenance and repair does not constitute structural alteration or change of use or intensity of use;
- (d) **DELETED (BL 06/030)**
- (e) **DELETED (BL 06/030)**
- (f) internal alterations to residential buildings as long as such alteration does not constitute an increase in the number of dwelling units;
- (g) temporary or portable buildings where the sole purpose of which is incidental to the construction of permanent structure for which a permit has been issued; **(BL 04/012)**

- (h) completion, maintenance or repair of a street, lane or utility undertaken upon publicly owned lands, or an easement for same, on behalf of government (municipal, provincial, federal) authorities or agencies;
- (i) topsoil removal or clearing of land if area is less than 1,000 m², or if such removal or clearing is part of a development for which a permit has been issued, or if a development agreement allowing for the removal or clearing has been signed by the Municipality for the area concerned;
- (j) landscaping where the proposed grades will not adversely affect the subject or adjacent properties, except where a development permit allows for such landscaping;
- (k) in the Rural District, the excavation or construction of any dugout provided that all setback regulations are maintained;
- (l) gates, fences or walls under 1.0 m in height in the front yard and 2.0 m in the side and rear yards, except in the Rural District;
- (m) in the Rural District, gates, fences or walls under 2.5 m in height;
- (n) accessory buildings not exceeding 10.0 square m; **(BL 00/011)**
- (o) **DELETED (BL 08/001)**
- (p) a television aerial or satellite dish in all residential areas, provided that such television aerial or satellite dish is not located in the front yard and all district setback and height regulations are met;
- (q) in the Rural District, the erection of towers, flagpoles, satellite dishes and other poles not exceeding 4.5 m in height from grade;
- (r) trappers' cabins;
- (s) project accommodation housing 20 or fewer workers and located on a site for 28 days or less; **(BL 06/001)**
- (t) the occupancy of vacant space in a shopping center in a C3 District provided:
 - (i) the proposed use must be a Permitted Use in that land use district; and
 - (ii) the proposed use must be retail, personal service or office.
- (u) Where the proposed use is not a Permitted Use; is not retail, personal services or office; or is the first use into new shopping centre space for which the uses have not been specified, a development permit is required. **(BL 00/011, BL 01/043)**
- (v) a development that is subject to a valid development agreement for:
 - (i) constructing, widening, altering, redesigning or maintaining a public roadway;
 - (ii) traffic management projects and devices;
 - (iii) vehicular and pedestrian bridges and walkways;
 - (iv) water reservoirs, water lines, storm and sanitary sewer installations;
 - (v) street furniture, tennis courts, playgrounds, public park landscaping, municipal recreation equipment and civic buildings with a gross area under 75.0 m²;
 - (vi) constructing and maintaining public utilities;

- (vii) 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.
- (w) a project listed in subsection (v) undertaken by the Municipality;
- (x) occupancy of vacant spaces in a district other than the C3 District provided:
 - (i) the proposed use is a Permitted Use in the land use district;
 - (ii) the proposed use is the same land use classification as the previous use of that space; and
 - (iii) the proposed use does not change or add to the site development on the lot. **(BL 01/043)**
- (y) telecommunications towers; **(BL 06/030)**
- (z) home occupation; **(BL 06/030)**
- (aa) a deck of up to 0.6 metres in height. **(BL 08/001)**
- (bb) a Special Event on public land, on a public roadway, or in a publicly operated facility which has obtained a Special Event Permit and is subject to the provisions of Council Policy PRL-130; **(BL 13/014)**
- (cc) a Garage Sale; **(BL 13/014)**
- (dd) a Special Event that is held entirely within the existing building(s) on a site and where the site has sufficient on-site parking to accommodate persons attending the Special Event and the site is more than 100 metres from the boundary of a parcel of land with an existing residential use;
- (ee) a Special Event with event attendance of less than 150 persons at any one time;
- (ff) a Special Event that is seasonable, does not occur for more than 90 consecutive calendar days, and is accessory to a principal agricultural use, where the site has sufficient on-site parking to accommodate all persons attending the Special Event, for example, a corn maze or Christmas tree sale lot; **(BL 13/014)**
- (gg) a Special Event that is a school event held within school facilities, or if outside, on school-owned properties; **(BL 13/014)**
- (hh) A Special Event that is held by a religious assembly on a property owned by the religious assembly. **(BL 13/014)**

21. **DELETED (BL 00/011, BL 01/043, BL 04/012, BL 06/030)**

22. **Development Permit Application Requirements**

22.1 A development permit application shall be made to the Development Officer on the prescribed form, and shall be signed by the owner or his agent. The following information shall be required to accompany the application:

- (a) four (4) site plans at a scale of 1:100, unless otherwise acceptable to the Development Officer, plus ten (10) copies of the site plan reduced to standard page sizes showing:
 - (i) north arrow;
 - (ii) plan scale;
 - (iii) legal description of property;

- (iv) municipal address;
 - (v) location and dimensions of property lines;
 - (vi) location of any existing and/or proposed buildings (dimensioned to property lines) or structures including utility poles, retaining walls, fences, trees, landscaping, sidewalks and other physical features;
 - (vii) existing utility rights-of-way and easements;
 - (viii) proposed front, rear and side yard setbacks (dimensioned to property lines);
 - (ix) proposed parking areas (dimensioned), entrances and exits and off-street loading areas;
 - (x) location of any on-site water and sewer services; and
 - (xi) grade elevations at all corners of building.
- (b) four building plans and elevations of any proposed buildings, including a description of the exterior finished materials plus ten (10) copies of the floor plans and elevations reduced to standard 8 ½" x 11" or 11" x 17" pages sizes; **(BL 00/011)**
 - (c) engineering plans or a statement of intent respecting the provision of water and sewer services, and franchise utilities for the development;
 - (d) a map indicating the land uses on all parcels of land located within 30.0 m of the site proposed to be developed (required for discretionary uses only);
 - (e) a copy of the current certificate of title. If the applicant is not the owner and is represented by an agent, written consent of the owner shall also be provided by the agent;
 - (f) the estimated commencement and completion dates;
 - (g) a signed consent form allowing right-of-entry on the subject parcel by the Development Officer;
 - (h) a lot grading plan;
 - (i) the applicable development permit fee as outlined in Appendix "B" of this Bylaw;
 - (j) parking provisions as per Part 7 of this Bylaw; and
 - (k) the payment of an off-site levy or redevelopment levy required under an off-site levy or redevelopment levy Bylaw.

22.2 In addition, the Development Authority may require the following: **(BL 12/012)**

- (a) detailed landscape plans, indicating all existing and proposed site features including berms or other proposed forms of screening, trees, shrubs and grassed areas, and whether any vegetation is to be removed;
- (b) detailed studies showing the potential impacts of the proposed development on traffic patterns, utilities, and drainage in the area;
- (c) photos or slides showing the subject parcel in its current state;
- (d) detailed plans or studies showing engineering flood protection measures;
- (e) detailed plans or studies showing engineered slope stability protection measures; and
- (f) Sun/shadow impact study, prepared by a qualified, registered Professional Engineer or Architect, to professional standards;
- (g) Wind impact study:

- (i) A preliminary Wind Impact Statement shall be prepared by a qualified, registered Professional Engineer, to professional standards, or
- (ii) A detailed Wind Impact Study shall be prepared by a qualified, registered Professional Engineer, and shall be based on a scale model simulation analysis, prepared to professional standards;
- (h) Conceptual Site Development plans;
- (i) Details regarding architectural design;
- (j) Detailed sketches and 3-dimensional graphics showing all aspects of the proposed Development;
- (k) A comprehensive sign design plan setting out the type, size, location, design and character of signage proposed for the site;
- (l) Comprehensive reports demonstrating how the Development meets the applicable Urban Design Regulations;
- (m) Building Height impact assessment;
- (n) Pedestrian circulation study.
- (o) any other information deemed necessary by the Development Authority to properly evaluate the application.

(BL 12/012)

22.3 The Development Authority may deal with an application without all of the required information if, in the opinion of the Development Authority, a decision can be properly made on an application without such information.

22.4 Notwithstanding Section 22.1, 22.2 and 22.3 a development permit application shall be made to the Development Officer on the form prescribed for developments in the area shown in Figure 22.1, Schedule A-4 to this Land Use Bylaw, and shall be signed by the owner or his agent.

- (a) In addition to the information required in Section 22.1, the following information must accompany the application:
 - (i) a list of inputs and outputs (e.g., energy, fuels and lubricants, water, materials, products, wastes, etc.) and other resource needs (e.g., training, logistics, transportation) generally associated with your operation, or anticipated operations.
 - (A) A Development Officer may consider an application for a development permit that does not provide all the information required by subsection 22.4.a(i) if, in the opinion of the Development Officer the information provided is sufficient to show that the development permit provisions of the bylaw shall be met.
 - (ii) a statement of confirmation that the applicant has obtained a list of existing business resource needs and waste production of operations on nearby sites from the Municipality.
 - (iii) Provide an environmental management plan that describes how the facility will avoid in the case of a flood, the release into the environment of a substance in an amount, concentration or level

or at a rate of release that causes or may cause a significant adverse effect. The Development Authority may also require the environmental management plan to address any or all of:

- (A) Material Solid waste in general;
 - (B) Liquid waste;
 - (C) Noxious odours;
 - (D) Noise and vibration;
 - (E) Energy efficiency;
 - (F) Traffic.
- (iv) A construction management plan indicating how the following goals will be addressed:
- (A) minimize waste, e.g., by selecting products that conform to required material dimensions;
 - (B) separate waste materials for recycling where possible;
 - (C) manage hazardous materials and wastes;
 - (D) minimize construction truck traffic;
 - (E) minimize health impacts of indoor air quality on construction personnel;
 - (F) maintain local water quality by minimizing pollution.
- (v) Signed statements from a professional engineer:
- (A) description of strategies that are being used to provide pedestrians and cyclists with safe and clearly marked pathways that are separated from heavy traffic. Details of strategies must be included on a site or landscape plan;
 - (B) confirmation of the use of a hydronic-compatible heating system.
 - (C) building energy performance report, indicating an improvement in energy efficiency of either 25% over the Model National EnergyCode for Buildings (MNECB) baseline determined for your building or 15% improvement over the ASHRAE 90.1 (2004) standard;
 - (D) if the development is to connect to a District Energy System, the District Energy System will be considered as part of the building for purposes of assessing this requirement;
 - (E) for build-to-suit applications, part of the required performance improvement may be from process changes, as follows:
 - (I) up to 15% of the total improvement over MNECB or
 - (II) up to 10% the total improvement over ASHRAE

- (F) statement of intent from engineer indicating all HVAC equipment to be installed will be designed as non-hydro chlorofluorocarbon (HCFC) or low-HCFC;
 - (G) report of feasibility of pooling backup systems with other buildings;
 - (H) evaluation of options considered for stormwater recycling, describing which, if any, were implemented;
 - (I) evaluation of options considered for using reclaimed wastewater, describing which, if any, were implemented.
- (vi) signed statements from either a professional engineer or a registered architect:
- (A) description of opportunities that were considered to reduce resource needs and waste generation. Example of strategies include, but are not limited, to the following:
 - (I) options to recover waste heat and/or water, e.g., from wastewater or industrial process, for reuse or sale to nearby businesses;
 - (II) discussion of opportunities with neighbouring businesses.
 - (B) outline of strategies that were considered to maximize land use efficiency. The statement must indicate which strategies were implemented and how.
 - (C) description of site design for universal accessibility. Details of accessibility must be included on a site plan.
 - (D) description of opportunities for coordinated heating/cooling were considered, and which, if any, were implemented.
 - (E) statement of intent specifying the performance of fixtures and/or fittings to be used.
- (b) In addition to the information required in Section 22.1, the following information shall be required to accompany the application:
- (i) Obtain existing business resource needs and waste production of operations on nearby sites from the Development Authority.

(BL 07/055)

22.5 For any new development in the area shown in Figure 22.1, the Development Authority may require the following in addition to the information listed in Section 22.4:

- (a) Detailed plans or studies demonstrating compliance with Section 91 of this Land Use Bylaw.

(BL 07/055)



(Figure 22.1)
Highway 63 North Eco-Industrial Park site map
Part of Lot 3, Block 1, Plan 042 1905

(BL 07/055)

23. **DELETED (BL 08/001)**

24. **Referral of a Development Permit Application**

- 24.1 The Development Officer may refer a development permit application to any internal municipal department and to any external agency in order to receive comment and advice.
- 24.2 Upon receipt of an application for a development permit for a development listed as a Discretionary Use, the Development Officer may send a written notice to all adjacent landowners indicating the location and nature of the proposed development, and indicating opportunities for comment.

25. Incomplete Applications

- 25.1 Where a development permit application does not contain all the necessary information or does not contain sufficient details to make a proper decision, the Development Officer may deem the development permit application to be incomplete. The Development Officer may return the application form and all submissions to the applicant, together with the application fee, less \$375.00 for administration costs. **(BL 04/031)**
- 25.2 The application, so returned, shall be deemed not to have been presented until all required information and details have been submitted to the Development Officer.
- 25.3 A development permit application shall not be deemed to be complete until the development permit application fee required under Section 22.1(i) of this Bylaw has been paid to the Municipality.

26. Development Permit Decisions

- 26.1 In making a decision on an application for a permitted use, the Development Officer:
 - (a) shall approve, with or without conditions, a development permit application where the proposed development conforms with this Bylaw; or
 - (b) may refuse a development permit application if the proposed development does not conform with this Bylaw.
- 26.2 In making a decision on an application for a “Discretionary Use-Development Officer”, the Development Officer:
 - (a) may approve a development permit application which meets the requirements of this Bylaw, with or without conditions, based on the merits of the application including any approved statutory plan or approved policy affecting the site; or
 - (b) may refuse a development permit application even though it meets the requirements of this Bylaw.
- 26.3 In making a decision on an application for a “Discretionary Use – Planning Commission”, the Municipal Planning Commission:
 - (a) may approve a development permit application which meets the requirements of this Bylaw, with or without conditions, based on the merits of the application including any approved statutory plan or approved policy affecting the site; or
 - (b) may refuse a development permit application even though it meets the requirements of this Bylaw.
- 26.4 In reviewing a development permit application for a “Discretionary Use – Planning Commission”, the Municipal Planning Commission shall have regard to:
 - (a) the circumstances and merits of the application, including but not limited to:
 - (i) the impact of such nuisance factors as smoke, airborne emissions, odours and noise on nearby properties;

- (ii) the design, character and appearance of the development being compatible with and complementary to the surrounding properties; and
 - (iii) the servicing requirements for the proposed development;
 - (b) the purpose and intent of any statutory plans adopted by the Municipal District.
- 26.5 A development permit may be issued on a temporary basis and the Development Authority may specify the length of time that the permit remains in effect.
- 26.6 Notwithstanding any provisions or requirements of this Bylaw, the Development Authority may establish a more stringent standard for discretionary uses when deemed necessary to do so.

27. Conditions of Development Permits

27.1 The Development Authority may, with respect to any use:

- (a) require that as a condition of issuing a development permit, the applicant enter into an agreement with the Municipality to do any or all, but not limited to, the following:
 - (i) to construct or pay for the construction of a road required to give access to the development;
 - (ii) to construction or pay for the construction of a pedestrian walkway system to serve the development, or pedestrian walkways to connect the pedestrian walkway system serving the development with a pedestrian walkway system that serves or is proposed to serve an adjacent development;
 - (iii) to install or pay for the installation of public utilities, other than telecommunications systems or works, that are necessary to serve the development;
 - (iv) to construct or pay for the construction of off-street or other parking facilities and loading and unloading facilities;
 - (v) to pay an off-site levy or redevelopment levy imposed by Bylaw;
 - (vi) to give security to ensure that the terms of the agreement under this section are carried out;
 - (vii) repair, reinstate, or pay for the repair or reinstatement to original condition of any street furniture, curbing, sidewalk, boulevard landscaping and tree planning which may be damaged or destroyed or otherwise harmed by development or building operations upon the site;
 - (viii) install or construct or pay for the installation or construction of landscaping, berming, and fencing on the development, public roadways and public lands adjacent to the development; and
 - (ix) reestablish or restore all survey monuments including Alberta Survey Control monuments which may be damaged or destroyed or otherwise harmed by development or building operations upon the site or adjacent to the site.

- (b) require the applicant to make satisfactory arrangements for the supply of utilities including but not limited to, natural gas, cable, water, electric power, sewer service, vehicular and pedestrian access, or any or all of them, including payment of the cost of installation or construction of any such utility or facility by the applicant.
- 27.2 In addition to Subsection 27.1, the Development Authority may, with respect to “Discretionary Uses – Development Officer” and “Discretionary Uses – Planning Commission”, impose such conditions as the Development Authority deems appropriate, having regard for the regulations of this Bylaw and the provisions of any statutory plan in effect, including but not limited to the following:
 - (a) limiting hours of operation;
 - (b) limiting number of patrons;
 - (c) establishing landscaping requirements;
 - (d) requiring noise attenuation;
 - (e) requiring special parking provisions;
 - (f) regarding the location, character and appearance of buildings;
 - (g) regarding the grading of a site or other such procedures as are necessary to protect the site from other developments or to protect other developments from the site;
 - (h) establishing the period of time during which a development may continue;
 - (i) ensuring the development is compatible with surrounding development; and
 - (j) ensuring the development complies with and is compatible with the development regulations or the land use district regulations of this Bylaw.
- 27.3 If, in the opinion of the Development Authority, satisfactory arrangements have not been made by a developer for the supply of water, electrical power, sewage, or access, and the development is located in the Urban Service Area, a hamlet, or intended for use by the general public, the Development Authority shall refuse to issue a development permit.
- 27.4 The Municipality may register a caveat pursuant to the provisions of the Act and the Land Titles Act in respect of a development agreement against the Certificate of Title for the land that is the subject of the development. Said caveat shall be discharged when the agreement has been complied with.
- 27.5 A development permit comes into effect fourteen (14) days after its issuance. Where an appeal has been lodged with the Board, no development shall be commenced pursuant to the development permit until all appeals are finally determined and the issuance of the development permit has been upheld.
- 27.6
 - (a) A development permit shall expire and shall no longer be valid after one year from the date of approval of the Permit, if no construction has been initiated. Construction includes, but is not limited to site surface preparation or excavation. Furthermore:
 - (i) work such as engineering studies, geotechnical investigation, site surveys, soil analysis environmental assessment and the like shall

- not be considered as construction in the context of this section;
and
 - (ii) in the case of a change of use within an existing structure, where no significant construction or reconstruction is necessary, the applicant shall have the new Use in operation within one year of the approval of the development permit.
 - (b) Notwithstanding section (a) above, if a Building Permit is issued for the development near the end of the one year period, one three month extension to the Development Permit may be granted.
 - (c) Where a development permit is issued for a site where any other development permit has been approved, all previous permits shall be invalid if the physical aspects of the development conflict, or both could not occur simultaneously upon the site in conformity with the regulations of this Bylaw.
 - (d) Notwithstanding section (a) above, time shall not run during an appeal of the development permit to the Subdivision and Development Appeal Board; **(BL 06/030)**
 - (i) the Subdivision and Development Appeal Board has issued a written decision of its approval of the development permit and there is no appeal from this decision of the Subdivision and Development Appeal Board; or
 - (ii) **DELETED (BL 06/030)**
- (BL 04/012)**
- 27.7 When a development permit application has been refused pursuant to this Bylaw or ultimately after appeal, the submission of another application for a development permit on the same parcel of land for the same or similar use shall not be accepted by the Development Officer until six (6) months after the date of the refusal.
- 27.8 The Development Authority shall consider and decide on applications for development permits within forty (40) days of the receipt of the application in its complete form. If a decision is not made within forty (40) days, the application shall, at the option of the applicant, be deemed refused.
- 27.9 If a decision is not made within forty (40) days of the receipt of the applicant in its complete form, the applicant may enter into an agreement with the Development Authority try to extend the forty (40) day period using the prescribed time extension form.
- 27.10 The Development Authority may, with respect to any development permit issued pursuant to this Bylaw, require the developer to provide a security deposit to ensure that the conditions of the development permit are fulfilled. The amount and nature of the security deposit shall be determined by the Development Authority.
- 27.11 If, after a development permit is issued, the Development Officer becomes aware that:
- (a) the application for the development contained a misrepresentation; or
 - (b) facts concerning the application or the development permit were not disclosed which should have been disclosed at the time the application was considered; or

- (c) the development permit was issued in error,
the Development Officer may suspend or cancel the notice of decision or the development permit by notice, in writing to the holder of it. **(BL 00/011)**

27.12 The Development Authority may with any development permit issued pursuant to this Bylaw, require the applicant to provide a start and completion date for the proposed development to the satisfaction of the Development Authority. **(BL 06/030)**

Once construction of a development has commenced, it shall continue with reasonable dispatch. If in the opinion of the Development Officer, the development is not being constructed with reasonable dispatch, the Development Officer may suspend or cancel the notice of decision or the development permit by notice in writing to the holder of it. When a development permit ceases to be valid, a new development permit is required before further development may proceed. Such application shall be dealt with as if it were a first application and there shall be no obligation to approve such application on the basis that a previous application had been approved for that development. **(BL 04/012)**

28. Variance Authority **(BL 02/081)**

28.1 Variance to Regulations

28.2 The Development Authority may, subject to Section 28.2, allow a variance and approve a development permit for a permitted or discretionary issue, with or without conditions, which does not comply with the regulations of this Bylaw provided that the Development Authority determines that:

- (a) the proposed variance would not result in a development that will:
 - (i) unduly interfere with the amenities of the neighbourhood;
 - (ii) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land;
 - (iii) A variance is a reasonable response to the physical characteristics of the lot which are not generally common to other lots in the immediate vicinity of the proposed use. **(BL 08/001)**
- (b) the proposed development conforms with the use prescribed for the land or building in this Bylaw;
- (c) the development would be consistent with the general purpose or character of the district; and
- (d) there are mechanisms to mitigate the effects on adjacent lots.

28.3 Limitation of Variance

28.4 In approving an application for the development permit pursuant to Section 28.1, the Development Authority shall adhere to the following:

- (a) The Development Authority may allow a variance in regard to front, side and rear yard setback requirements of up to fifty percent (50%) for existing or new principal or accessory buildings, decks and signs and up to one hundred percent (100%) for principal buildings existing on the site prior to adoption of Bylaw 99/059.

- (b) The Development Authority may allow a variance to increase the permitted building height by ten percent. (10%).
- (c) The Development Authority may allow a variance to increase the permitted lot coverage by:
 - (i) up to five percent (5%) of the maximum total lot coverage; and
 - (ii) up to two percent (2%) of the maximum lot coverage for accessory buildings.
- (d) The Development Authority may allow a variance and issue a development permit for an addition to a not-conforming building, provided that the addition complies with this Bylaw.

(BL 02/081)

- (e) The Development Authority should consider any known concerns and opinions of area residents and landowners.
- (f) **DELETED (BL 03/056, BL 08/001)**

28.5 A variance will not be allowed if the granting of the variance results in a development which does not meet the requirements of the Subdivision and Development Regulation (AR 43/2002, or amendments thereto.)

28.6 In the event that a variance is granted, the Development Authority shall specify the nature of the approved variance in the development permit approval.

(BL 00/011, BL 02/081)

29. Notification of Decision

29.1 When a development permit application is approved, the Development Officer or designate shall:

- (a) communicate in writing, a notice of decision to the applicant or his agent, and make a copy available of the approval in the Municipal Office;
- (b) for permitted uses involving the imposition of variances, “Discretionary Uses – Development Officer” and “Discretionary Uses – Planning Commission”, publish a notice locally. Such notice shall state the location and address of the property for which the application has been made, the nature of the approval, and the decision of the Development Authority;
- (c) for “Discretionary Uses - Planning Commission”, mail a notice of decision to adjacent landowners or other affected parties or land owners as determined by the Development Authority. **(BL 06/030)**

29.2 When a development permit application is refused, the Development Officer shall:

- (a) communicate in writing a notice of decision to the application or his agent stating the reasons for the refusal;
- (b) for “Discretionary Uses – Development Officer” and “Discretionary Uses Planning Commission”, publish a notice locally. Such notice shall state the location and address of the property for which the application has been made, the nature of the refusal and the decision of the Development Authority.

- 29.3 For the purposes of this Bylaw, issuance of the notice of the decision of the Development Authority is deemed to have been given on the day when the notice of decision has been published in the newspaper or five (5) calendar days after the notice of decision has been mailed to the applicant and adjacent landowners or occupants or other affected parties or land owners as determined by the Development Authority. **(BL 06/030)**

30. Appealing a Decision

- 30.1 A decision on a development permit application may be appealed by serving a written notice of appeal to the secretary of the Subdivision and Development Appeal Board within fourteen (14) days of issuance of the notice of decision.
- 30.2 The notice of appeal shall be accompanied by the applicable development permit appeal fee as outlined in Appendix "B".
- 30.3 A development permit issued for a Permitted Use may only be appealed if the provisions of this Bylaw were relaxed, varied or misinterpreted.

31. The Appeal Process

- 31.1 The Subdivision and Development Appeal Board must give a least five (5) days notice in writing of the appeal hearing:
- (a) to the appellant;
 - (b) to the development authority whose order, decision or development permit is the subject of the appeal;
 - (c) to the owners of all adjacent properties;
 - (d) in the Urban Service Area, to all property owners within 60.0 m of the property that is the subject of the appeal, except 30.0 m for an appeal of a decision on a variance application for an existing development;
 - (e) in the Rural Service Area, to all property owners within 120.0 m of the property that is the subject of the appeal except 30.0 m for an appeal of a decision on a variance application for an existing development; and
 - (f) to any other person that the Chairman of the Subdivision and Development Appeal Board considers to be affected by the appeal and should be notified.
- (BL 06/030)**

(BL 03/067)

- 31.2 When a notice of appeal has been served on the Secretary of the Subdivision and Development Appeal Board with respect to a decision to approve a development permit application, the development permit shall not be effective before:
- (a) the decision on the permit has been upheld by the Board; or
 - (b) the Secretary of the Subdivision and Development Appeal Board has received written notification from the appellant that the appeal has been withdrawn.
- 31.3 If the decision to approve a development permit application is reversed by the Board, the development permit shall be null and void.
- 31.4 If a decision to refuse a development permit application is reversed by the Board, the Board shall direct the Development Officer to issue a development permit in accordance with the decision of the Board.

- 31.5 If the decision to approve a development permit application is varied by the Board, the Board shall direct the Development Officer to issue a development permit in accordance with the terms of the decision of the Board.

32. Development Completion Certificate

- 32.1 Where required as a condition of a development permit, upon completion of the approved development, the owner of the development shall apply for a Development Completion Certificate.
- 32.2 Application for a Development Completion Certificate shall be made on the prescribed form, shall list as completed all the requirements and conditions of approval of the development permit, and shall be accompanied by two copies of a Real Property Report.
- 32.3 Where the Development Authority is satisfied that all the requirements and conditions of the development permit have been met, a Development Completion Certificate shall be issued.
- 32.4 Where the Development Authority is not satisfied that all the requirements and conditions of the development permit have been met, the Approving Authority may require, as a condition of issuing a Development Completion Certificate, the delivery of a security bond in an amount satisfactory to the Approving Authority to ensure fulfillment of the outstanding requirements of the development permit.

33. Non-conforming Buildings and Uses

- 33.1 Developments which are considered as a non-conforming building or use shall be dealt with as provided for under the Act. For convenience, the Act's provision are outlined below:
- (a) If a development permit was issued on or before the day on which this Bylaw came into force, and the Bylaw made the development in respect of which the permit was issued a non-conforming use or non-conforming building, the development permit continues in effect in spite of the coming into force of the Bylaw.
 - (b) A non-conforming use of land or a building may be continued but if that use is discontinued for a period of six (6) consecutive months or more, any future use of the land or building shall conform with the provisions of this Bylaw.
 - (c) A non-conforming use of part of a building may be extended throughout the building but the building, whether or not it is a non-conforming building, may not be enlarged or added to and no structural alterations shall be made to it or in it.
 - (d) A non-conforming use of part of a lot may not be extended or transferred in whole or in part to any other part of the lot and no additional buildings may be constructed on the lot while the non-conforming use continues.
 - (e) A non-conforming building may continue to be used but the building may not be enlarged, added to, rebuilt or structurally altered except:
 - (i) to make it a conforming building;
 - (ii) for routine maintenance of the building, if the Development Authority considers it necessary, or

(iii) in accordance with a land use bylaw that provides minor variance powers to the Development Authority for the purposes of this section.

(f) If a non-conforming building is damaged or destroyed to the extent of more than seventy-five percent (75%) of the value of the building above its foundation, the building may not be repaired or rebuilt except in accordance with this Bylaw.

(g) The land use or the use of a building is not affected by a change of ownership or tenancy.

34. **DELETED (BL 16/011, BL 16/018)**

35. **Reserved for future use**

36. **Reserved for future use**

Appendix B (BL 04/031)

1. Development permit applications, Land Use Bylaw, Municipal Development Plan, Area Structure Plan and Area Redevelopment Plan amendments, compliance certificate requests shall be accompanied by the required fees as set out in this appendix.

(a) Residential Development

| Development | Fee |
|--|---|
| Single detached dwelling | \$75.00 |
| Semi-detached and Duplex Dwellings | \$75.00 per unit |
| Triplex Dwellings | \$75.00 per unit |
| Fourplex Dwellings | \$75.00 per unit |
| Townhouses | \$75.00 per unit |
| Apartment Buildings | \$250.00 + \$37.50 per unit |
| Manufactured Homes | \$75.00 per unit |
| Demolitions | \$200.00 (\$150.00 between July 19, 2004 and December 31, 2004) |
| Home Occupations | \$20.00 |
| Home Businesses | \$75.00 |
| Basement Suites | \$100.00 |
| Family Care Dwellings | \$100.00 |
| Lot Grading | \$100.00 (\$50.00 between July 19, 2004 and December 31, 2004) |
| Lot Clearing & Grubbing | \$100.00 (\$50.00 between July 19, 2004 and December 31, 2004) |
| Development Approval Letter/ Site Plan Approval | \$20.00 |

(b) Commercial/Industrial and Institutional Development

| Development | Fee |
|---|---|
| New commercial, industrial and institutional developments | \$250 + \$2.50/m ² for first 500 m ² of gross floor area+ \$1.25/m ² for area over 500m ² gross floor area (\$10,000 maximum) |
| Additions to commercial, industrial and institutional developments (based on addition only) | \$250 + \$2.50/m ² for first 500 m ² of gross floor area+ \$1.25/m ² for area over 500m ² gross floor area (\$10,000 maximum) |

| Development | Fee |
|--|--|
| Religious Assembly, Educational Service Facility, Daycare Centre | \$250 + \$2.50/m ² for first 500m ² of gross floor area+ \$1.25/m ² for area over 500m ² gross floor area (\$10,000 maximum) |
| Oil sands mining, extraction and upgrading projects and oil sands pilot projects | \$10/\$100,000 of construction value |
| Additions to oil sands mining, extraction and upgrading projects and oil sands pilot projects (based on addition only) | \$10/\$100,000 of construction value |
| Change of use or change of occupancy within existing commercial, industrial and institutional buildings | \$250.00 |
| First use within new commercial, industrial and institutional building, if not approved with the development permit | \$250.00 |
| Shared occupancy with an existing business, if a discretionary use in the land use district | \$250.00 |
| Demolitions | \$200.00 (\$150.00 between July 19, 2004 and December 31, 2004) |
| Special Events | \$200.00 (\$150.00 between July 19, 2004 and December 31, 2004) |
| Temporary Uses or Building (less than 180 days) | \$200.00 (\$150.00 between July 19, 2004 and December 31, 2004) |
| Temporary Uses or Building (180 days or more) | \$250 + \$2.50/m ² for first 500m ² of gross floor area+ \$1.25/m ² for area over 500m ² gross floor area (\$10,000 maximum) |
| Lot grading | \$100.00 (\$50.00 between July 19, 2004 and December 31, 2004) |
| Clearing and Grubbing | \$100.00 (\$50.00 between July 19, 2004 and December 31, 2004) |
| Development Approval Letter | \$20.00 |
| Work Camps | \$250.00 + \$1.25/camp bed (camp design capacity) |

| Development | Fee |
|---|--|
| Outdoor Storage or Use (no buildings or structures) | \$250.00 (lot area less than 0.4 ha) \$500.00 (lot area 0.4 ha or greater) |
| RV Parking Permit | \$40.00 |
| Residential Sales Centre | \$200.00 (\$100.00 between July 19, 2004 and December 31, 2004) |
| Golf Course (9 per holes) | \$1,000.00 + 50% of the original fee for each additional submission |
| RV Park | \$250.00 + \$10.00 per stall (\$125.00 + \$5.00 per stall between July 19, 2004 and December 31, 2004) |
| Request for Landscaping Inspection | First and Second Inspection Request: Free of Charge Third and each subsequent request: \$250.00 (\$125.00 between July 19, 2004 and December 31, 2004) |

2. Application for compliance certificates shall be accompanied by the fee as indicated in this Appendix.

| Type of Development | Fee |
|---|---------------------------------|
| Single Detached, Semi-detached Manufactured home | \$75.00 per dwelling unit |
| Apartment Building | \$150.00 per principal building |
| Commercial, Industrial, Institutional Buildings | \$150.00 per principal building |
| Townhouses – Individual Units | \$75.00 |
| Townhouse Cluster – 6 Units or less | \$150.00 |
| Townhouse Cluster – More than 6 Units | \$30.00 per dwelling unit |
| The fee will be doubled for all compliance certificate requests on a RUSH BASIS | |

3.

| | |
|---------------------------|---|
| Application for Variances | \$60.00 (\$45.00 between July 19, 2004 and December 31, 2004) |
|---------------------------|---|

4. Appeals to Subdivision and Development Appeal Board

| Appeal of a Decision on: | Fee |
|--|---------|
| 1. Variances for an Existing Development | \$75.00 |

| Appeal of a Decision on: | Fee |
|---|---|
| 2. Issuance of a Stop Order 3. Variances for a new multi-family residential, commercial or industrial development 4. Conditions of a development approval for multi-family residential, commercial or industrial development 5. Development Refusal for multi-family residential, commercial or industrial development 6. Subdivision Refusal | \$1,000.00 (\$500.00 between July 19, 2004 and December 31, 2004) |

| Conditions of a Subdivision Appeal | |
|--|---|
| 1. Variance for a new development (other than multi-family residential, commercial or industrial) 2. Conditions of a development approval for the types of development (other than multi-family residential, commercial or industrial) 3. Development Refusal for the types of development (other than multi-family residential, commercial or industrial) | \$500.00 (\$250.00 between July 19, 2004 and December 31, 2004) |

5.

| | |
|-------------------------------|---------|
| Letter of Zoning Confirmation | \$40.00 |
|-------------------------------|---------|

6.

| | |
|-------------|------------------------------------|
| File Search | \$40.00 per hour (\$40.00 minimum) |
|-------------|------------------------------------|

7. Bylaw Amendments/Adopt Bylaws

(a) Land Use Bylaw Amendments

(i) Text Amendments

| Application Received and Deemed Completed | Fee |
|---|-------------|
| Between July 19 and December 31, 2004 | \$1,125.00 |
| Between January 1 and December 31, 2005 | \$1,1562.50 |
| After December 31, 2005 | \$2,000.00 |

(ii) Map District Amendments

| | |
|---------|---|
| Class 1 | R1, R1E, R1M, R1S, R1P, RMH, RMH-1, RMH-2, R2, CR, HR, SE, SH |
| Class 2 | R3, R3-1, R4 |
| Class 3 | C1, C2, C3, C4, C4-A, C5, HC |
| Class 4 | BI, BIU, SI |
| Class 5 | EP, PS, PR, UE, RD |
| Class 6 | All DC Districts |

Table 1. Amendment Application Fees for Applications Received and Deemed Completed Between July 19 and December 31, 2004

| | | To | | | | | |
|------|---------|------------|------------|------------|------------|------------|------------|
| | | Class 1 | Class 2 | Class 3 | Class 4 | Class 5 | Class 6 |
| From | Class 1 | \$1,150.00 | \$1,650.00 | \$1,700.00 | \$1,700.00 | \$700.00 | \$2,200.00 |
| | Class 2 | \$1,150.00 | \$1,150.00 | \$1,700.00 | \$1,700.00 | \$700.00 | \$2,200.00 |
| | Class 3 | \$1,700.00 | \$1,750.00 | \$1,150.00 | \$1,700.00 | \$700.00 | \$2,200.00 |
| | Class 4 | \$1,200.00 | \$1,200.00 | \$1,200.00 | \$1,200.00 | \$700.00 | \$2,200.00 |
| | Class 5 | \$1,175.00 | \$1,675.00 | \$1,675.00 | \$1,675.00 | \$675.00 | \$2,200.00 |
| | Class 6 | \$2,200.00 | \$2,200.00 | \$2,200.00 | \$2,200.00 | \$2,200.00 | \$2,200.00 |

Table 2. Amendment Application Fee for Applications Received and Deemed Between January 1 and December 31, 2005

| | | To | | | | | |
|------|---------|------------|------------|------------|------------|------------|------------|
| | | Class 1 | Class 2 | Class 3 | Class 4 | Class 5 | Class 6 |
| From | Class 1 | \$1,575.00 | \$2,325.00 | \$2,350.00 | \$2,350.00 | \$850.00 | \$3,100.00 |
| | Class 2 | \$1,575.00 | \$1,575.00 | \$2,350.00 | \$2,350.00 | \$850.00 | \$3,100.00 |
| | Class 3 | \$2,350.00 | \$2,350.00 | \$1,575.00 | \$2,350.00 | \$850.00 | \$3,100.00 |
| | Class 4 | \$1,600.00 | \$1,600.00 | \$1,600.00 | \$1,600.00 | \$850.00 | \$3,100.00 |
| | Class 5 | \$1,587.50 | \$2,337.50 | \$2,337.50 | \$2,337.50 | \$837.50 | \$3,100.00 |
| | Class 6 | \$3,100.00 | \$3,100.00 | \$3,100.00 | \$3,100.00 | \$3,100.00 | \$3,100.00 |

Table 3. Amendment Application Fees for Applications Received and Deemed after December 31, 2005.

| | | To | | | | | |
|------|---------|------------|------------|------------|------------|------------|------------|
| | | Class 1 | Class 2 | Class 3 | Class 4 | Class 5 | Class 6 |
| From | Class 1 | \$2,000.00 | \$3,000.00 | \$3,000.00 | \$3,000.00 | \$1,000.00 | \$4,000.00 |
| | Class 2 | \$2,000.00 | \$2,000.00 | \$3,000.00 | \$3,000.00 | \$1,000.00 | \$4,000.00 |
| | Class 3 | \$3,000.00 | \$3,000.00 | \$2,000.00 | \$3,000.00 | \$1,000.00 | \$4,000.00 |
| | Class 4 | \$2,000.00 | \$2,000.00 | \$2,000.00 | \$2,000.00 | \$1,000.00 | \$4,000.00 |
| | Class 5 | \$2,000.00 | \$3,000.00 | \$3,000.00 | \$3,000.00 | \$1,000.00 | \$4,000.00 |
| | Class 6 | \$4,000.00 | \$4,000.00 | \$4,000.00 | \$4,000.00 | \$4,000.00 | \$4,000.00 |

Where an application to amend the Land Use Bylaw involves amendment within two or more of the above categories, the highest fee shall apply.

Where additional districts to those listed above are added to this Bylaw, the amendment fee for the most similar district as listed above shall be used.

(b) Statutory Plan Amendments

(i) Amendments to Municipal Development Plan

| Application received and deemed completed | Fee |
|---|------------|
| Between July 19 and December 31, 2004 | \$1,750.00 |
| Between January 1 and December 31, 2005 | \$2,375.00 |
| After December 31, 2005 | \$3,000.00 |

(ii) Amendments to any Area Structure Plan

| Application received and deemed completed | Fee |
|---|------------|
| Between July 19 and December 31, 2004 | \$1,750.00 |
| Between January 1 and December 31, 2005 | \$2,375.00 |
| After December 31, 2005 | \$3,000.00 |

(iii) Amendments to any Area Redevelopment Plan

| Application received and deemed completed | Fee |
|---|------------|
| Between July 19 and December 31, 2004 | \$1,750.00 |
| Between January 1 and December 31, 2005 | \$2,375.00 |
| After December 31, 2005 | \$3,000.00 |

(iv) Application to Adopt any Area Structure Plan

| Application received and deemed completed | Fee |
|---|------------|
| Between July 19 and December 31, 2004 | \$2,000.00 |
| Between January 1 and December 31, 2005 | \$2,500.00 |
| After December 31, 2005 | \$3,000.00 |

Where an application to concurrently amend the Land Use Bylaw and a Statutory Plan, or two (2) Statutory Plans for the same site, the application fee shall be the sum of the highest fee and 50% of any other amendment application fees.

As a public hearing is required in relation to an application for a Land Use Bylaw amendment, Area Structure Plan amendment, Area Redevelopment Plan amendment, or Municipal Development Plan amendment, an advertising and notification fee is required. The advertising fee shall be determined at the time of application.

8.

| Amendment Fee Refund | |
|--|---------------------|
| 1. Prior to Circulation of File | 85% of Original Fee |
| 2. During or After Circulation of File | 50% of Original Fee |
| 3. After First Reading of a Proposed Bylaw | 30% of Original Fee |
| 4. After Advertising of a Bylaw in the Newspaper | No Refund |

9. When a use is not listed in this Appendix the fee shall be determined by the Development Officer and shall be consistent with those fees listed in the fee schedule for similar uses or applications within the same or similar use class.

10. When a development has commenced prior to the issuance of a development permit for the development the development application fee shall be two (2) times the fee listed in this Appendix.

11. When an application will require circulation to adjoining property owners or where the decision on a development application will require notification to adjoining property owners, the applicant shall pay a \$50.00 notification fee in addition to the fee specified in this Appendix.

12. When a decision on the development matter requires advertisement, the applicant shall pay an advertising fee in addition to the fee specified in this Appendix. The advertising fee shall be determined at the time of application.

13. When a development agreement is required as a condition of a development permit, a \$500.00 development agreement preparation fee is required and shall be remitted with the composite engineering drawings

14. When a developer requires substantial changes to the Municipality's standard development agreement, the developer shall be required to pay the Municipality's legal costs associated with the review of the requested changes.

15. When a developer initiates changes to a development application after submission, the developer shall pay an additional fee equivalent to 25% of the original application fee to a maximum of \$5.00 per resubmission.

PART 3 - Enforcement and Penalties (BL 01/095)

The purpose of this part is to ensure that development is undertaken in an orderly, economical and beneficial manner and that the provisions of this bylaw are enforced consistently and fairly.

37. Enforcing the Land Use Bylaw

37.1 General Provisions

- (a) The enforcement powers granted under this Bylaw are in addition to any enforcement powers the Municipality or any of its officers may have under the Municipal Government Act or any other applicable legislation.
- (b) A Bylaw Enforcement Officer may enforce the provisions of the Municipal Government Act, this Bylaw, the conditions of a development permit and the conditions of a subdivision approval. Enforcement may be by Violation Ticket, notice of violation or any other authorized action to ensure compliance.
- (c) For the purpose of this Bylaw, a Stop Order is an Order in writing authorized by the Municipal Government Act, as amended, issued pursuant to subsection 37.4 hereof.
- (d) Regional Council shall, from time to time, taking into account social and economic factors including the resources available to it and the various demands made upon those resources by the residents of the Municipality, allocate resources to the Manager of Planning and Development Department, who shall then determine the extent of enforcement made under this Bylaw so as to optimize the use of those resources.
- (e) An enforcement remedy provided in this Bylaw may be used alone or in conjunction with any other enforcement remedy authorized by this or any other Bylaw or by statute or regulation.

37.2 Offences and Penalties

- (a) Any person who
 - (i) contravenes or causes, allows or permits a contravention of any provision of this Bylaw;
 - (ii) contravenes or fails to comply with a development permit or conditions forming part thereof;
 - (iii) authorizes or proceeds with any development that is at variance with the description, specifications or plans that were the basis for the issuance of a development permit;
 - (iv) continues development after a development permit has expired, been revoked or suspended;
 - (v) having been issued a Stop Order, does not complete the corrective measures described therein within the time specified therein;
 - (vi) displays a sign in an abandoned state; or

- (vii) displays a Portable Sign without a valid development permit outside the Urban Service Area or displays a portable sign which is not over an approved Portable Sign maker.

is guilty of an offence and is liable upon summary conviction to a fine not exceeding \$10,000 or to imprisonment for not more than one year, or to both fine and imprisonment.

- (b) where contravention is of a continuing nature, a separate offence is deemed to occur on each day the offence continues.
- (c) notwithstanding Section 3b) of the Regional Municipality of Wood Buffalo General Penalty Bylaw, for each offence and for each and every subsequent offence (including each and every day an offence is continued after the first day) the penalty shall be in accordance with Schedule 37A.

37.3 Violation Tickets

- (a) In accordance with the Provincial Offences Procedures Act, where there is reasonable and probable grounds to believe that an offence has been committed, a Bylaw Enforcement Officer may issue a Violation Ticket alone or in conjunction with any other enforcement remedy to which the Municipality may be entitled to exercise.
- (b) The Municipality is not required to issue a Violation Ticket before commencing any other enforcement action under the Municipal Government Act, the Provincial Offences Procedure Act, this Bylaw, or at all.
- (c) Where a contravention is of a continuing nature, a Violation Ticket may be issued for each day the offence continues.

37.4 Stop Orders

- (a) On finding that a development, land use, or use of a building is not in accordance with the Municipal Government Act or the regulations under the Act, this Bylaw, a development permit or subdivision approval or the conditions of either of them, a Development Officer may, by written notice, order the owner, the person in possession of the land or building or the person responsible for the contravention or any or all of them to:
 - (i) stop the development or use of the land or building in whole or in part as directed by the notice;
 - (ii) demolish, remove or replace the development, or
 - (iii) carry out any other actions required by the notice so that the development, use of the land or building complies with the Act or the regulations under the Act, this Bylaw, a development permit or subdivision approval.within the time set out in the notice.
- (b) The Municipality may register a caveat against the certificate of title for the land that is subject to the Stop Order, provided that the caveat is discharged when the Stop Order has been complied with.

- (c) The costs and expenses incurred by the Municipality in carrying out a Stop Order may be placed on the tax roll of the land subject to the Stop Order.
- (d) A person in a Stop Order may appeal to the Subdivision and Development Appeal Board.

37.5 Right of Entry

- (a) After reasonable notice to the owner or occupant in accordance with the Act, a Development Officer or Bylaw Enforcement Officer may enter property at reasonable times to ascertain if Bylaw requirements are being met.
- (b) If a person fails or refuses to comply with an Order of a Development Officer, Bylaw Enforcement Officer or the Subdivision and Development Appeal Board, a Development Officer or Bylaw Enforcement Officer may enter on the land or building and take any action necessary to carry out the order.
- (c) A person shall not prevent or obstruct a Development Officer or Bylaw Enforcement Officer from carrying out any official duty under this Bylaw or the Act. If consent is not given the Municipality may apply for an authorizing order.

37.6 Compliance with Other Legislation

- (a) A person applying for, or in possession of a valid development permit is not relieved from full responsibility for ascertaining and complying with, or carrying out development in accordance with:
 - (i) the requirements of the Safety Codes Act, Environmental Protection and Enhancement Act and Natural Resource Conservation Board Act;
 - (ii) the requirements of any other Federal, Provincial or Municipal statute, regulation, code or standard; and
 - (iii) the conditions of any caveat, covenant, easement, or other instrument affecting a building or land.
- (b) The Municipality has no responsibility or obligation to determine what other legislation may apply to a development, nor monitor or enforce compliance with such legislation.

(BL 01/095)

- 38. **DELETED (BL 01/095)**
- 39. **DELETED (BL 01/095)**
- 40. **Reserved for future use**
- 41. **Reserved for future use**
- 42. **Reserved for future use**

Schedule 37A - Specified Penalties for Offences (BL 01/095)

1. \$200.00 Minimum Penalty for contraventions of this Bylaw, not otherwise specified below.
2. \$200.00 Minimum Penalty for:
 - (a) Undertaking Development prior to the issuance of a Development Permit;
 - (b) Contravention of an Approved Development Permit or the Conditions of an Approved Development Permit;
 - (c) Contravention of the Conditions of a Subdivision Approval;
 - (d) Development with expired Development Permit or continuing development after Development Permit revocation or suspension;
 - (e) Sign developed without a required development permit;
 - (f) Sign in an Abandoned State;
 - (g) Display a Portable Sign without a valid Development Permit or Portable Sign is not over an approved Portable Sign Marker.
3. \$300.00 Minimum Penalty for:
 - (a) Maintaining unsafe or unsightly premises
4. \$1000.00 Minimum Penalty for:
 - (a) Contravention of a Stop Order or other Order issued under this Bylaw or the Act.

PART 4 - Amending the Bylaw

43. Bylaw Amendments

43.1 Any amendment to this Bylaw shall be made pursuant to the Act.

44. Contents of an Amendment Application

44.1 A Land Use Bylaw amendment application shall be made to the Municipality in writing on the prescribed form and shall be signed by the applicant or his agent. The following information shall be required to accompany an application to amend this Bylaw:

- (a) A copy of the certificate of title for the lands involved, including any restrictive covenants and caveats;
- (b) If the applicant is not the registered owner of the land involved in the application, a letter from the property owner authorizing the amendment application;
- (c) If the owner of the land is registered as a numbered company, the names of the principals of the numbered company;
- (d) Colour photographs that provided a comprehensive visual account of the entire site and the adjacent area;
- (e) Twenty-five (25) copies of a site plan showing the land involved in the application, existing land uses and development within a 90 m radius of the site boundary, containing:
 - (i) North arrow
 - (ii) Plan scale
 - (iii) Property lines
 - (iv) Yard Dimensions/building height
 - (v) Curbs and sidewalks
 - (vi) Easements
 - (vii) Utility rights of way
 - (viii) Location of free standing signs
 - (ix) Locations of existing buildings
 - (x) Required bylaw setbacks
 - (xi) Existing and proposed landscaping
 - (xii) Changes to existing development or site
 - (xiii) Existing and proposed parking lot layout
 - (xiv) Topography and elevations
 - (xv) Vehicle access and egress locations
 - (xvi) Existing residential density
 - (xvii) Lot coverage

Where applicable the following information is also required:

- (A) Floodway and floodplain boundaries
- (B) Commercial floor area ratio

(BL 04/012)

45. The Amendment Process

- 45.1 Upon receipt of a complete application, it shall be referred to:
- (a) the Municipal Administration for the drafting of a proposed Land Use Bylaw amendment;
 - (b) Council for first reading and to establish a date for a public hearing to be held prior to second reading.
- 45.2 The Municipality may refer an amendment application to any agency in order to receive comment and advice.
- 45.3 A notice of the application shall be published. This notice shall contain:
- (a) the legal description of the land;
 - (b) the purpose of the proposed amendment;
 - (c) the one or more places where a copy of the proposed amendment may be inspected by the public during reasonable hours;
 - (d) the date, place, and time that Council will hold a public hearing on the proposed amendment;
 - (e) an outline of the procedures to be followed by anyone wishing to be heard at the public hearing; and
 - (f) an outline of the procedures by which the public hearing will be conducted.
- 45.4 If the amendment involves the re-designation of land to a different land use district:
- (a) a notice shall also be communicated in writing to the owner(s) of the subject land, and to all adjacent landowners or, in the Urban Services Area, to all landowners within 30.0 m of the subject lands or other affected parties or land owners as determined by the development authority. **(BL 06/030)**
 - (b) a sign shall be placed on the subject land describing the nature of the proposed amendment, except if the amendment is to correct an error or is being adopted in conjunction with the adoption and implementation of a statutory plan undertaken on behalf of the Municipality, for which a public consultation process has taken place. **(BL 01/043)**
- 45.5 Council, after considering:
- (a) any representations made at the public hearing; and
 - (b) any municipal development plan, area structure plan, and area redevelopment plan affecting the application and the provisions of this Bylaw;
 - (c) may make such changes as it considers necessary to the proposed amendment, if any, and proceed to pass the proposed amendment, or defeat the proposed amendment.
- 45.6 Where an application for an amendment has been refused by Council, the Municipality shall refuse to accept another application on the same land for the same or similar purpose until six (6) months have passed from the date of such refusal.
- 45.7 If deemed necessary, the Municipality may initiate an amendment to this Bylaw without a land owner's consent.

46. **Reserved for future use**
47. **Reserved for future use**

PART 5 - General Regulations

48. Applicability

48.1 This Part shall apply to all land use districts under this Bylaw.

49. Adult Entertainment Facility

49.1 These provisions are intended to provide locations for Adult Entertainment Facilities in order to:

- (a) minimize potential hazards due to traffic congestion, visual distractions and other dangers;
- (b) protect surrounding uses from the potential adverse effects of adult entertainment establishments

49.2 A site containing an adult entertainment facility shall be located minimum of;

- (a) 150.0 m from the boundary of a residential district;
- (b) 150.0 m from a lot containing an apartment building within a commercial district;
- (c) 150.0 m from a lot containing child care facilities, arenas, elementary schools, junior high schools, high schools, public parks, municipal buildings, senior citizens housing, religious assemblies;
- (d) 25.0 m from any other adult entertainment facility

49.3 Notwithstanding Section 49.2(a), land may be designated as residential land use district within 150.0 m of an existing Adult Entertainment Facility. **(BL 01/043)**

(BL 00/070)

50. Accessory Buildings and Uses

50.1 An accessory building shall not be used as a dwelling unit but may be used as a security suite.

50.2 In an urban district, an accessory building shall not be located in a front yard.

50.3 An accessory building shall not be located on an easement or utility right-of-way. **(BL 04/012)**

50.4 In all districts, an accessory building is subject to the side and rear yard setback regulations of that district.

50.5 Notwithstanding Section 50.4, in all urban and hamlet residential districts, an accessory building shall be set back a minimum of 1.0 m from the side and rear property lines in a rear yard unless the accessory building is:

- (a) less than 2.0 m in height, unless the accessory building would be located on an easement in which case Section 66.1 applies; **(BL 00/011)**
- (b) a mutual garage erected on common property line and the common wall is a firewall;
- (c) a detached garage with its vehicle door facing the lane in which case a rear yard setback of either 1.0 or 6.0 m is required. No intermediate setback between 1.0 m and 6.0 m shall be permitted;

- (d) **DELETED (BL 00/011);** or
 - (e) a detached garage located on a corner lot in which case a minimum setback of 3.0m is required from the property line paralleling the flanking roadway.
- 50.6 Maximum height restrictions for accessory buildings are as follows:
- (a) 4.6 m in all urban districts;
 - (b) 4.6 m in all country residential and hamlet districts on lots smaller than 0.405 hectares;
 - (c) 7.0 m in all country residential and hamlet districts on lots 0.405 hectares or larger;
 - (d) in all other districts, as specified by the district in which the accessory building is located.
- 50.7 In residential districts, the maximum site coverage for accessory buildings shall be:
- (a) in urban residential districts, 12% of the lot area of 60.0 m², whichever is greater;
 - (b) in all other residential districts, 12% of the lot area or 140.0 m², whichever is less, for parcels under 2.0 hectares. For parcels 2.0 hectares and larger, the maximum site coverage of accessory buildings shall be 350.0 m².
 - (c) notwithstanding Section 50.7(a) the maximum size of all accessory building permitted on an urban service lot shall be 100 m² regardless of the site coverage considerations. **(BL 04/012)**
- 50.8 In all commercial and industrial districts, accessory buildings are subject to the site provisions of that district.
- 50.9 Notwithstanding Section 50.8 above, where an accessory building is located on a site which abuts a site in a residential district, the maximum height of the accessory building shall not be greater than the maximum height permitted for the principal building in the abutting residential district.
- 50.10 An accessory building shall not be developed or approved on a lot prior to the issuance of a development permit for the principal building or use on the lot.
- 50.11 An accessory building shall be located a minimum of 1.0 m from the principal building on a lot.
- 50.12 An accessory building on a site in a residential district shall be similar to and complement the principal building in exterior material, colour and appearance. **(BL 00/011)**
- 50.13 Decks, balconies, sunrooms and the like shall not be constructed on top of an accessory building unless the setbacks of the accessory building comply with the allowable setbacks for the principal building in that district. **(BL 04/012)**
51. **Amenity Space**
- 51.1 Amenity space shall be provided in accordance with amenity space requirements in the land use district.
52. **Bare Land Condominium**
- 52.1 For the purpose of this Bylaw a bare land condominium plan is a plan of subdivision.

- 52.2 A bare land condominium development must comply with all the general regulations of this Bylaw, including the regulations of the applicable land use district.

53. Basement Suites

- 53.1 Basement suites shall be restricted to single detached and semi-detached dwelling and manufactured homes. **(BL 08/001)**
- 53.2 A maximum of one (1) basement suite may be permitted per single detached or semi-detached dwelling.
- 53.3 A basement suite shall comply with the Safety Codes Act or its successor.
- 53.4 On-site parking shall be provided for a basement suite pursuant to Part 7 of this Bylaw. Parking on the front or side yard shall be prohibited in all urban and hamlet residential districts where lots are less than 0.405 hectares, except on a driveway. All parking stalls shall be available for passenger vehicles and accessible to the street at all times.
- 53.5 A basement suite shall be limited to a maximum of one (1) less the number of bedrooms than the principal dwelling on the lot. **(BL 08/001)**

54. Bed and Breakfast Establishments

- 54.1 No noise, vibration, smoke, dust, odours, heat, glare, electrical or radio disturbance detectable beyond the property boundary shall be produced by the bed and breakfast establishment. At all times, the privacy and enjoyment of adjacent residences shall be preserved and the amenities of the neighbourhood maintained.
- 54.2 Interior and exterior alternations, additions or renovations to accommodate some residential function in the existing dwelling so that some of the existing space may be used for bed and breakfast establishment, may be allowed as long as such alternations, additions, or renovations comply with the Safety Code Act and/or any applicable bylaw.
- 54.3 The operator of the bed and breakfast establishment must be a permanent resident of the single detached dwelling.
- 54.4 A maximum of two (2) guest rooms shall be permitted per single detached dwelling, except:
- (a) in rural residential districts, where an additional two (2) guest rooms may be allowed at the discretion of the Development Authority; and
 - (b) in the Rural District, where an additional four (4) guest room are allowed.
- 54.5 One (1) on-site parking space per guest room and one (1) on-site parking space for each off-site employee shall be provided in addition to the residential parking spaces provided pursuant of Part 7 of this Bylaw.
- 54.6 One (1) non-illuminated sign or plaque shall be permitted on the dwelling in urban and hamlet residential districts. The maximum sign or plaque dimensions shall be 20 cm by 30.5 cm. No other form of on-site advertising is permitted.
- 54.7 One (1) identification sign shall be permitted in all rural districts. The maximum sign size shall be 0.4 m² and the maximum height shall be 1.2 m. The sign may be indirectly illuminated.

55. Boarding House

- 55.1 A boarding house may only be permitted in a single detached dwelling.
- 55.2 A boarding house shall provide on-site parking in accordance with Part 7 of this Bylaw.

56. Building Design, Character and Appearance

- 56.1 The exterior finish of a building in the Urban Service Area and all hamlets shall be completed by October 31st of the year following the year in which the development permit is issued unless otherwise stipulated in the development permit.
- 56.2 The design, character, siting, external finish, architectural appearance and landscaping of all buildings, including accessory buildings or structures shall be to the satisfaction of the Development Authority.

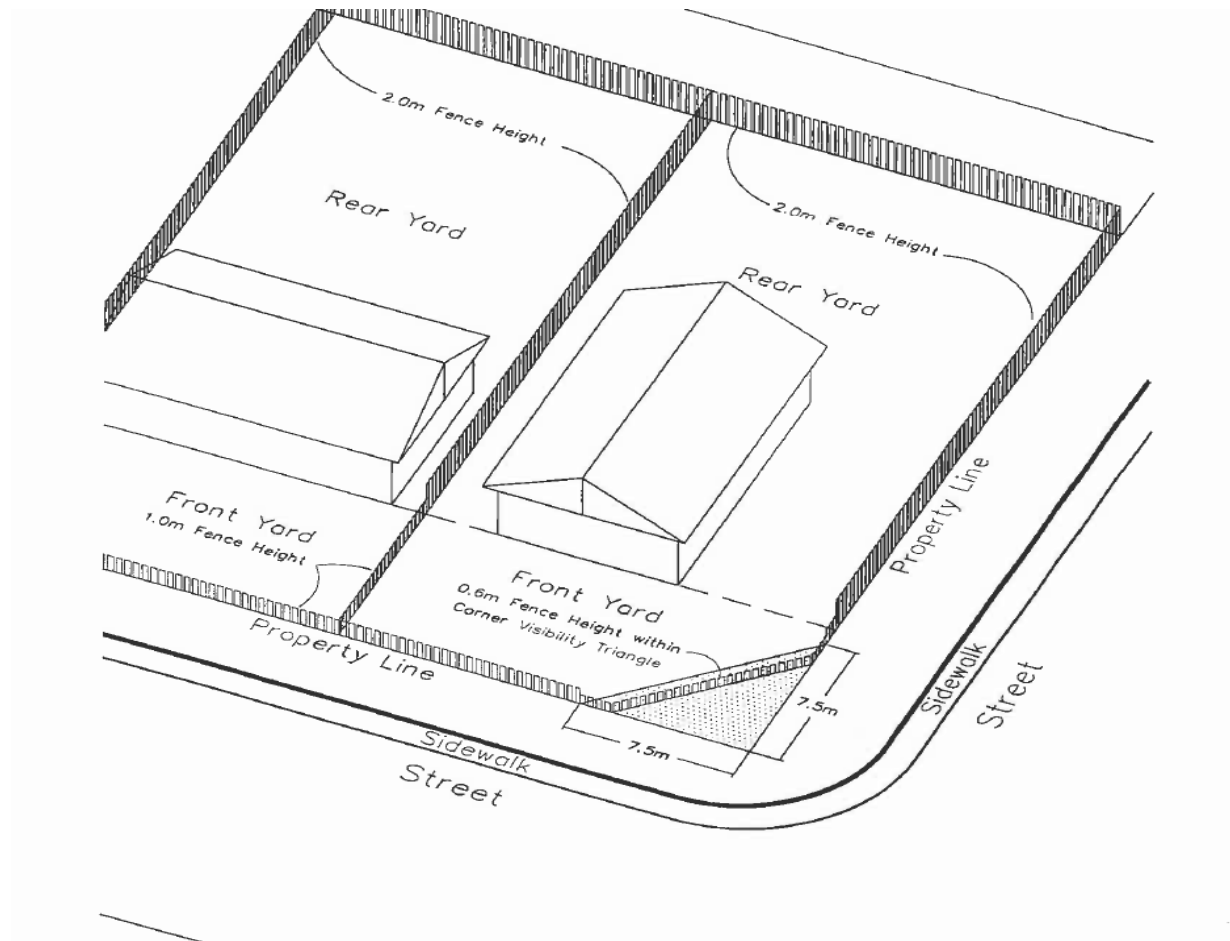
57. Compliance Certificates

- 57.1 The registered owner, or a person with legal or equitable interest in a lot, may, upon payment of the fee set out in Appendix “B”, apply for a Compliance Certificate.
- 57.2 The applicant for a Compliance Certificate shall submit a Real Property Report for the lot.
- 57.3 A Compliance Certificate may be issued when the buildings as shown on the Real Property Report provided by the applicant are located on the lot in accordance with the separation distance and yard and building setbacks regulations of this Bylaw or the yard or building setbacks specified in any development permit which may have been issued for the site.
- 57.4 The Compliance Certificate shall only cover those buildings or parts thereof, shown on the Real Property Report.
- 57.5 A Compliance Certificate shall not be issued if there is insufficient information provided by the applicant to determine if buildings as shown are 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.
- 57.6 A Compliance Certificate is not a development permit.

58. Corner Lot Restrictions

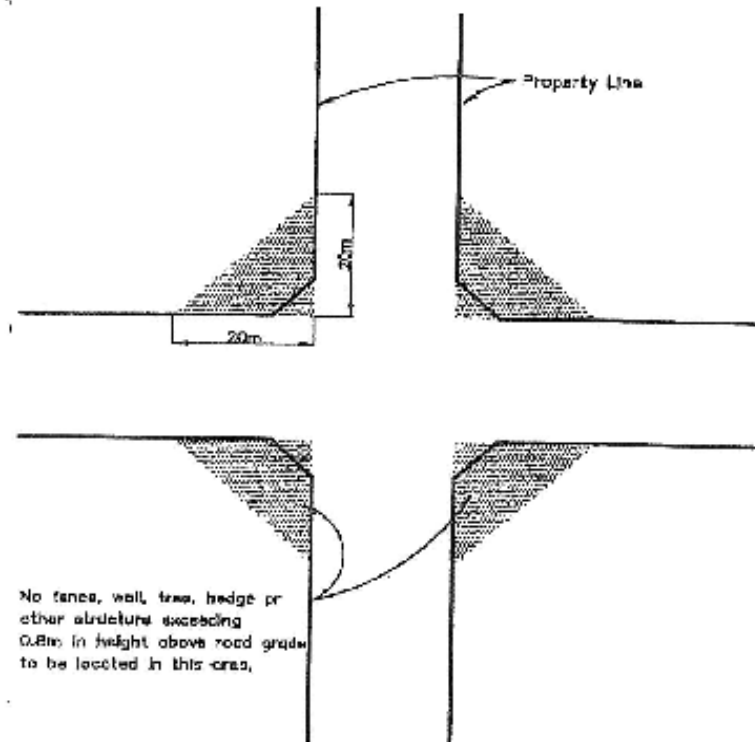
- 58.1 On a corner lot in the Urban Service Area, no fence, wall, tree, hedge or other structure exceeding 0.6 m in height above grade shall be permitted in a corner visibility triangle created by the property lines that form the corner and a straight line connecting the two points 7.5 m back along these property lines measured from their intersection (see Figure 58.1).

Figure 58.1 - Corner Lot Restriction in Urban Service Area



- 58.2 On a corner lot within the Rural Service Area, no fence, wall, tree, hedge or other structure exceeding 0.8 m in height above grade shall be permitted in a corner visibility triangle created by the property lines that form the corner and a straight line connecting the two points 20.0 m back along these property lines measured from their intersection (see Figure 58.2)

Figure 58.2
20m Corner Lot Restriction



- 58.3 Notwithstanding Section 58.2 above, on hamlet residential and rural residential lots the Development Officer may allow a reduction in the corner visibility triangle requirement to a minimum of 7.5 m where the lot size and configuration are such that traffic and pedestrian safety will not be compromised by such a reduction.

59. Decks

- 59.1 A deck must:

- (a) meet the required front yard setback of the principal building;
- (b) be located at least 1.0 m from the side property line;
- (c) notwithstanding (b) above, be located at least 3.0 m from the side property line on the street side of a corner site;
- (d) not be located within the 7.5 m corner visibility triangle; and
- (e) be located at least 3.0 m from the rear property line.

- 59.2 When a deck becomes covered or enclosed it shall be considered an addition to the building and is required to meet the district requirements for the principal.

- 59.3 **DELETED (BL 04/012, BL 08/001)**

- 59.4 A deck shall be included in the calculation of lot coverage.

- 59.5 A deck may encroach into a 2.7 m side yard that is required for vehicle access to the rear yard when there is no detached garage on the lot. **(BL 04/012)**

- 59.6 A deck shall be limited in the height to no more than the main floor level of the principal building. **(BL 08/001)**

60. Development in the Flood Plain (Clearwater River/Athabasca River Flood Plan Area)

- 60.1 **DELETED (BL 13/032, BL 16/021)**

- 60.2 **DELETED (BL 13/032, BL 16/021)**

- 60.3 **DELETED (BL 13/032, BL 16/021)**

- 60.4 **DELETED BL 08/001, BL 13/032, BL 16/021)**

- 60.5 The Development Authority may require the applicant for a development permit for lots partially or wholly contained in the Flood Risk Overlay Appendix “C” to enter into a save harmless agreement with the Municipality, relieving the Municipality of responsibility for any damage or loss caused through flooding or subsidence.

- 60.6 The Development Authority may permit minor renovations and repairs to an existing building located below the 250.0 m contour interval without requiring flood proofing of that building.

- 60.7 **DELETED (BL 13/032, BL 16/021)**

- 60.8 **DELETED (BL 13/032, BL 16/021)**

- 60.9 **DELETED (BL 13/032, BL 16/021)**

61. Development Near Water Bodies and Watercourses

- 61.1 **DELETED (BL 13/032, BL 16/021)**

- 61.2 The Development Authority may require the applicant for a development permit for lots located in areas prone to flooding or subsidence to enter into a save harmless agreement with the municipality, relieving the municipality of responsibility for any damage or loss caused through flooding or subsidence.

- 61.3 A minimum building setback of 30.0 m is required from the high water mark of a water body to which the Public Lands claims ownership, or at a setback specified in an Area Structure Plan approved by Council. **(BL 08/001)**
- 61.4 A minimum building setback of 30.0 m is required from the highest valley break of any named watercourse unless the Development Authority is satisfied by a submission of a geotechnical engineering study prepared by a professional engineer that a lesser setback is warranted.
- 62. Development Setbacks from Slopes**
- 62.1 A minimum building setback of 30.0 m is required from the top or bottom of an escarpment slope or any other steep slope where the grade exceeds 30% unless the Development Authority is satisfied by a submission of a geotechnical engineering study prepared (signed and stamped) by a professional engineer that a lesser setback is warranted.
- 62.2 Where a slope is unstable a minimum building setback of 30.0 m is required from the unstable portion of the slope.
- 62.3 Where a development permit has been issued pursuant to Section 62.1, the Development Authority that may require a security deposit be submitted to the Municipality to ensure that development is carried out in conformity with the approved engineering and construction measures.
- 63. Development Setbacks from Highways**
- 63.1 A minimum building setback of 41.0 m is required from the right-of-way of a primary highway or secondary highway or a municipal road outside of hamlet boundaries.
- 63.2 In the Rural Service Area, an approach to a primary highway shall be developed to the satisfaction of Alberta Transportation and Utilities, and in the case of an approach to a secondary highway or local road, to municipal engineering standards.
- 63.3 No development permit shall be issued for a development located within 0.8 km of the centre point of the intersection of two primary highways unless a permit has been issued by Alberta Transportation and Utilities.
- 64. Development Surrounding Airports**
- 64.1 **DELETED (BL 06/030)**
- 64.2 The following regulations apply to subdivision and development surrounding all other airports which are certified or registered by Transport Canada:
- (a) all new proposed uses and development applications proposed to locate within the Fort McMurray Regional Airport, Airport Vicinity Boundary a shown on (MAP C – Fort McMurray Regional Airport Vicinity Boundary), shall be circulated to the Fort McMurray Airport Authority for comment and to ensure that such developments shall not interfere with the safe and efficient operation of the Fort McMurray Regional Airport **(BL 12/011)**
 - (b) any new development which, in the opinion of the Development Authority may cause dangerous conditions that could interfere with the safe and efficient operation of the airport shall be referred to the Fort McMurray Airport Authority for comments. **(BL 12/011)**

64.3 Development in proximity to the Fort McMurray Airport shall conform to any Federal regulations, including the Federal Zoning Regulations respecting Fort McMurray Airport.

65. Drive-thru Service

65.1 Where a drive-thru component is proposed as part of a development, it shall be accessory to the development and may be approved or refused at the discretion of the Development Authority. Typical examples include bank drive-thru automated tellers and fast food windows.

66. Easements

66.1 A development permit shall not be issued for a development, other than a fence, that encroaches in or over a utility easement or right-of-way without the written consent of the person whom the easement is registered to or the person whose utility line is located in the easement.

67. Family Care Dwelling (Garden Suites)

67.1 A family care dwelling may be permitted on a parcel in the CR – Country Residential, SE – Suburban Estate and HR – Hamlet Residential, districts as a temporary development pursuant to Section 26.5 of this Bylaw.

67.2 An applicant for a development permit for a family care dwelling must be the registered owner of the lot and the occupant of the principal dwelling.

67.3 An applicant for a family care dwelling must provide documentation to the satisfaction of the Development Authority demonstrating the need for the family care dwelling and familial relationship between the occupant of the principal dwelling, and the occupant(s) of the family care dwelling.

67.4 A temporary development permit for a family care dwelling may be issued for up to five years, at which time an application may be made for a continuance of the use.

67.5 The family care unit shall be removed:

- (a) once the occupant for whom the dwelling unit was approved ceases to occupy it;
- (b) upon the registered owner ceasing to occupy the principal dwelling on the lot.

67.6 A family care dwelling may be permitted at the discretion of the Development Authority if it can be demonstrated that the dwelling would not:

- (a) unduly interfere with the amenities of the neighbourhood;
- (b) materially interfere with or affect the use and enjoyment of adjacent properties;
- (c) result in excess demand on municipal services, utilities and public roadway access.

67.7 Where communal water distribution and sewage collection systems exist, a family care dwelling must be serviced by extending such services from the principal dwelling.

67.8 A family care dwelling shall comply with the Safety Code Act and Alberta Sewage Treatment and Disposal Regulation.

67.9 A family care dwelling is not an accessory building.

67.10 A family care dwelling shall:

- (a) not exceed 4.5 m in height and 60.0 m² in size;
- (b) not be located in the front yard;
- (c) maintain a minimum side yard of 1.5 m;
- (d) maintain a rear yard of;
 - (i) 2.0 m; except
 - (ii) 3.0 m where the family care dwelling has a window opening on the wall facing the rear parcel line;
- (e) be setback a minimum of 2.4 m from the principal dwelling and 1.5 m from all other buildings on the same site; and
- (f) in combination with the principal dwelling only, shall not result in a site coverage in excess of 45% of the lot area.

68. Fencing and Screening

68.1 Screening in the form of fences, hedges landscaped berms or other means is required along the property lines of all commercial and industrial lots where such lines are coterminous with a residential property. Such screening shall be at least 1.8 m high. Length, height and width of the screening shall be at the discretion of the Development Officer. **(BL 08/001)**

68.2 In all residential land use districts, the maximum height of a fence as measured from grade shall be:

- (a) 2.0 m for that portion of the fence which does not extend beyond the most forward portion of the principal building on the lot;
- (b) 1.0 m for that portion of the fence which extends beyond the most forward portion of the principal building on the lot;
- (c) in the case of corner lots, 0.6 m within the triangular area 7.5 m back of the intersecting front property lines, regardless of whether or not a corner cut has been taken (see Figure 58.1).

69. Home Occupation

69.1 A Home Occupation does not require a development permit provided it meets the following requirements:

- (a) occupy no more than 30 percent of the gross floor area of the principal dwelling and shall not occupy any portion of an accessory building on the lot;
- (b) no noise, vibration, smoke, dust, odours, heat, glare, electrical or radio disturbance detectable beyond the property boundary shall be produced by the Home Occupation. The privacy and enjoyment of adjacent residences shall be preserved and the amenities of the neighbourhood maintained at all times.
- (c) generate no client or customer pedestrian or vehicular traffic;
- (d) be operated solely by the permanent resident(s) of the dwelling unit and employ no outside employees at the residence;

- (e) except as permitted by Section 76.2 involve no parking or maintenance of a commercial vehicle on or about the property. **(BL 00/011)**
- (f) has no identification sign on or about the property nor any indication that the Home Occupation is located or operated from the property;
- (g) sales shall be limited to goods and articles produced on the site and may include the sale of prepackaged goods by distributorship, mail order or telephone sales. Goods may be held on a temporary basis for distribution to customers but no on-site display of goods is permitted;
- (h) interior alterations to accommodate the Home Occupation may be allowed as long as such alterations comply with the Safety Codes Act and/or any applicable bylaw;
- (i) obtain the necessary business license from the Municipality;
- (j) any storage of materials or goods related to the Home Occupation must be located within the principal building. No exterior storage or storage within an accessory building is permitted. **(BL 01/043)**

70. Home Business

70.1 A Home Business requires a development permit which may be issued as a temporary use for one (1) year, and which may be renewed annually at the discretion of the Development Authority provided it meets the following requirements:

(BL 00/068)

- (a) a home business shall not occupy more than 30 percent of the gross floor area of the principal dwelling plus the area of one accessory building;
- (b) no noise, vibration, dust, smoke, odours, heat, glare, electrical or radio disturbance detectable beyond the property boundary shall be produced by the Home Business. The privacy and enjoyment of adjacent residences shall be preserved and the amenities of the neighbourhood maintained at all times;
- (c) interior or exterior alterations, additions or renovations to accommodate the Home Business may be allowed as long as such alterations, additions or renovations comply with the Safety Codes Act and/or any applicable bylaws;
- (d) all business vehicle trips shall be restricted to:
 - (i) Monday to Saturday between the hours of 7:00 am to 10:00 pm; and
 - (ii) Sundays and Statutory Holidays between the hours of 10:00 am and 6:00 pm;
- (e) sales shall be limited to goods and articles produced on the site and may include the sale of prepackaged goods by distributorship, mail order or telephone sales. Goods may be held on a temporary basis for distribution to customers but no on-site display of goods is permitted;
- (f) obtain the necessary business license from the Municipality;
- (g) **DELETED (BL 00/011)**

- (h) notwithstanding the above provisions, a Home Business permit for the purpose of rental of recreational vehicles shall be granted for one year period and renewal for the permit shall be issued on an annual basis. **(BL 00/068)**

70.2 A Home Business located in an urban residential or country residential district shall also meet all the specific performance standards listed below:

- (a) Any storage of materials or goods related to the home business must be located within the principal building and accessory building(s)/garage. No exterior storage is permitted;
- (b) the Home Business shall be operated by the permanent resident(s) of the principal building, and may employ no more than one (1) non-resident employee on-site;
- (c) the Home Business may have up to one (1) commercial vehicle of a maximum size of 7,000 kg G.V.W. used in conjunction with the home business parked and maintained on the site;
- (d) the Home Business shall provide at least one (1) on-site parking space in addition to the residential parking spaces provided pursuant to Part 8 of this Bylaw. Parking in the front or side yards is prohibited except on a driveway. Where a commercial vehicle is associated with the business, a separate off-street parking space shall be provided unless the vehicle is also used for non-business personal travel;
- (e) demonstrate to the satisfaction of the Development Authority that traffic generated by the Home Business will not significantly impact traffic flow in the neighbourhood;
- (f) one (1) non-illuminated sign or plaque shall be permitted on the dwelling. The maximum sign or plaque dimensions are 20 cm by 30.5 cm. No other form of on-site advertising is permitted; and
- (g) a Home Business shall not be approved if, in the opinion of the Development Authority, the business is more appropriately located in commercial or industrial district. **(BL 00/011)**

70.3 A Home Business located in a hamlet residential or rural residential district shall also meet all the specific performance standards listed below;

- (a) exterior storage of materials and operation of the home business may be permitted if, in the opinion of the Development Authority, there is adequate site coverage to adequately screen the exterior storage and operation area, and to site it behind the principal dwelling;
- (b) the Home Business shall be operated by the permanent resident(s) of the principal building, and may employ no more than two (2) non-resident employees on-site;
- (c) the Home Business may have up to three (3) commercial vehicles with accessory trailers used in conjunction with the Home Business parked and maintained on the site;
- (d) all parking shall be provided on-site. Parking in the front or side yards is prohibited except on a driveway;

- (e) demonstrate to the satisfaction of the Development Authority that traffic generated by the Home business will not significantly impact traffic flow in the district; and
- (f) one (1) non-illuminated identification sign shall be permitted. The maximum sign size is 0.37 m² and the maximum height is 1.2 m. The sign shall advertise the business name only and may be indirectly illuminated.
- (g) the display of goods may be approved by the Development Authority on a discretionary basis.

71. Land Farms (Soil Reclamation Sites)

- 71.1 Subject to the provisions of this Bylaw, land farming is supported for the remediation of non-hazardous oil field waste and soils contaminated by biodegradable petroleum hydrocarbons. They shall not be used for the disposal of hazardous waste materials.
- 71.2 Land farms are required to locate in areas that:
 - (a) have soils that are clay-based or of a fine-grain;
 - (b) are slightly sloped to ease site drainage;
 - (c) are bermed to prevent runoff to adjacent lands; and
 - (d) have a minimum separation distance of 1.0 m between the base materials and the highest point of the seasonal high water table.
- 71.3 Land farm operations are encouraged to locate at existing landfill sites wherever possible.
- 71.4 Land farm operations are required to comply with the applicable standards of the Alberta Energy and Utilities Board, Alberta Environmental Protection, and the local Regional Health Authority.

72. Landscaping (BL 02/080)

72.1 General Purpose

The intent of these landscaping regulations is to contribute to a reasonable standard of livability and appearance for developments, from the initial placement of the landscaping through to its mature state, provide positive overall image for the Municipality and encourage good environmental stewardship.

72.2 Applicability

- (a) The provision of landscaping in accordance with this bylaw shall be a condition of the issuance of a Development Permit for all new developments, in any district in the Urban Service Area, unless specifically modified or excluded in an Area Structure Plan Bylaw.
- (b) Landscaping shall be required as a condition of a Development Permit on existing development if the consequence of the proposed work enlarges or increases the intensity of use. This section shall not apply to developments that consist of interior alterations or improvements or change of use that does not alter the building shell.
- (c) The landscape plans require approval by a Development Officer as a condition of development permit approval. Any changes to an approved

landscape plan require the approval of a Development Officer prior to the landscaping being installed.

- (d) The provision of site landscaping is a permanent obligation of a Development Permit, shall be installed in accordance to the approved landscape plan and shall be maintained in accordance with accepted horticultural practices.

72.3 Landscape Plan and Content

- (a) Every application for development, listed in subsection 72.2, except individual Manufactured Homes, Single Detached Dwellings, Semi-detached Dwellings and Duplexes, shall include landscape plans for the site proposed for development as well as all adjacent boulevards, drawn at a scale of 1:500 or larger, which clearly indicates and accurately identifies the following:
 - (i) north arrow; the property lines, dimensions of the site and identification of adjacent land uses;
 - (ii) adjacent public area features, such as streets, lanes, driveways, vehicular entrances, sidewalks, street furniture and boulevard trees;
 - (iii) overhead, surface and underground utilities, limits of easements and adjacent PUL or MR sites;
 - (iv) outlines of all existing and proposed structures including the building footprints at grade, location and type of underground structures and overhangs within the first two storeys;
 - (v) all physical features, existing or proposed, including but not limited to building entrances, porches, decks, walkways, other hard surfacing or hard landscape features, parking areas, curbs, lighting, fencing, walls, screens, planting beds, recreation facilities and garbage collection areas, Materials, colours and patterns shall be included;
 - (vi) existing and final site grading, including the established lot boundaries, elevations, berming shown in half metre contours, direction of site drainage, proposed catch basins rim elevation, top and bottom of retaining wall elevations and existing elevations of plant material to be retained;
 - (vii) the height and material of all fencing, screening and walls;
 - (viii) existing trees and shrubs labeled by common name, botanical name, size and condition of health. The sizes shall be graphically illustrated by the spread or canopy. In addition, the caliper of tree trunks shall be identified. The landscape plan shall graphically illustrate the spread of trees to be removed or relocated by the proposed construction;
 - (ix) proposed trees, shrubs, flower bed and ground covers labeled with a key to a cross-referenced plant list identifying the common and botanical names, quantity, size and method of planting, grass mix for sod and/or seed;

- (x) the method of watering the proposed landscaping; and
- (xi) detailed landscape installation notes to Contractor.
- (xii) A Development Officer may consider an application for a Development Permit that does not provide all the information required by subsection 72.3(a) if, in the opinion of a Development Officer the information provided is sufficient to show that the landscaping provisions of the bylaw shall be met.

72.4 Letter of Credit

- (a) As a condition of a Development Permit approval, a guaranteed security, from the property Developer/Owner to ensure that the landscaping is provided and installed in accordance to recognized horticultural practices. The following forms of security are acceptable:
 - (i) cash to the value equal to 100% of the landscaping cost; or
 - (ii) an irrevocable and automatically renewable Letter of Credit in the amount of 100% of the landscaping cost.
- (b) The projected cost of the landscaping shall be calculated by the Developer/Owner and shall be based on the information proved on the approved landscape plan. If, in the reasonable opinion of the Development Officer, these projected costs are inadequate, the Development Officer may establish a higher landscaping cost for the purposes of determining the value of the landscaping security.
- (c) Where development on a site is approved in phases, the landscape security need only to be provided on that portion of the site to be approved in each phase plus the amount required to minimally landscape the balance of the site should future development not proceed in a timely fashion. Landscape security shall be required in subsequent phases on the remainder of the site at the time these phases are approved for development.
- (d) If cash is offered as the landscape security, it shall be held by the Municipality, without interest payable, until, by confirmation through inspection by a Development Officer, the landscaping has been installed and is successfully growing.
- (e) Partial refund or an amended Letter of Credit to reduce the security may be considered upon receipt of a written request by the Developer/Owner, at the sole discretion of a Development Officer when any of the following events occur:
 - (i) the required landscape has been properly installed;
 - (ii) the required landscaping has been well maintained and is in a healthy condition after a minimum of sixty (60) days.
- (f) In the event that the Developer/Owner does not complete the required landscaping or fails to maintain the landscaping in a healthy condition for the specified period of time, and the cash or the proceeds from the Letter of Credit are insufficient for the Municipality to complete the required work, should it elect to do so, then the Developer/Owner shall pay such deficiency to the Municipality immediately upon being invoiced. The Municipality shall provide an accounting to the Developer/Owner

indicating how the proceeds of the Letter of Credit were applied, within sixty (60) days of completing or maintaining the landscaping.

- (g) Upon receipt of a written request from the parties involved in the development, including but not limited to the property Developer/Owner, Condominium Association or the Issuer of the Letter of Credit, an inspection of the finished landscaping may be scheduled by a Development Officer. A Letter of Landscape Compliance shall accompany the formal request for inspection. Inspection shall only be made during the normal growing season, approximately May 15 through October 15. All reasonable efforts shall be made by a Development Officer to perform the inspection within ten (10) days of receipt of the inspection request.
- (h) Upon approval of the landscape development by a Development Officer, the Letter of Credit shall be fully released if the required landscaping has been well maintained and is in healthy condition after a minimum of sixty (60) days.

72.5 General Requirements

- (a) Where landscaping is required by this bylaw, no development shall be commenced unless:
 - (i) Development Officer has approved the landscape plans; and
 - (ii) the required security for the landscaping pursuant to subsection 72.4 has been submitted to the satisfaction of a Development Officer.
- (b) Any landscaping between the property line and the existing curb must be incorporated into the landscape plans and shall be landscaped concurrently with the development to the standards required in this bylaw.
- (c) The Developer/Owner of a parcel abutting a boulevard shall landscape and maintain the boulevard abutting the parcel by grading, placing topsoil, seeding or performing other work that may be necessary to establish and maintain a turf boulevard, including weed control, with all landscape and maintenance of the boulevard being entirely at the Developer's/Owner's expense.
- (d) At the discretion of a Development Officer, the boulevard area may be used in the partial fulfillment of the landscape requirements.
- (e) As a condition of a Development Permit, all required landscaping and planting shall be carried out to the satisfaction of a Development Officer within one (1) year from the date of building occupancy or within two (2) years from the date of Development Permit issuance, whichever is sooner.
- (f) All that portion of a site area not occupied by buildings, parking areas, on site circulation or designated storage areas shall be landscaped. At the discretion of a Development Officer, an industrial site which is not visible from a public roadway, and does not abut either a commercial or residential district may be exempt from this requirement.
- (g) A Development Officer may require landscaping of areas within a site that are intended for future development if, in the opinion of a Development Officer, the lack of landscaping creates a potential negative visual impact,

given the visibility of these areas from adjacent properties and public roadways.

- (h) Trees and shrubs shall be providing in accordance with subsection 72.6:
 - (i) for Multi-Family Residential developments, the number of trees and shrubs provided shall be determined on the basis of the following:
 - (A) one tree for each 35 m² and one shrub for each 25 m² of any required yard; and
 - (B) planting as per subsection 72.7 in the parking areas.
 - (ii) For Non-Residential development, the number of trees and shrubs provided shall be determined on the basis of the following:
 - (A) one tree and one shrub for each 25 m² of any required yard;
 - (B) planting as per subsection 72.7 in the parking areas; and
 - (C) should the landscaping be used as a visual screen or for noise attenuation measures the amount of landscaping may be increased under these special conditions.
- (i) Existing natural landscaping retained on site may be considered as part of the landscape requirement, with prior written approval of a Development Officer, if the vegetation is deemed appropriate and is properly protected during construction.
- (j) All landscaped areas shall be designed and constructed to facilitate effective surface drainage.
- (k) Notwithstanding any provisions of this Section, landscaping shall conform to the Corner Lot Restrictions in Section 58 of this Bylaw.

72.6 Specifications for Plant Material

- (a) All plants used shall be suitable for the specific application and shall be hardy to this region and to the actual site conditions. The most current edition of the Alberta Horticultural Guide shall be used as a reference.
- (b) All plant material shall meet the horticultural standards of the most current edition of the “Guide Specifications for Nursery Stock”, produced by the Canadian Nursery Trade Association.
- (c) Trees required for a landscaped area shall meet the following standards at the time of planting:
 - (i) deciduous trees shall have a minimum caliper width of 50 mm measured from 100 mm above the root ball;
 - (ii) coniferous trees shall be at least 1.8 m high;
 - (iii) deciduous shrubs shall be at least 600 mm high;
 - (iv) coniferous shrubs shall be at least 600 mm high or wide.
- (d) A landscape proposal with alternate plant material sizes in combination with increased quantities may be considered, if in the opinion of a Development Officer, the proposal will fulfill the overall intent of the landscape provisions of this bylaw.

- (e) Where a tree does not survive, the Developer/Owner must replace it with a tree of similar type and size.
- (f) In the event that plant material required in an approved development is inappropriate or fails to survive, a Development Officer may allow or require alternate materials to be submitted.
- (g) All shrub material shall be planted in beds to reduce maintenance. The shrub beds shall have an appropriate ground cover (mulch, bark chips, pea gravel). The provision of this is intended to reduce maintenance (helps with the retention of moisture). An appropriate minimum depth for ground cover is 100 mm.
- (h) Minimum topsoil depth shall be as follows: 100 mm for sodded areas, 150 mm for seeded areas and 450 mm for planting beds. The Municipality reserves the right to request soil test results should the topsoil be of questionable nature.

72.7 Landscaping Requirements for Parking Areas

- (a) A parking area having eight or more parking spaces and which is visible from an adjacent site in a residential district, park, or is visible from a public roadway other than a lane, shall be fenced or have screen planting. The location, length, thickness and height of such fence or screen planting shall be in accordance with the landscape plan approved by a Development Officer.
- (b) An at-grade, off-street parking lot sized to accommodate 25 or more vehicles shall provide dispersed landscaped areas within the interior of the parking area(s) to provide visual relief and break up large areas of parking into smaller cells. The landscaping treatment shall be in the form of:
 - (i) landscaped islands;
 - (ii) tree lines separating facing rows of parking stalls; or
 - (iii) some combination of forms.
- (c) Off-street parking shall be separated from a public street by a landscape area of at least 1.2 m as measured from the outside edge of the parking lot curb to the edge of the public road right of way and 1.5 m from all other property lines with the exception of C-5 and all districts which abut to a residential district, in which case they shall conform to Section 130.5.3.
- (d) Trees/shrubbery required, shall be located within the parking area in locations where visibility for the safe movement of persons and traffic is not impaired.
- (e) All landscaping shall be protected from parking and traffic circulation areas, by concrete curbs or other approved barriers having a minimum height of 150 mm or separated from the street or parking area by a curbed sidewalk.
- (f) A landscape island must be designed to protect plant material from damage, and finished with tree grates, ground cover vegetation, or hard landscaping.
- (g) In addition to trees required under Section 72.5 (g), one tree for every 5 stalls shall be provided for parking lots with 25 or more stalls.

- (h) The ratio of trees to parking stalls required under subsection (g) above may be reduced by a Development Officer where site conditions, including but not limited to location, size, sight lines and climatic factors, warrant a lesser ratio.

72.8 Landscaping for Residential Districts

- (a) The Developer/Owner of the property shall be responsible for the placement and proper maintenance of landscaping on the site. A Development Officer may require as a condition of development permit approval that the Developer/Owner provide a guaranteed security in accordance with the provisions of subsection 72.5 of this bylaw.
- (b) All yards and boulevards adjacent to a public roadway, other than a lane, shall be seeded or sodded within 12 consecutive months of the occupancy of the development. Alternate forms of soft landscaping may be substituted for seeding or sodding, provided that all areas of exposed earth are designed as either flower beds or cultivated gardens.
- (c) The tree and shrub planting requirements of subsection 72.5 (g) shall not apply to Manufactured Homes, Single Detached Dwellings, Semi-detached Dwellings, or Duplexes housing types.
- (d) All multi-family developments shall have a designated garbage storage area within the proposed project. Garbage and waste material shall be stored in weather proof and animal proof containers. Garbage bins and other materials shall be visually screened from all adjacent lots and public thoroughfares as well as internal units.

72.9 Landscaping for Commercial and Urban Industrial Districts

- (a) A minimum of 10% of the site shall be landscaped except in the C-5 district where 100% site coverage for the building is permissible.
- (b) Hard-surfaced areas such as walkways and plazas shall be enhanced with landscaping at the discretion of a Development Officer. Provision shall be made for adequate on-site pedestrian circulation, by means of sidewalk or walkways to connect with public sidewalks and walkways adjacent to roadways or within right of ways abutting the site.
- (c) All planting shall be installed to the finished grade. Where, in the opinion of a Development Officer, this is not practical, planters may be used. Such planters shall be of adequate design, having sufficient soil capacity and insulation to promote healthy growth.
- (d) All boulevards adjacent to the development site shall be seeded or sodded excepting those ditch areas required for drainage, where suitable surface treatment shall be applied. Any surface treatment other than grass or tree planting on the boulevards shall receive prior approval.
- (e) Where a landscaped area is required adjacent to a boulevard, the tree species and planting shall be similar to, or complement, the existing boulevard trees.
- (f) Any permitted, outside storage of goods, material or equipment shall be kept in a clean and orderly condition at all times and shall be screened by

means of a fence or landscaping from the public thoroughfare and adjacent residential areas.

- (g) Any trash collection area, open storage area or outdoor service area, including any loading or unloading or vehicular service area that is visible from an adjoining site in a Residential or Commercial District or from a public roadway other than a lane, shall be screened to minimize visual impact. The location, thickness and height of such screen planting at maturity shall, in conjunction with a change in grade or other natural or man-made features, be sufficient to minimize visual impact from any Residential or Commercial District from the public roadway. Such screen planting shall be maintained to provide effective screen from the ground to a height of 2.0 m. If, in the opinion of a Development Officer, screen planting cannot be reasonably expected to survive, earth berming, masonry walls, wood fencing or man-made features may be permitted as a substitution.
- (h) If the height of materials in an outdoor storage area would limit the effectiveness of the screen planting required by subsection 72.5, a fence, wall, earth berm, or a combination thereof may be substituted, subject to the approval of a Development Officer.
- (i) Garbage and waste materials shall be stored in weather proof and animal proof containers. Garbage bins and other materials shall be visually screened from all adjacent lots and public thoroughfares.
- (j) The landscape buffer between residential and commercial or industrial areas shall be a minimum of 3.0 meters unless otherwise approved by a Development Officer. The landscape buffers:
 - (i) shall include a mix of deciduous and coniferous trees with at least 60% of these trees being coniferous;
 - (ii) shall include trees which are at least 6 m high at maturity; and
 - (iii) may include shrubs in addition to trees provided that the shrubs are at least 2.0 m high in maturity.
- (k) In addition to general landscape requirements a Development Officer may require that a fence or combination of a fence and soft landscaping be provided to a minimum height of 1.8 m where a commercial/industrial site abuts a residential district, a public street or a lane separating the site from a residential district.
- (l) Where perimeter landscaping is required in commercial and industrial districts along a public roadway (other than a lane) or adjacent to a public use district, the landscaped area:
 - (i) shall be at least 6.0 m wide;
 - (ii) in the case of deciduous trees, shall be planted at regular intervals;
 - (iii) in the case of coniferous trees, shall be planted in clusters;
 - (iv) trees must be at least 2.0 m from the property line;
 - (v) trees must be at least 6.0 m high at maturity.

- (m) Where landscaping along a blank wall is required in commercial and industrial districts along a public roadway (other than a lane) or adjacent to a public use district, the landscape area:
 - (i) in the case of deciduous trees, shall be planted at regular intervals;
 - (ii) in the case of coniferous trees, shall be planted in clusters;
 - (iii) trees must be at least 6.0 m high at maturity;
 - (iv) shrubs may be planted between the trees provided they are at least 2.0 m high at maturity.
- (n) No existing landscaping shall be removed from a Commercial site without prior written permission of the Municipality. The written request to remove existing plant material shall be accompanied by a strategy or plan illustrating how the aesthetics of the site are either improved or maintained.
- (o) A Developer may be permitted to provide money in lieu of landscaping to provide landscaping on adjacent public property where there are physical impediments to landscaping on site or where off site landscaping would benefit the Municipality. Agreement to this is at the sole discretion of a Development Officer.

73. Lighting

73.1 Outdoor lighting shall be located so that rays of light:

- (a) are not directed at an adjacent site;
- (b) do not adversely affect an adjacent site;
- (c) do not adversely affect traffic safety.

74. Lot Grading and Drainage

- 74.1 The Development Authority may require, as a condition of a development permit, that a developer submit a lot grading plan to the Municipality for approval.
- 74.2 Grading of a lot associated with an approved development shall conform to the lot grading plan approved by the Municipality.
- 74.3 If a person alters the approved lot drainage on a site so that water drains onto adjacent parcels, that person shall be responsible for corrective drainage structures, including retaining walls, to divert water from neighbouring properties.
- 74.4 Any retaining wall over 1.0 m in height must be designed and inspected after construction by a professional engineer. The land owner shall provide to the municipality the design and inspection report, both bearing the seal and signature of a professional engineer.

75. Number of Dwelling Units on a Parcel

- 75.1 The number of dwelling units permitted on a parcel shall be one.
- 75.2 Notwithstanding Section 75.1, a second or additional dwelling unit(s) on a parcel shall be permitted if such unit(s) is:
 - (a) contained in a building designed for, or divided into, two or more dwelling units and is located in a land use district which permits multiple units;

- (b) a manufactured home forming part of a manufactured home park or project accommodation for which a development permit has been issued; **(BL 06/001)**
 - (c) a building as defined in the Condominium Property Act that is the subject of an approved condominium plan registered with Alberta Registries;
 - (d) a Family Care Dwelling (garden suite) pursuant to Section 67 of this Bylaw;
 - (e) **DELETED (BL 00/011)**
- 75.3 Additional dwelling units may be permitted in the Rural District at the discretion of the Development Authority if it can be demonstrated that the unit(s) would not:
- (a) unduly interfere with the amenities of the neighbourhood;
 - (b) materially interfere with or affect the use and enjoyment of adjacent properties;
 - (c) adversely impact the environment;
 - (d) result in excess demand on municipal services, utilities and public roadway access.
- 75.4 Notwithstanding Section 75.1, a second or additional dwelling unit on a parcel may be permitted if such unit is on a lot greater than 1.0 ha in size in Country Residential, Hamlet Residential or Rural District subject to the regulations contained in that district. **(BL 00/011)**
- 75.5 Each apartment building with fifty (50) or more dwelling units shall have at least one barrier free suite for use by disabled persons. **(BL 00/011)**

76. **Objects Prohibited or Restricted in Yards**

- 76.1 No person shall keep or permit in any yard in any district any object or chattel which, in the opinion of the Development Authority is unsafe, unsightly or adversely affects the amenities of the district. This includes, but shall not be limited to, dismantled or wrecked motor vehicles, and any excavation, stockpiling or storage of materials, explosives, flammable liquids, and diesel fuel and gasoline products. **(BL 08/001)**
- 76.2 Except as otherwise permitted under Section 76 of this Bylaw, no motor vehicle other than a passenger vehicle, recreational vehicle and/or one (1) commercial vehicle having a gross vehicle weight (G.V.W.) of more than 3,000 kg G.V.W. but less than 7,000 kg, G.V.W. shall be parked on a site in a residential district for longer than is necessary for loading or unloading.
- 76.3 Only one recreational vehicle or utility trailer may be kept on a residential lot in the urban service area provide it meets the rear and front yard setback requirements for accessory buildings in that district unless the recreational vehicle or utility trainer is less than 2.0 m in height, then the required setback is 0.0 m. **(BL 08/001)**
- 76.4 On a residential site in an urban residential district, the recreational vehicle or utility trailer, may be parked in the front yard or, in the case of a corner lot, in the flanking side yard, as long as the following requirements are met: **(BL 08/001)**
- (a) the most forward part of the body of the recreational vehicle or utility trailer shall be set back at least 1.5 m from the interior edge of the

- sidewalk, or where no sidewalk exists, 1.5 m from the interior edge of the curb;
 - (b) notwithstanding subsection (a) above, a 5th wheel recreational vehicle shall be set back at least 0.5 m from the interior edge of the sidewalk, or where no sidewalk exists, 1.5 m from the interior edge of the curb;
 - (c) the hitch of the recreational vehicle or utility trailer shall not encroach over the interior edge of the sidewalk, or where no sidewalk exists shall be set back at least 0.5 m from the interior edge of the curb;
 - (d) the recreational vehicle or utility trailer shall be set back a minimum of 1.0 m from a side or rear property line;
 - (e) the recreational vehicle or utility trailer shall be parked on an approved paved, concrete or gravel driveway; and
- 76.5 Where the manner in which an RV is parked creates a safety or liability issue, or a complaint is received from an impacted property, and the RV does not meet the requirements of Section 76.4, above, a development permit is required and may be issued at the discretion of the Development Officer on a case-by-case basis having regard for the characteristics of the site and adjacent sites.
- 76.6 No occupant of a principal dwelling in a residential district shall permit a recreational vehicle to be used on their lot for living and sleeping accommodation for longer than a two week period per calendar year. **(BL 08/001)**
- 76.61 Subsections 76.3, 76.4(e) and 76.6 do not apply to Recreational Vehicles during the Post-Wildfire Recovery Period. **(BL 16/012)**
- 76.62 Subject to subsection 76.63, during the Post Wildfire Recovery Period:
- (a) one Recreational Vehicle may remain parked on residential lot in the Urban Service Area and used as a residence;
 - (b) no more than two Recreational Vehicles may remain parked on a residential lot in the Rural Service Area and used as residences. **(BL 16/012)**
- 76.63 A Development Officer may require a Recreational Vehicle parked on a residential lot pursuant to subsection 76.62 to be removed from the lot or relocated within the lot if in the opinion of the Development Officer:
- (a) the size of a Recreational Vehicle;
 - (b) the location of a Recreational Vehicle on a lot;
 - (c) the cumulative impact of the number of Recreational Vehicles on a lot; or
 - (d) lack of availability of utility services to a Recreational Vehicle creates a material risk to the health or safety of any person. **(BL 16/012)**
- 76.7 No livestock, fowl, or fur-bearing animals, other than domestic pets, shall be permitted in any residential districts, except for horses, donkeys, goats, llamas, alpacas, and other similar animals, kept as pets and/ or for personal enjoyment, at Saprae Creek, Conklin, Janvier and Anzac, whereby parcels greater than 0.809 ha are permitted a maximum of (3) horses, conditional upon the horses being confined within a fence constructed to the satisfaction of the Development Officer. **(BL 00/011, BL 01/043)**

- 76.8 Notwithstanding section 76.7, on residential lots in the hamlets of Conklin and Janvier, the keeping of animals, including livestock, is permitted at the discretion of the Development Authority in accordance with the provisions for Intensive Agriculture contained in Section 116.6 of this Bylaw.
- 76.9 Notwithstanding Section 76.1, on hamlet residential lots in the Hamlets of Conklin and Janvier up to two (2) dismantled or wrecked vehicles may be stored in a rear yard provided that the vehicles are, in the opinion of the Development Officer, adequately screened from view and are not unsafe.
- 76.10 A motor vehicle shall not be parked in a front yard except on an approved driveway. **(BL 01/043)**

77. Oil Sands Mining, Extraction and Upgrading

- 77.1 The provision of any land use district and any other provisions of Part 5 – General Regulations do not apply to Oil Sands Mining, Extraction and Upgrading developments. The Development Officer may impose conditions not inconsistent with the Alberta Energy and Utilities Board approval.
- 77.2 Any permit application for associated industrial infrastructure shall be accompanied by:
- (a) the disposition area: and
 - (b) the proposed location of the facility
- 77.3 An applicant for a development permit for this use shall not be issued a development permit until evidence in writing satisfactory to the Development Authority is provided that the applicant holds a current license, permit, approval or other authorization granted by the Alberta Energy and Utilities Board (“AEUB”) and that the applicant holds any and all other licenses, permits approvals or other authorizations required by any applicable federal, provincial, or municipal law or regulation.

Subject to receipt of the information described in the preceding paragraph, the Development Officer shall approve the application to the extent that it complies with the license, permit, approval or other authorization of the AEUB in accordance with the provisions of section 619 of the *Municipal Government Act*, S.A. 1994, c. M-26.1, as amended.

78. Oil Sands Pilot Projects

- 78.1 The provision of any land use district and any other provisions of Part 5 – General Regulations do not apply to Oil Sands Pilot Projects. The Development Officer may impose conditions.
- 78.2 Any permit application for associated industrial infrastructure shall be accompanied by:
- (a) the disposition area; and
 - (b) the proposed location of the facility
- 78.3 An applicant for a development permit for this use shall not be issued a development permit until evidence in writing satisfactory to the Development Authority is provided that the applicant holds a current license, permit, approval or other authorization granted by the Alberta Energy and Utilities Board (“AEUB”)

and that the applicant holds any and all other licenses, permits, approvals or other authorizations required by any applicable federal, provincial or municipal law or regulation.

- 78.4 Subject to receipt of the information described in the preceding paragraph, the Development Officer shall approve the application to the extent that it complies with the license, permit, approval or other authorization of the AEUB in accordance with the provisions of section 619 of the *Municipal Government Act*, S.A. 1994, C. M-26.1, as amended.

79. **Parking and Loading Facilities**

- 79.1 All developments shall provide parking and loading spaces in conformity with Part 7 of this Bylaw.

80. **Permitted Encroachments**

- 80.1 The following encroachments into required front, side and rear yard setbacks in land use districts may be permitted:

- (a) Front yard:
 - (i) 2.0 m for balconies;
 - (ii) 1.0 m for cantilevers, eaves, gutters, landings, window sills, steps and stairs and verandahs.
- (b) Rear Yard:
 - (i) 2.0 m for balconies;
 - (ii) 1.0 m for boxouts, cantilevers, eaves, gutters, landings, window sills, steps and stairs and verandahs.
- (c) Side Yard (interior):
 - (i) 0.6m for boxouts (maximum width of 2m), eaves, gutters, landings, window sills, steps and stairs and verandahs.
- (d) Side Yard (exterior);
 - (i) 0.9 m for landings;
 - (ii) 0.6 m for boxouts (maximum width of 2m), cantilevers, eaves, gutters, landings, window sills and steps and stairs.

(BL 04/012, 08/001)

- 80.2 In a zero lot line situation such as townhouses, balconies and decks may be extended to the lot line/common wall, provide that the common wall is extended for separation/privacy.
- 80.3 No encroachment will be permitted if, in the opinion of the Development Authority, it may interfere with a loading space, parking area, driveway, pedestrian circulation and/or other vehicle circulation or access. **(BL 08/001)**
- 80.4 No portion of the building foundation is permitted to encroach into a minimum required setback, unless through variance powers being granted, unless it is an underground parking structure which is completely underground as per section 133.3. **(BL 04/012)**
- 80.5 No encroachments will be permitted into the 2.7 m side yard required for vehicular access to the rear yard, unless a minimum vertical height of 3.0 m from finished

grade to the lowest point of the projection encroachment is maintained.
(BL 04/012)

80.6 The encroachment length limitations are as follows:

- (a) The individual encroachment maximum length shall not exceed 3.1 m;
- (b) The sum of all encroachments maximum length shall not exceed 1/3 of the length of the building wall (not including the garage walls). This does not apply to the front or rear yards. **(BL 04/012)**

81. **DELETED (BL 07/034)**

82. **Relocation of Buildings**

- 82.1 Except as otherwise provided for in this Bylaw, no person shall relocate a building or structure, or portion thereof, onto a site without first obtaining a development permit for the relocated building or structure. The relocated building or structure shall comply with the appropriate district regulations.
- 82.2 Excepting a manufactured home, modular home, or portable accessory building, a relocated building or structure shall be considered a Discretionary Use – Development Officer in all residential districts. A relocated building or structure in any other district shall be considered a Discretionary Use – Planning Commission.
- 82.3 Any renovations or improvements required to ensure that the relocated building or structure complies with this bylaw shall be listed as conditions of the development permit, and such conditions shall be met within one year of the relocation.
- 82.4 Where a development permit has been issued pursuant to Section 82 of this Bylaw, the Development Authority may be as a condition of the development permit require the developer to provide a security deposit for any maintenance, repairs or improvements associated with the building relocation, or for repair of roads, sidewalks, boulevards that may be caused by the relocation.

83. **Removal of Top Soil**

- 83.1 Except as provided for under Section 20.1(i) the removal of top soil required a development permit.

84. **Satellite Dish and Amateur Radio Antennas**

- 84.1 All satellite dish and amateur radio antennas shall be located on the same site as the intended signal user.
- 84.2 No satellite dish antenna which is accessory to the principal use of a site shall be located in, or encroach onto, a front or side yard in any residential district.
- 84.3 A satellite dish antenna larger than 1.0 m in diameter shall not be located on a roof top except for apartment buildings or greater in height and buildings in non-residential districts.
- 84.4 Where any portion of a satellite dish antenna is more than 3.0 m above grade, it shall be screened and located to the satisfaction of the Development Authority.
- 84.5 Location restrictions for satellite dish antennas may be waived where the applicant can demonstrate, to the satisfaction of the Development Authority that compliance would interfere with signal reception.

- 84.6 Except in the Rural District, an applicant for a development permit for an amateur radio antenna shall notify and provide comments of all landowners located within 75.0 m from the boundary property.
- 84.7 An amateur radio antenna shall conform to the site regulations respecting accessory buildings and uses as per section 50 of this Bylaw.
- 84.8 The maximum height of an amateur radio antenna in urban and hamlet residential districts shall be 19.0 m.
- 84.9 Antennas shall not be illuminated unless required by Transport Canada regulations, and except for a manufacturer's logo shall not exhibit or display any advertising.

85. Security Suite

- 85.1 A security suite in an urban district shall only be permitted as an accessory use to a warehouse use or storage use.
- 85.2 Only one (1) security suite shall be permitted per lot in a Plan of Subdivision. In a Plan of Condominium only one (1) security suite shall be permitted per Plan of Condominium.
- 85.3 The maximum floor area of a security suite shall not exceed 70.0 m².
- 85.4 In addition to the number of parking stalls required for the principal use under Part 7 of this Bylaw, one additional parking stall shall be provided for the security suite.
- 85.5 A minimum of 6.0 m² of private amenity space shall be provided for the resident of the security suite.
- 85.6 A security suite may be located in a manufactured home but shall not be located in a recreational vehicle.

86. Subdivision of Land

- 86.1 Where an application for a development permit involves a subdivision of land, no permit will be issued until a subdivision for the land has been registered.
- 86.2 The subdivision of an existing lot in an R1E district lot shall not be approved if the subdivision results in a lot that is smaller than the smallest lot created by the original subdivision without prior adoption of an Area Redevelopment Plan that includes the lot that is proposed to be subdivided.

87. Project Accommodation (BL 06/001)

- 87.1 Notwithstanding section 20.1 (s), all project accommodations that are an accessory use to industrial or resource development require a development permit.
- 87.2 A development permit for a temporary project accommodation may be issued for up to one (1) year, at which time an application may be made for continuance of the use for one (1) additional year, after which a new development permit approval is required. **(BL 04/012)**
- 87.3 An application for a development permit for a project accommodation must provide the following information:
 - (a) the location, type and purpose of the camp;
 - (b) adjacent land uses;
 - (c) the method of supplying water, and sewage and waste disposal to the camp. The proposed method of sewage disposal must comply with the Alberta

- Private Sewage Treatment and Disposal Regulation and be to the satisfaction of the Regional Health Authority;
- (d) the number of persons proposed to live in the camp;
- (e) the MLL (miscellaneous lease) number issued by Alberta Environment Protection;
- (f) the start date for development, date of occupancy by residents, and removal date for the camp; and
- (g) reclamation measures once the camp is no longer needed, at the discretion of the Development Authority **(BL 08/011)**.

87.4 Hamlet boundaries Project Accommodation must: (BL 06/001, BL 08/001)

- (a) be linked to a specific project for which a valid and current Development Permit has been issued and;
 - (i) be located on Lots 1-3, Block 1, Plan 1987TR within the Urban Service Area;
 - (ii) be located outside of the hamlet boundaries in the Rural Service Area; and
 - (iii) can only accommodate workers for this project;
 - (iv) accommodated workers may only work on this project; and
 - (v) be located on the same site as the project;

(BL 08/001, BL 09/005)
- (b) be able to accommodate a minimum of twenty (20) persons and maximum of three hundred (300) persons;
- (c) be secured by the installation of appropriate fencing around the project accommodation and onsite security staff;
- (d) provide adequate on-site parking for private vehicles to the same standards of a Hotel/Motel;
- (e) be removed from the site when the project is completed;
- (f) post security with the Municipality of Wood Buffalo sufficient to remove and/or reclaim the site if the project accommodation remains on site after the project is either completed or if work has stopped to the extent that the Municipality no longer feels the project accommodation is necessary to the project, or to reclaim the site if needed after the project accommodation has been removed from the site;
- (g) and be separated from adjacent land uses.

87.5 DELETED (BL 06/001, BL 09/005)

87A. DELETED (BL 16/014)

88. Separation Distance Between Multi-Family Residential Dwelling Units on the Same Lot or Site (BL 01/043)

- 88.1** In the case of multi-family residential buildings adjacent to each other on the same lot or site, the following required separation spaces shall apply:
- (a) in addition to the required setback provisions in any district, the minimum required distance between residential dwelling units on the same lot or site shall be:

- (i) in front of a Principal Living Room Window a separation space with a minimum depth of 9.0 m shall be provided;
- (ii) in front of a Habitable Room Window other than a Principal Living Room Window, a separation space with a minimum depth of 6.0 m shall be provided; and
- (iii) in front of a Non-Habitable Room Window, an Entry or a Blank Wall, a separation space with a minimum depth of 3.0 m shall be provided.

(BL 01/043)

89. Non Standard Garage Door Locations for an Attached Garage

89.1 Where a garage door entrance on an attached garage is facing the side or rear property lines it must:

- (a) have sufficient room for accessing and exiting the garage; and
- (b) there is no negative impact on the adjacent property.

(BL 04/012)

90. Campground (BL 07/034)

A campground shall be developed to the satisfaction of the Development Authority and include the following:

90.1 General Requirements

- (a) Campgrounds shall operate in accordance with section 76.1 of Part 5 (General Regulations).
- (b) Manufactured and modular homes are not permitted in a campground except as provided in section 90.1 (h) (ii) of this Regulation.
- (c) Only commercially designed and manufactured skirting is permitted on recreational vehicles.
- (d) Recreational vehicles are only permitted in recreational vehicle stalls.
- (e) Campground design and maintenance shall comply with Wildland/Urban Interface recommendations provided in the Province of Alberta FireSmart Manual.
- (f) Animal proof garbage cans shall be provided throughout the campground.
- (g) Campground Layout

- (i) The layout shall promote the conservation and management of habitat, wetlands and steep slopes.
- (ii) The layout shall take advantage of existing clearing and open areas.
- (iii) The layout shall maintain and promote natural systems connectivity.
- (iv) A minimum thirty (30 m) metre natural/landscaped defensible space buffer must be provided and maintained to the satisfaction of the RMWB Emergency Services Department. The Applicant in its submission shall identify and provide justification for any deviations or non-conformance to the standards sought by the Applicant.

- (v) Amenity Space:
 - (A) A minimum of five (5%) percent of the total area of the campground shall be set aside in locations suitable as amenity spaces.
 - (B) Tent camping is not permitted in Amenity Spaces
 - (C) A communal fire pit and cook hut, benches and picnic tables shall be provided in the Amenity Spaces.
 - (D) For campgrounds consisting of more than ten (10) recreational vehicle stalls a play structure shall be provided in the Amenity Spaces.
- (vi) Pedestrian circulation routes to public facilities and major recreational activity areas must be provided. Walking trails shall be provided as alternatives to the main campground road.
- (vii) Recreational Vehicle Stall requirements:
 - (A) Minimum stall size: Width – 6.0 metres Length – 16.0 metres.
 - (B) Minimum natural/landscaped buffer between stalls: 4 metres.
 - (C) Stalls proposed for year-round use shall be hard surfaced.
 - (D) Site amenities for each stall must include a cleared 4.0 metres x 4.0 metres minimum activity pad and picnic table in addition to the stall.
- (viii) Fences and Stall Boundaries:
 - (A) Fences shall be uniform in design and maintained in a safe and attractive condition by the park operator throughout the site.
 - (B) All stall boundaries shall be visible and clearly defined on the ground by permanent flush stakes or makers, with a stall number.
 - (C) Campgrounds consisting of more than twenty (20) recreational vehicle stalls must contain a permanent stall location map at the entrance to the campground.
- (ix) Transportation:
 - (A) All roads provided within the campground shall be developed to RMWB Engineering Standards designated for the rural area.
 - (B) Roadways proposed for year-round use shall be hard surfaced.
 - (C) Municipal roads leading to a campground must be brought by the applicant to a condition capable of sustaining the volume and type of traffic to be generated by the proposed campground.
 - (D) Campgrounds proposed to be open year-round shall maintain roadways year-round.

- (E) Street lighting shall be provided in accordance with Section 73.1 of Part 5 (General Regulations).
- (F) Regulatory signature must be installed to RMWB Engineering Standards.
- (x) Parking Requirements:
 - (A) A minimum one (1) parking stall per recreational vehicle stall.
 - (B) A minimum one (1) visitor parking stall per ten (10) recreational vehicle stalls must be provided in centralized locations.
 - (C) Parking stalls proposed for year-round use shall be hard surfaced.
 - (D) Parking stalls must be developed in accordance with Part 7 (Parking and Loading Requirements).
- (xi) Utility Services Requirements:
 - (A) Sewage disposal systems, potable water holding tanks, and electrical servicing shall meet all relevant provincial and federal regulations.
 - (B) Utility and telecommunication services shall be located below ground.
 - (C) A winterized sewage disposal facility (dump station) shall be provided that is easily accessible and separated from the recreational vehicle stalls and amenity spaces.
 - (D) Electrical services shall be provided in all recreational vehicle stalls and be minimum 30 amperes service.
 - (E) Potable water shall be provided in all recreational vehicle stalls and in centralized locations and meet RMWB Engineering Standards.
 - (F) Sanitary sewage collection shall be provided in all recreational vehicle stalls and meet RMWB Engineering Standards.
 - (G) Washroom facilities shall be provided in centralized locations.
 - (H) Campgrounds proposed to be open year-round shall provide laundry and shower facilities in centralized location.
- (xii) Notwithstanding anything in Section 90.1 (g)(xi),
 - (A) The applicant shall, in its submission, identify and provide justification for any deviations or non-conformances sought in the application of the RMWB Engineering Standards.
 - (B) Utility services may be adjoining in order to maximize site servicing efficiencies.

- (h) Safety
 - (i) Campgrounds shall develop a fire safety plan and have fire preparedness equipment in place to the satisfaction of the RMWB Emergency Services Department.
 - (ii) A Security Residence is required for any Campground containing more than fifty (50) Recreational Vehicle stalls and must be located at the main entrance to the Campground.
- (i) Accessory Developments
 - (i) The location, design standards and site requirements of any developments, uses and services such as decks, recreational buildings, equipment storage facilities, fire pits, cook shacks, fire wood storage and any other similar uses or services that may be associated with or required within a campground may be approved at the discretion of the Development Authority.
- (j) A Development Completion Certificate is required for a Campground prior to occupancy.
- (k) Project Accommodation using Recreational Vehicles as the residential complex is not permitted within the boundaries of the Urban Service Area and Rural Hamlet
- (l) Permits

All permits issued for a Campground shall expire three (3) years after approval at which time a new application shall be submitted if the development is to remain in operation.

(BL 07/034)

91. Design Guideline for North Eco-Industrial Park (BL 07/055)

91.1 Notwithstanding any other section in Part 5, the following regulations apply to any new development in the area shown in Figure 22.1, Schedule A-4 to this Land Use Bylaw. Developments must conform to 22 of the 43 following design guidelines, as listed below in Section 91.1(a) – 91.1(i).

- (a) Pre-Development Planning
 - (i) An “Integrated Design Process” is used for site and facility design, to identify and take advantage of synergies between various building systems and industrial process.
- (b) Parcel Layout and Organization
 - (i) Significant building elements are oriented to take advantage of passive solar heating and cooling; and natural lighting and/or ventilation.
 - (ii) Building surface area is reduced through consolidation with other buildings, to minimize heat loss. Building consolidation is achieved within the site, or by siting building(s) next to the side lot line.
 - (iii) Site grading directs snow melt and runoff away from roads and pedestrian areas to avoid icy conditions.

- (iv) Buildings are sited at the minimum front setback line.
 - (v) For corner lots, building are sited on both setback lines adjacent to the streets.
 - (vi) The overall development footprint (including building, warehousing, access roads and parking) is minimized by the use of stackable or alternative warehousing techniques, the use of joint logistics facilities, and by clustering buildings.
 - (vii) Service areas are designed to be used jointly by adjacent buildings and parcels. e.g. for waste collection and sorting, shipping and receiving, parking, or outdoor lunch areas.
 - (viii) Site layout is designed to provide for future expansion and development in a manner which maintains and enhances the essential integrity of the original development.
 - (ix) Site is designed to facilitate snow removal and accommodate snow removal equipment.
 - (x) Snow storage is located in areas that maximize sunlight and melt, or other characteristics such as increased solar reflectivity.
- (c) Access and Movement
- (i) Design the parcel to accommodate access into / from the site for a range of transportation modes in a manner that minimizes environmental impact and conflict between modal types.
 - (ii) The size of parking and loading areas are minimized.
 - (iii) Continuous, direct, safe pedestrian routes through parking areas are provided through the use of safe barriers between areas for pedestrian and vehicle movement. Barriers may include, but are not limited to landscaping, separated walkways, raised crosswalks, curbs and bumpers.
 - (iv) Trees and shrubs are planted throughout the parking area to intercept precipitation, reduce surface heating, enhance appearance and protect pedestrians from the elements.
 - (v) No parking is located between the principal building and the adjacent public roadway.
 - (vi) Parking facilities are connected to those of an adjacent parcel.
 - (vii) A shared / combined parking agreement meeting the requirements of section 134.1 and approved by the Development Authority is in place with one or more other property owners.
 - (viii) All paving materials are recycled.
 - (ix) End-of-trip facilities such as showers and lockers for staff and secure bicycle and ski storage are provided.
 - (x) Provide outdoor amenities such as benches, and meeting and/or recreation areas.
 - (xi) Permeable paving materials are used for pedestrian, cycling and dedicated emergency access routes.
- (d) Landscape and Open Space
- (i) Trees are planted to the west and north of buildings to protect them from prevailing winter winds.

- (ii) Significant landscaped roofs and walls incorporating appropriate native vegetation are included in the building design.
 - (iii) Well-designed outdoor areas for eating, meeting and/or recreation that are protected from the elements and include comfortable amenities such as benches.
 - (iv) Parks and pedestrian paths and areas are located and landscaped to maximize winter solar exposure and minimize exposure to wind. Where wind barriers are used, they must be integrated with the overall landscape design.
- (e) Energy Efficiency
- (i) Natural lighting is a significant part of the building illumination strategy, while minimizing any associated heat loss.
 - (ii) At least 10% of energy needed by the development is produced on site from renewable sources (solar, geothermal [earth energy], wind, biomass) or via co-generation.
 - (iii) A binding agreement signed by the developer or owner committing to purchasing Green Certificates for more than 50% of the building's energy requirements.
 - (iv) Buildings are plumbed to be retrofit-ready for solar hot water heating systems.
 - (v) Seasonal and/or user-controlled shading techniques are used to take advantage of winter sunlight while minimizing unwanted heat gain in the summer.
 - (vi) Lighting energy demand minimized by minimizing lighting, using high-efficiency luminaires and bulbs, and maximizing user control.
 - (vii) Recover and reuse heat for outdoor amenities. Strategies can include, but are not limited to the following:
 - (A) Melting snow on pedestrian paths, sidewalks, etc.
 - (B) Outdoor heated spaces, shelters, etc.
- (f) Water, Wastewater and Stormwater
- (i) Stormwater Best Management Practices applicable to cold climate Sites are used.
 - (ii) Surface runoff management is integrated into landscape design. Strategies can include, but are not limited to the following:
 - (A) Direct roof runoff to infiltration basins
 - (B) Capture roof runoff for irrigation
 - (C) Develop green roofs to help reduce stormwater runoff
 - (D) Incorporate dry-wells and percolation swales to help manage stormwater.
 - (iii) Parking and other paved areas are designed to minimize negative impacts on surface runoff volume and quality. Strategies can include, but are not limited to the following:
 - (A) Install oil/water separators for high traffic areas.

- (B) Install sediment traps onsite where aggregate or material storage is required.
- (iv) Buildings are plumbed to provide a cost-effective opportunity to retrofit with non-potable systems.
 - (v) A report evaluating the availability of reclaimed stormwater or wastewater that could be used to displace potable water in your operations, and the potential for your operations, and the potential for operations to offer reclaimed stormwater or wastewater to other businesses for their use, has been prepared by a professional engineer.
- (g) Building Design and Materials
 - (i) Recycling and composting stations are incorporated into staff and kitchen spaces.
 - (ii) All lighting installations which are visible from the exterior of the development are designed to enhance the appearance and presentation of both building and property.
 - (iii) Outdoor lighting is designed to minimize the amount of light produced. Light-coloured or reflective edges are used along driveways or walkways to help delineate them at night.
- (h) Construction
 - (i) The landscape plan includes plants salvaged prior to site clearing activities, and describes how they will be salvaged, stored and planted to ensure a high survival rate.
- (i) Signage
 - (i) Signage is integrated with the building itself to keep the number of signs to a minimum and to maintain as clean and natural an environment as possible.

(BL 07/055)



(Figure 91.1)
Highway 63 North Eco-Industrial Park site map
Part of Lot 3, Block 1, Plan 042 1905

91A. Additional Provisions: Intensive Agriculture

- (a) The keeping of birds and animals, including livestock, shall be limited to one animal unit per acre (0.404 ha). For the purposes of this section, “one animal or bird unit” means:

| Type of Animal | # of Animals = 1 unit |
|--|--------------------------|
| Horse, donkey, mule, cattle, buffalo, hog or steer (over 1 year old) | 1 |
| Colts or calves up to one year old, sheep, goats, ewes | 2 |
| Deer, Elk | 3 |
| Llamas, alpacas, adult ostriches | 5 |
| Ducks, geese, turkeys or other fowl, rabbits, chinchillas, adult emus, young ostriches | 10 |
| Young emus | 20 |
| Mink | 77 |

- (b) Adequate fencing and/or buffering shall be constructed to the satisfaction of the Development Authority to ensure the on-site confinement of animals and to reduce the impact of noise or visual presence on surrounding properties.
- (c) Adequate measures to provide for the disposal of animal wastes shall be provided to the satisfaction of the Development Authority and the Regional Health Authority.

(BL 08/001)

91A.1. Additional Provisions: Intensive Livestock Operations

Intensive livestock operations shall comply with the provisions of the Code of Practice for Responsible Livestock Development and Manure Management, as amended from time to time.

(BL 08/001)

92. Additional Provisions – Natural Resource Extraction

- (a) An application for a development permit for natural resource extraction shall require:
- (i) a disposition;
 - (ii) location and area of the site affected by the development;
 - (iii) the expected life of the development;
 - (iv) the condition in which the site is to be left when the operation is complete,
 - (v) including the action which is to be taken for restoring the site to its original, or similar, state.
- (b) The applicant shall keep the area subject to the development permit in a clean and tidy condition and free from debris.
- (c) All operations shall be in accordance with the Alberta Environmental Protection and Enhancement Act and Regulations for conservation and reclamation.

- (d) A disturbed area shall be reclaimed to a land capability equivalent to the pre-disturbance land capability (eg: agricultural land) or a post-disturbance condition and land use satisfactory to the Approving Authority.
- (e) Sand, gravel, and logging operations shall not be permitted within 0.8 km of an existing country residential district, hamlet boundary or the Urban Service Area.
- (f) One (1) security suite, or more as required by the operation based on demonstrated need, may be permitted for each extraction operation.

92A. Special Events (BL 13/014)

92A.1 Special Events are a discretionary use in all residential and mixed use districts, and in all other districts where the site on which the Special Event occurs is less than 100 metres from the boundary of a parcel of land with an existing residential use.

92A.2 Special Events are a permitted use in all agricultural, commercial and industrial districts, and on lands districted MR – Municipal Reserve, PS – Public Service, PR – Parks and Recreation, or PUL – Public Utility Lot where the site on which the Special Event occurs is more than 100 metres from the boundary of a parcel of land with an existing residential use.

92A.3 A complete application for a Special Event Development Permit shall include, but may not be limited to, the following:

- (a) A site plan which identifies where the Special Event is proposed to take place and the facilities and structures which comprise the Special Event or are required to support it;
- (b) A context plan identifying how the Special Event relates to surrounding land uses;
- (c) A parking and traffic management plan which is satisfactory to the Development Authority;
- (d) Building plans of any proposed temporary structures over 10m²;
- (e) A signage plan that details sign content and location;
- (f) An emergency response plan; and
- (g) Hours of operation of the proposed event.

92A.4 Applications for a Special Event Development Permit shall be considered using the following criteria:

- (a) Compatibility of the Special Event with its proposed site;
- (b) Compatibility of the Special Event with surrounding land uses;
- (c) Availability of parking and/or transit to accommodate the expected event attendance;
- (d) Emergency preparedness, as determined by Regional Emergency Services;
- (e) Mitigation measures for any potential health and safety risks;
- (f) Identification and mitigation of potential nuisance factors such as, but not exclusive to, pollution, noise, visual blight, dust, traffic congestion, garbage disposal and recycling; and
- (g) The proposed hours of operation of the Special Event.

92A.5 The Development Authority may, as a condition of issuing a development permit for a Special Event, impose conditions respecting the following matters:

- (a) The operation of the Special Event in accordance with the application submitted to and the plans approved by the Development Authority;
- (b) Requirements for police, EMS, and fire services to be provided at the event and at the cost of the event organizer;
- (c) Mitigation of potential nuisance factors that may be caused by the Special Event, including but not exclusive to pollution, noise, visual blight, dust, traffic congestion, garbage disposal, and recycling;
- (d) The time or times during which the Special Event may be carried out; and
- (e) Any other conditions that in the opinion of the Development Authority may be necessary for the Special Event to operate in a manner that meets the criteria for Special Events in the Municipality.

(BL 13/014)

PART 6 - Land Use Districts

93. R1 - Single Detached Residential District

93.1 Purpose

The purpose of this District is to provide for low density residential development in the form of single detached dwellings in the Urban Service Area.

93.2 Permitted Uses

The following are permitted uses:

- (a) Accessory Building
- (b) Home Occupation
- (c) Park
- (d) Public Utility
- (e) Satellite Dish Antenna
- (f) Single Detached Dwelling

(BL 07/036, BL 16/020)

93.3 Discretionary Uses - Development Officer

The following are discretionary uses that may be approved by the Development Officer:

- (a) Amateur Radio Antenna
- (b) Bed and Breakfast Establishment
- (c) Home Business
- (d) Project Accommodation **(BL 06/001)**
- (e) Public Use
- (f) Religious Assembly
- (g) Residential Sales Centre (dwelling based or portable) **(BL 01/043)**
- (h) Visiting Students Supervised Housing Unit

93.4 Discretionary Uses - Planning Commission

The following are discretionary uses that may be approved by the Municipal Planning Commission:

- (a) Basement Suite
- (b) Boarding House
- (c) Child Care Facility
- (d) Educational Service Facility (accessory to a Religious Assembly only)
- (e) Group home

93.5 Site Provisions

In addition to the General Regulations contained in Part 5, the following standards shall apply to every development in this district.

- (a) Front Yard (minimum): 6.0 m
- (b) Side Yard (minimum): 1.2 m

In a laneless subdivision, excepting corner lots, a dwelling without an attached garage shall provide one (1) 2.7 m (minimum) interior lot to provide vehicular access to the rear yard. **(BL 00/011)**

- (c) Side Yard, Exterior (minimum): 3.0 m
- (d) Rear Yard (minimum): 4.6 m
- (e) Building Height (maximum): 10.0 m for principal building
- (f) Lot Width (minimum): 12.2 m
- (g) Lot Depth (minimum): 32.0 m
- (h) Lot Area (minimum): 400.0 m²
- (i) Lot Coverage (maximum): 45 percent including accessory buildings
- (j) Landscaping: a minimum of 30 percent of the lot area shall be landscaped with soft landscaping.

94. **R1E - Single Family Estate Residential District**

94.1 Purpose

The purpose of this District is to provide for low density single detached residential development on large lots in the Urban Service Area.

94.2 Permitted Uses

The following are permitted uses:

- (a) Accessory Building
- (b) Home Occupation
- (c) Park
- (d) Public Utility
- (e) Satellite Dish Antenna
- (f) Single Detached Dwelling

94.3 Discretionary Uses - Development Officer

The following are discretionary uses that may be approved by the Development Officer:

- (a) Amateur Radio Antenna
- (b) Bed and Breakfast
- (c) Boarding House
- (d) Home Business
- (e) Project Accommodation **(BL 06/001)**
- (f) Public Use
- (g) Religious Assembly
- (h) Residential Sales Centre (dwelling based or portable) **(BL 01/043)**
- (i) Visiting Students Supervised Housing Unit

94.4 Discretionary Uses - Planning Commission

The following are discretionary uses that may be approved by the Municipal Planning Commission:

- (a) Basement Suite
- (b) Child Care Facility
- (c) Educational Service Facility (accessory to a Religious Assembly only)
- (d) Family Care Dwelling

94.5 Site Provisions

In addition to the General Regulations contained in Part 5, the following standards shall apply to every development in this district.

- (a) Front Yard (minimum): 7.6 m
- (b) Side Yard, Interior (minimum): 1.8 m

In a laneless subdivision, excepting corner lots, a dwelling without an attached garage shall provide one (1) 2.7 m (minimum) interior lot to provide vehicular access to the rear yard. **(BL 00/011)**

- (c) Side Yard, Exterior (minimum): 7.0 m
- (d) Rear Yard (minimum): 10.0 m
- (e) Building Height (maximum): 10.0 m for principal building
- (f) Lot Width (minimum): 24.0 m
- (g) Lot depth (minimum): 36.0 m
- (h) Lot Area (minimum): 1,133.0 m²
- (i) Lot Coverage (maximum): 45 percent including accessory building
- (j) Floor Area (minimum): 130.0 m² for principal building, excluding the area of an attached garage
- (k) Landscaping: a minimum of 30 percent of the lot area shall be landscaped with soft landscaping

95. RIM - Mixed Form Single Detached Residential District

95.1 Purpose

The purpose of this district is to provide for mixed low density residential development in the form of single detached dwellings and manufactured/ modular homes in the Urban Service Area.

95.2 Permitted Uses

The following are permitted uses:

- (a) Accessory Building
- (b) Home Occupation
- (c) Manufactured Home

- (d) Park
- (e) Public Utility
- (f) Satellite Dish Antenna
- (g) Single Detached Dwelling

(BL 07/036, BL 16/020)

95.3 Discretionary Uses - Development Officer

The following are discretionary uses that may be approved by the Development Officer:

- (a) Amateur Radio Antenna
- (b) Bed and Breakfast
- (c) Boarding House
- (d) Home Business
- (e) Project Accommodation **(BL 06/001)**
- (f) Public Use
- (g) Religious Assembly
- (h) Residential Sales Centre (dwelling based or portable) **(BL 01/043)**
- (i) Visiting Students Supervised Housing Unit

95.4 Discretionary Uses - Planning Commission

The following are discretionary uses that may be approved by the Municipal Planning Commission:

- (a) Basement Suite
- (b) Child Care Facility
- (c) Educational Service Facility (accessory to a Religious Assembly only)
- (d) Family Care Dwelling
- (e) Group Home

95.5 Site Provisions

In addition to the General Regulations contained in Part 5, the following standards shall apply to every development in this district.

- (a) Front Yard (minimum): 6.0 m
- (b) Side Yard, Interior (minimum): 1.2 m except for the following:
 - (i) In a laneless subdivision, excepting corner lots, a dwelling without an attached garage shall provide one (1) 2.7 m (minimum) interior lot to provide vehicular access to the rear yard. **(BL 00/011)**
 - (ii) For manufactured homes, one (1) interior side yard shall be 4.6 m.
- (c) Side Yard, Exterior (minimum): 3.0 m
- (d) Rear Yard (minimum): 3.0 m
- (e) Building Height (maximum): 10.0 m for principal building
- (f) Lot Width (minimum): 12.2 m
- (g) Lot Depth (minimum): 30.5 m

- (h) Lot Area (minimum): 372.0 m²
- (i) Lot Coverage (maximum): 45 percent including accessory buildings
- (j) Landscaping: a minimum of 30 percent of the lot area shall be landscaped with soft landscaping.

95.6 Additional Provisions: Manufactured Homes

- (a) The undercarriage of manufactured homes shall be completely screened from view by the foundation, skirting, or by such other means satisfactory to the Development Authority.
- (b) All accessory buildings, additions, porches, and skirting shall be of a quality and appearance equivalent to the manufactured home.
- (c) Existing manufactured homes may be replaced with single detached dwellings subject to meeting the requirements of this District. The replacement of single detached dwellings with manufactured homes will not be permitted.

96. **R1S - Single Family Small Lot Residential District**

96.1 Purpose

The purpose of this District is to provide for low density residential development on small lots with provisions for zero lot line development in the Urban Service Area.

96.2 Permitted Uses (**BL 16/020**)

The following are permitted uses:

- (a) Accessory Building
- (b) **DELETED (BL 08/001)**
- (c) Duplex
- (d) Home Occupation
- (e) Park
- (f) Public Utility
- (g) Satellite Dish Antenna
- (h) Semi-Detached Dwelling
- (i) Single Detached Dwelling

(BL 07/036, BL 16/020)

96.3 Discretionary Uses - Development Officer

The following are discretionary uses that may be approved by the Development Officer:

- (a) Amateur Radio Antenna
- (b) Bed and Breakfast
- (c) Boarding House (**BL 08/001**)
- (d) Fourplex (**BL 00/011**)
- (e) Home Business
- (f) Project Accommodation (**BL 06/001**)

- (g) Public Use
- (h) Religious Assembly
- (i) Residential Sales Centre (dwelling based or portable) **(BL 01/043)**
- (j) Townhouse **(BL 00/011)**
- (k) Triplex **(BL 00/011)**
- (l) Visiting Students Supervised Housing Unit

96.4 Discretionary Uses - Planning Commission

The following are discretionary uses that may be approved by the Municipal Planning Commission:

- (a) Basement Suite
- (b) Child Care Facility
- (c) Educational Service Facility (accessory to a Religious Assembly only)
- (d) Group Home

96.5 Site Provisions

In addition to the General Regulations contained in Part 5, the following standards shall apply to every development in this district.

- (a) Front Yard (minimum): 4.5 m, except the setback shall be a minimum of 6.0 m for a garage attached to the front of a dwelling unit. **(BL 04/023)**
 - (i) Front yard (minimum) 9.0 m for a garage attached to the front of the dwelling unit without a rear lane for Portion of Lot 1A, Plan 012 3208 as depicted as site 4 on the Stonecreek Site Map. **(BL 07/024)**
- (b) Side Yard, Interior (minimum): 1.2 m

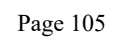
In a laneless subdivision, excepting corner lots, a dwelling without an attached garage shall provide one (1) 2.7 m (minimum) interior lot to provide vehicular access to the rear yard. **(BL 00/011)**

The interior side yard may be reduced to zero on one side of a lot if the following conditions are met:

- (i) The owner of the adjacent lot grants a 1.0 m private maintenance access easement. Such easements are to be registered by caveat against the title of the adjacent site. **(BL 17/006)**
- (ii) All roof drainage from the residence shall be contained to the lot and diverted to the municipal storm drainage system by eavestroughs and downspouts or other suitable means. Surface drainage to the adjacent lot will not be permitted.

- (iii) The development is designed comprehensively and comprises at least 12 lots.
- (c) Side Yard, Exterior (minimum): 3.0 m
- (d) Rear Yard (minimum): 4.6 m
- (e) Lot Width (minimum):
 - (i) Semi-Detached and Duplex Dwellings 7.6 m per unit
(BL 04/012)
 - (ii) All Other Uses 9.0 m
- (f) Lot Depth (minimum): 30.0 m
- (g) Lot Area (minimum):
 - (i) Semi-Detached Dwelling: 228.0 m²
 - (ii) Duplex Dwellings: 456.0 m² **(BL 04/012)**
 - (iii) All Other Uses: 270.0 m² **(BL 04/012)**
- (h) Building Height (maximum): 10.0 m for principal building
- (i) Lot Coverage (maximum): 45 percent including accessory buildings
- (j) Landscaping: a minimum of 30 percent of the lot area shall be landscaped with soft landscaping
- (k) Triplex and Fourplex dwellings shall comply with the regulations of the R2 district. Townhouses shall comply with the regulations of the R3 district. **(BL 00/011)**
- (l) Dwellings shall be required to have garages accessible from the lane only for a portion of Lot 1A, Plan 012 3208 as depicted as site 6 on Stonecreek Site Map. **(BL 07/024)**

Land Use Bylaw No. 99/059



97. **R2 - Low Density Residential District**

97.1 Purpose

The purpose of this district is to provide for mixed forms of low density residential development in the Urban Service Area.

97.2 Permitted Uses (**BL 16/020**)

The following are permitted uses:

- (a) Accessory Building
- (b) Duplex
- (c) Home Occupation
- (d) Park
- (e) Public Utility
- (f) Satellite Dish Antenna
- (g) Semi-Detached Dwelling
- (h) Single Detached Dwelling

DELETED (BL 07/036, BL 16/020)

97.3 Discretionary Uses - Development Officer

The following are discretionary uses that may be approved by the Development Officer:

- (a) Amateur Radio Antenna
- (b) Boarding House
- (c) Cluster Housing (**BL 00/060**)
- (d) Fourplex
- (e) Home Business
- (f) **DELETED (BL 01/043)**
- (g) Project Accommodation (**BL 06/001**)
- (h) Public Use
- (i) Religious Assembly
- (j) Residential Sales Centre (dwelling based or portable) (**BL 01/043**)
- (k) Triplex
- (l) Visiting Students Supervised Housing Unit

97.4 Discretionary Uses - Planning Commission

The following are discretionary uses that may be approved by the Municipal Planning Commission:

- (a) Basement Suite
- (b) Child Care Facility
- (c) Group Home (**BL 01/043**)

97.5 Site Provisions

In addition to the General Regulations contained in Part 5, the following standards shall apply to every development in this district.

- (a) Front Yard (minimum): 6.0 m
- (b) Side Yard, Interior (minimum): 1.2 m, except for the following:
 - (i) In a laneless subdivision, excepting corner lots, a dwelling without an attached garage shall provide one (1) 2.7 m (minimum) interior lot to provide vehicular access to the rear yard; **(BL 00/011)**
 - (ii) For a semi-detached dwelling, one (1) interior side yard may be reduced to zero when a common wall is located on the property line;
 - (iii) For a triplex or fourplex, zero for internal units;
 - (iv) For Cluster Housing, 3.0 m or ½ the height of the principal building(s) whichever is greater. **(BL 00/060)**
- (c) Side Yard, Exterior (minimum):
 - (i) Triplex, Fourplex: 4.0 m
 - (ii) Cluster House: 6.0 m **(BL 00/060)**
 - (iii) All Other Uses: 3.0 m **(BL 00/060)**
- (d) Rear Yard (minimum):
 - (i) Triplex, Fourplex: 6.0 m
 - (ii) Cluster House: 7.5 m **(BL 00/060)**
 - (iii) All Other Uses: 4.6 m **(BL 00/060)**
- (e) Building Height (maximum): 10.0 m for principal building
- (f) Lot Width (minimum):
 - (i) Semi-Detached, Triplex, Fourplex: 7.6 m per unit, except 6.8 m per unit for Lot 9, Block 2, Plan 3969ET. **(BL 01/006)**
 - (ii) Cluster Housing: 30.0 m **(BL 00/060)**
 - (iii) All Other Uses: 12.2 m **(BL 00/060)**
- (g) Lot Depth (minimum): 30.0 m
- (h) Lot Area (minimum):
 - (i) Semi-Detached: 228.0 m² per unit
 - (ii) Triplex, Fourplex: 297.0 m² per unit
 - (iii) Cluster Housing: 0.2 ha **(BL 00/060)**
 - (iv) All Other Uses: 366.0 m² **(BL 00/060)**
- (i) Lot Coverage (maximum): 45 percent including accessory Building
- (j) Landscaping: a minimum of 30 percent of the lot area shall be landscaped with soft landscaping. **(BL 00/060)**
- (k) Density (maximum): Cluster Housing 30 units/ha **(BL 00/060)**

Cluster Housing 45
units/ha only on that
portion of Lot 9, Plan 982
4820 (**BL 02/036**)

Cluster Housing 42
units/ha on that portion of
Lot 2, Block 1, Plan 022
5478 (**BL 03/003**)

- (1) Dwellings shall be required to have garages accessible from the land only for a portion of Lot 1A, Plan 012 3208 as depicted as site 15 on the Stonecreek Map.

(Figures 96.1, 97.1 and 98.1)
Stone Creek Site Map
 Part of Lot A, Plan 012 3208 & Part of Block 1, Plan 062 5817

98. **R3 - Medium Density Residential District**

98.1 Purpose

The purpose of this District is to provide for the development of medium density residential housing in the form of cluster housing, townhouses, low rise apartments and other dwelling types of similar density in the Urban Service Area.

98.2 Permitted Uses (**BL 16/020**)

The following are permitted uses:

- (a) Accessory Building
- (b) Apartment Building with density of less than 60 units per ha. (**BL 01/102**)
- (c) Community Service Facility, only on Lot 13, Block 2, Plan 9121064 (**BL 02/002**)
- (d) Cluster Housing
- (e) Fourplex
- (f) Home Occupation
- (g) Park
- (h) Parking Lot or Structure
- (i) Public Utility
- (j) Satellite Dish Antenna
- (k) Town House
- (l) Single Detached Dwelling (**BL 00/011**)
- (m) Semi-detached Dwelling (**BL 00/011**)
- (n) Triplex

DELETED (BL 07/036, BL 16/020)

98.3 Discretionary Uses - Development Officer

The following are discretionary uses that may be approved by the Development Officer:

- (a) Amateur Radio Antenna
- (b) Apartment Building with density of 60 units per ha or greater. (**BL 01/102**)
- (c) Apartment Hotel (only on Lots 1, 2 and 3, Block 6, Plan 616AO) (**BL 00/051**)
- (d) Basement Suite (**BL 08/001**)
- (e) Boarding House
- (f) **DELETED (BL 01/043)**
- (g) Home Business
- (h) Office (for on-site residential property administration only) (only on Lot 2, Block 15, Plan 032 6193) (**BL 05/010**)
- (i) Project Accommodation (**BL 06/001**)
- (j) Public Use
- (k) Religious Assembly
- (l) Residential Sales Centre (dwelling based or portable) (**BL 01/043**)
- (m) Senior Citizen Housing
- (n) Visiting Students Supervised Housing Unit

98.4 Discretionary Uses - Planning Commission

The following are discretionary uses that may be approved by the Municipal Planning Commission:

- (a) Child Care Facility
- (b) Country Inn
- (c) Educational Service Facility (accessory to a Religious Assembly only)
- (d) Group Home **(BL 01/043)**

98.5 Site Provisions

In addition to the General Regulations contained in Part 5, the following standards shall apply to every development in this district.

- (a) Front Yard (minimum): 6.0 m
 - (i) Front Yard (minimum) may be reduced to 0.3 m, at the discretion of the Development Authority, for all R3 lots at the following locations:
 - (A) Lots 3-4, Block 24, Plan 072 3383
 - (B) Lot 14, Block 25, Plan 072 3383
 - (C) Lot 1, Blocks 35-36, Plan 072 5263
 - (D) Lot 49-50, Block 47, Part of Block 22, Plan 062 5851
 - (E) Lot 12, Block 49, Part of Block 22, Plan 062 5851
 - (F) Lot 21, Block 44, Part of Block 22, Plan 062 5851

as depicted on the Eagle Ridge Site shown as Figure 98.2.

(BL 07/059)

- (b) Side Yard, Interior (minimum):
 - (i) For a triplex, fourplex, 1.2 m, except for the following:
 - (A) In a laneless subdivision, excepting corner lots, a dwelling without an attached garage shall provide one (1) 2.7 m (minimum) interior lot to provide vehicular access to the rear yard. **(BL 00/011)**
 - (B) Zero for internal units
 - (ii) For all other uses, 3.0 m or ½ the height of the principal building(s), whichever is greater
- (c) Side Yard, Exterior (minimum): 6.0 m
- (d) Rear Yard (minimum): 7.5 m
- (e) Building Separation (minimum): 3.0 m where more than one residential building is located on a site
- (f) Building Height (maximum): maximum 12.2 m at any eave line for principal building
- (g) Lot Width (minimum):
 - (i) Triplex, Fourplex: 7.6 m per unit

- | | | | |
|-----|---------------------|--|--|
| | (ii) | Cluster Housing, Apartment Building | 30.0 m |
| | (iii) | Street-oriented Town-housing (interior lot) | 6.0 m |
| | (iv) | Street-oriented Town-housing (corner lot or lot with end unit) | 10.0 m per unit (BL 01/043) |
| (h) | Lot Area (minimum): | | |
| | (i) | Triplex, Fourplex: | 297.0 m ² per unit |
| | (ii) | Street-oriented Town Housing (interior lot) | 185.5 m ² per unit |
| | (iii) | Street-oriented Town housing (corner lot) | 297.0 m ² per unit |
| | (iv) | Non-street Oriented Town Housing | 0.2 ha |
| | (v) | Cluster Housing | 0.2 ha |
| | (vi) | Apartment Building | 0.14 ha |
| (i) | Density (maximum): | | |
| | (i) | Cluster Housing, Town Housing | 145 units/ha |
| | (ii) | Apartment Building | 90 units/ha, except 229 units/ha for Lots 10-14, Block 5, Plan 616 AO (BL 02/046) 90 units/ha for the portion of Lots 5 and 6. Plan 982 4820 zoned as R3-Medium Density Residential District (BL 05/027) |
| | (iii) | Portion of Lot 1A, Plan 012 3208 as depicted as site 1 on the attached map, (Figure 98.1), a maximum density of 105.1units/ha; (BL 07/024, BL 10/013) | |
| | (iv) | Portion of Lot 1A, Plan 012 3208 as depicted as site 2 on the attached map, (Figure 98.1), a maximum density of 48.5 units/ha; (BL 07/024, BL 09/018) | |
| | (v) | Portion of Lot 1A, Plan 012 3208 as depicted as site 3 on the attached map, (Figure 98.1), a maximum density of 55.6 units/ha; (BL 07/024, BL 09/018) | |
| | (vi) | Lot 168, Block 5, Plan 102 3470 depicted as Site 5 on the following map, (Figure 98.1), a maximum density of 57.6 units/ha; (BL 07/024, BL 11/007) | |
| | (vii) | Portion of Lot 1A, Plan 012 3208 as depicted as site 7 on the attached map, (Figure 98.1), a maximum density of 7.75 units/ha; (BL 07/024, BL 10/013) | |
| | (viii) | Portion of Lot 1A, Plan 012 3208 as depicted as site 8 on the attached map, (Figure 98.1), a maximum density of 113.0 units/ha; (BL 07/024) | |

- (ix) Lot 4, Block 7, Plan 092 3934 depicted as Site 9 on the following map, (Figure 98.1), a maximum density of 54.1 units/ha; and **(BL 07/024, BL 11/007)**
- (x) Portion of Lot 1 A, Plan 012 3208 as depicted as site 10 on the attached map, (Figure 98.1), a maximum density of 37.9 units/ha. **(BL 07/024, BL 09/018)**
- (j) Private Amenity Area (minimum):
 - (i) For at grade units 6.0 m² per unit **(BL 01/043)**
 - (ii) For above grade units 4.0 m² per unit
- (k) Landscaping: A minimum of 30 percent of the site area plus all adjoining Municipal boulevards shall be landscaped in accordance with Section 72 of Part 5 (General Regulations) **(BL 01/043, BL 01/102)**
- (l) Single Detached and Semi-detached dwellings shall comply with the regulations of the R2 District. **(BL 00/011)**
- (m) Building Separation as per Section 88. **(BL 01/102)**
- (n) Garbage Disposal:

Garbage and waste materials shall be stored in weatherproof and animal-proof containers and shall be visually screened from all adjacent sites and public thoroughfares to the satisfaction of the Development Authority. **(BL 01/102)**
- (o) Playground Structures:

Every Apartment Building, Townhouse development or Cluster Housing development containing 100 or more dwelling units on the lot or site shall provide a playground with a play structure. The playground shall be a minimum of 1.0 m² for each dwelling unit on the site or lot and shall be considered part of the landscaped area. The play structure shall conform to CSA standards. **(BL 01/102)**

Figure 98.1 (BL 07/024)

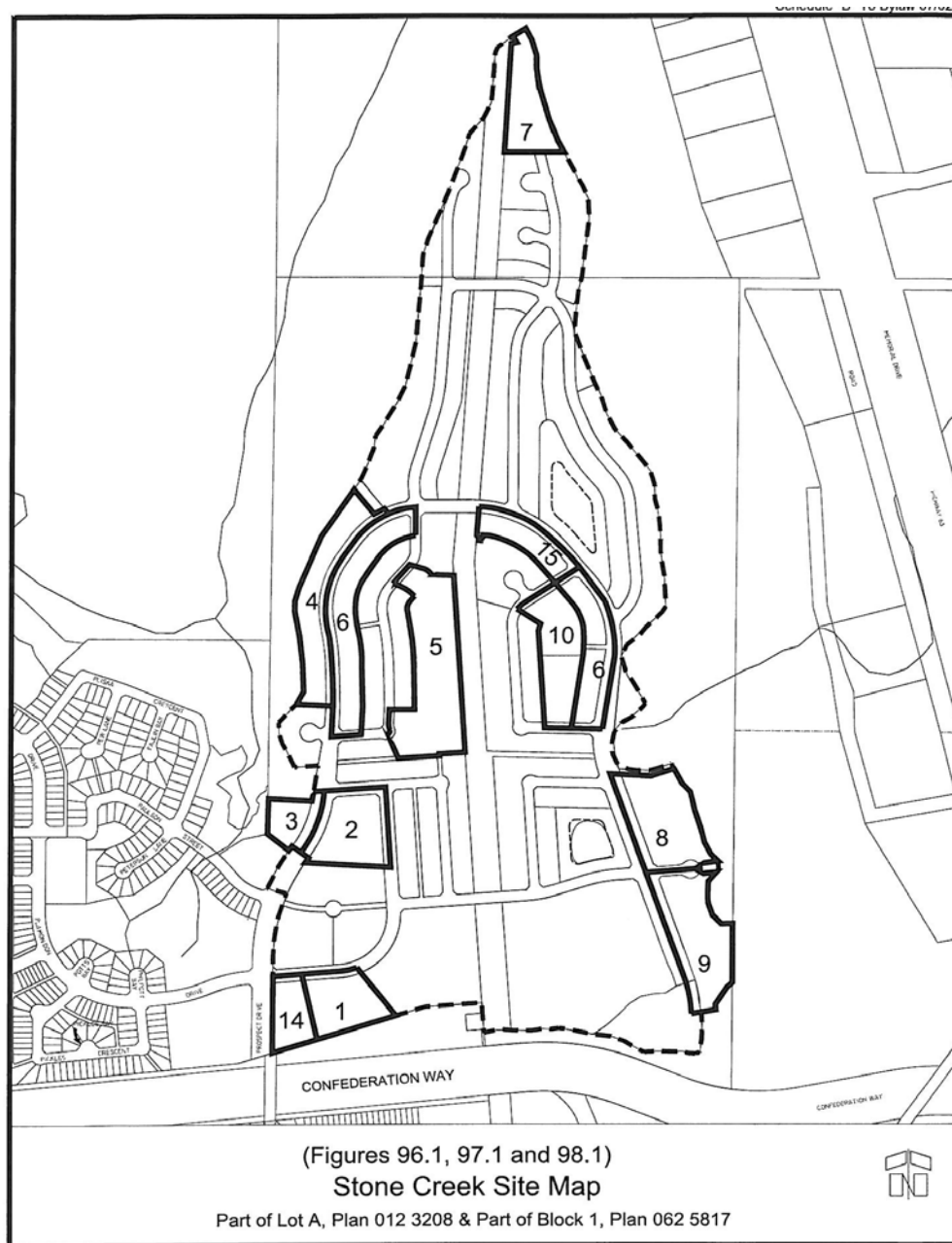


Figure 98.2 (BL 07/059)



99. **R4 - High Density Residential District**

99.1 Purpose

The purpose of this District is to provide for the development of high rise apartment buildings, with an opportunity for ground floor commercial development, in the Urban Service Area.

99.2 Permitted Uses (**BL 16/020**)

The following are permitted uses:

- (a) Accessory Building
- (b) Apartment Building with density of less than 60 units per ha. (**BL 01/102**)
- (c) Apartment Hotel, only on Lot 3, Plan 982 4720 (**BL 02/002**)
- (d) Home Occupation
- (e) Office (**BL 09/019**)
- (f) Park
- (g) Parking Lot or Structure
- (h) Personal Service Facility
- (i) Public Use/Utility
- (j) Retail, Convenience
- (k) Senior Citizen Housing

DELETED (BL 07/036, BL 16/020)

99.3 Discretionary Uses - Development Officer

The following are discretionary uses that may be approved by the Development Officer:

- (a) Apartment Building with a density of 60 units per ha or greater. (**BL 01/102**)
- (b) Bed and Breakfast
- (c) Home Business
- (d) Project Accommodation (**BL 06/001**)
- (e) Religious Assembly
- (f) Satellite Dish Antenna
- (g) Townhouse

99.4 Discretionary Uses - Planning Commission

The following are discretionary uses that may be approved by the Municipal Planning Commission:

- (a) Apartment Hotel
- (b) Boarding House
- (c) Child Care Facility
- (d) Cluster Housing
- (e) Country Inn
- (f) Educational Service Facility (accessory to a Religious Assembly only)
- (g) Group Home
- (h) **DELETED (BL 08/001)**
- (i) Hostel

- (j) Office (for on-site residential property administration only)

99.5 Site Provisions

In addition to the General Regulations contained in Part 5, the following standards shall apply to every development in this district.

- (a) Front Yard (minimum):
 - (i) Building height 12.2 m or less: 6.0 m
 - (ii) Building height over 12.2 m 9.1m
- (b) Side Yard (minimum): 6.0 m
- (c) Rear Yard (minimum): 7.5 m
- (d) Building Separation (minimum): 3.0 m where more than one residential building is located on a site
- (e) Building Height (maximum): 46.0 m
- (f) Density (maximum): 647 units/ha **(BL 09/019)**
- (g) Private Amenity Area (minimum): 4.0 m² per unit
- (h) Convenience retail stores and personal service facilities: **(BL 08/001)**
 - (i) shall be limited to the main floor of an apartment building containing at least 150 dwelling units;
 - (ii) shall provide a separate, outside principal entrance;
 - (iii) may reduce the required front yard to zero.
- (i) Landscaping: A minimum of 30 percent of the site area plus all adjoining Municipal boulevards shall be landscaped in accordance with Section 72 of Part 5 General Regulations) **(BL 01/102)**
- (j) Building Separation as per Section 88. **(BL 01/102)**
- (j.1) An apartment hotel on Lot 3, Plan 982 4720 shall be subject to the site provisions of the C5 District. **(BL 02/002)**
- (k) Garbage Disposal:

Garbage and waste materials shall be stored in weatherproof and animal proof containers and shall be visually screened from all adjacent sites and public thoroughfares to the satisfaction of the Development Authority. **(BL 01/102)**
- (l) Playground Structures:

Every Apartment Building, Townhouse development or Cluster Housing development containing 100 or more dwelling units on the lot or site shall provide a playground with a play structure. The playground shall be a minimum of 1.0 m² in area for each dwelling unit on the site or lot and

shall be considered part of the landscaped area. The play structure shall conform to CSA standards. **(BL 01/102)**

100. **RMH - Manufactured Home Residential District**

100.1 Purpose

The purpose of this district is to provide for the development of manufactured home parks and manufactured home subdivisions in the Urban Service Area, with provisions for zero lot line development.

100.2 Permitted Uses **(BL 16/020)**

The following are permitted uses:

- (a) Accessory Building
- (b) Home Occupation
- (c) Manufactured Home
- (d) Manufactured Home Park
- (e) Park
- (f) Public Utility

DELETED (BL 07/036, BL 16/020)

100.3 Discretionary Uses – Development Officer

The following are discretionary uses that may be approved by the Development Officer:

- (a) Amateur Radio Antenna
- (b) Home Business
- (c) Project Accommodation **(BL 06/001)**
- (d) Public Use
- (e) Residential Sales Center, dwelling based or portable **(BL 01/043)**
- (f) Satellite Dish Antenna
- (g) Single Detached Dwelling

100.4 Discretionary Uses - Planning Commission

The following are discretionary uses that may be approved by the Municipal Planning Commission:

- (a) Basement Suite **(BL 08/001)**
- (b) Child Care Facility

100.5 Site Provisions

In addition to the General Regulations contained in Part 5, the following standards shall apply to every development in this district.

- (a) Manufactured Home Subdivisions
 - (i) Front Yard (minimum): 6.0 m (except 2.0 m on all residential lots in Blocks 28, 29, 30 and 31, Plan 1347 TR)

- (ii) Side Yard, Interior (minimum): 1.2 m on one side 3.0 m on the second side
(BL 00/073)

The interior side yard may be reduced to zero on one side of a lot if the following conditions are met:

- (A) the owner of the adjacent lot grants a 3.0 m private maintenance access easement. Such easements are to be registered by caveat against the title of the adjacent site.
(BL 17/006)
- (B) all roof drainage from the residence shall be contained to the lot and diverted to the municipal storm drainage system by eaves troughs and downspouts or other suitable means. Surface drainage to the adjacent lot will not be permitted.
- (C) the development is designed in a comprehensive manner and is composed of at least 12 single family lots.
- (D) the zero lot line side shall not be located on an exterior side yard.

- (iii) Rear Yard (minimum): 2.0 m **(BL 00/011)**
- (iv) Building Height (maximum): 5.0 m for manufactured homes
6.0 m for single detached dwellings
(BL 00/073, BL 01/043)

(v) **DELETED (BL 04/012)**

- (vi) Lot Area (minimum): 260.0 m²
- (vii) Lot Coverage (maximum): 45 percent including accessory buildings
- (viii) Landscaping: a minimum of 30 percent on the lot area shall be landscaped with soft landscaping

(b) Side Yard, exterior (minimum): 3.0 m **(BL 00/011)**
Manufactured Home Parks

- (i) Site Area (minimum): 8.0 ha
- (ii) Each manufactured home, attached structures, and accessory buildings shall be located entirely within the bounds of a manufactured home park dwelling site as shown on an approved site plan.
- (iii) Each manufactured home park dwelling site shall:
 - (A) have a minimum area of 232.0 m² and width of 9.0 m;
 - (B) abut a paved internal road and have a driveway access with a minimum width of 4.3 m;

- (C) be clearly defined on the ground by permanent flush stakes or markers and permanently addressed with a site number; and
 - (D) be provided with a manufactured home stand upon which a manufactured home may be securely blocked, leveled and anchored.
- (iv) Each manufactured home, including attached structures shall be located a minimum of:
 - (A) 3.0 m from any manufactured home or attached structure located on an adjacent dwelling site; **(BL 00/073)**
 - (B) 3.0 m from the property line of the manufactured home park;
 - (C) 3.0 m from a paved internal road;
 - (D) 15.2 m from any manufactured home or attached structure located on the opposite side of a paved internal road.
- (v) Every manufactured home park shall provide, to the satisfaction of the Development Authority:
 - (A) a lighted, enclosed common storage area;
 - (B) a minimum of ten (10) percent of the total site area to be devoted to park and recreational uses at convenient and accessible location;
 - (C) a landscaped buffer at least 3.0 m in width around the perimeter of the site;
 - (D) all municipal services, a paved private road system, street lighting, and garbage collection facilities; and
 - (E) landscaping as per Section 72 of Part 5 (General Regulations).

100.6 Additional Provisions: Manufactured Homes

- (a) The undercarriage of manufactured homes shall be completely screened from view by the foundation, skirting, or by such other means satisfactory to the Development Authority.
- (b) All accessory buildings, additions, porches, and skirting shall be of a quality and appearance equivalent to the manufactured home.

101. **RMH-2 Small Zero Lot Line Manufactured Home Residential District**

101.1 Purpose

The purpose of this district is to provide for zero lot line residential development in the form of mobile homes and modular homes.

101.2 Limitations

- (a) The RMH-2 land use designation shall only be permitted for Mobile Home Subdivisions.

101.3 Permitted Uses (**BL 16/020**)

The following are permitted uses:

- (a) Accessory buildings
- (b) Home Occupation
- (c) Manufactured Home
- (d) **DELETED (BL 04/012)**
- (e) Park
- (f) Public Utility

DELETED (BL 07/036, BL 16/020)

101.4 Discretionary Uses - Development Officer

The following are discretionary uses that may be approved by the Development Officer:

- (a) Amateur Radio Antenna
- (b) Educational Service Facility, specific to parts of Common Property, Plan 992 4071 (**BL 04/001**)
- (c) Home Business
- (d) Project Accommodation (**BL 06/001**)
- (e) Public Use
- (f) Religious Assembly
- (g) Residential Sales Center, dwelling based or portable (**BL 01/043**)
- (h) Satellite Dish Antenna
- (i) Single Detached Dwelling

101.5 Discretionary Uses - Planning Commission

The following are uses that may be approved by the Municipal Planning Commission:

- (a) Basement Suite (**BL 08/001**)
- (b) Child Care Facility

101.6 Site Provisions

In addition to the General Regulations contained in Part 5, the following standards shall apply to every development in this district.

- (a) Front Yard (minimum): 6.0 m
- (b) Side Yard:
a minimum of 0.0 m on one side and a minimum of 3.8 m on the other side where:
 - (i) the owner of the adjacent site grants a 3.0 m private access and maintenance easement which shall be registered against the title of that adjacent site;
 - (ii) all roof drainage is directed from the building onto the building site by eavestroughs and downspouts or other suitable means;
 - (iii) it is a requirement of this district that a minimum of twelve (12) lots utilize the zero lot line concept before an area would be given approval; and

- (iv) on a corner parcel the zero lot line side shall not be located on the street side of the corner site.
- (c) Rear Yard (minimum): 2.0 m
- (d) Lot Width (minimum): 10.0 m
- (e) Lot Depth (minimum): 30.0 m
- (f) Lot Area (minimum): 260.0 m²
- (g) Lot Coverage (maximum): 40 percent
- (h) Building Height (maximum): 5.0 m
- (i) Floor Area (minimum): 90.0 m²
- (j) Landscaping: a minimum of 30 percent of the lot area shall be landscaped with soft landscaping

101.7 Accessory Buildings

Notwithstanding Section 101.6, accessory buildings shall comply with the following standards:

- (a) Side Yard:
 - (i) a minimum of 1.0 m on one side and 3.8 m on the other side for accessory building; or
 - (ii) a minimum of 0.0 m on one side and a minimum of 3.8 m on the other side for accessory buildings where:
 - (A) the owner of the adjacent site grants a 3.0 m private access and maintenance easement which shall be registered against the title of that adjacent site; and
 - (B) all roof drainage is directed from the building onto the building site by eavestroughs and downspouts or other suitable means.
- (b) Rear Yard (minimum): 1.0 m
- (c) Building Height (maximum): 5.0 m

102. CR - Country Residential District

102.1 Purpose

The purpose of this district is to provide for multi-lot (more than 3) country residential subdivision and development in the Rural Service Area.

102.2 Permitted Uses

The following are permitted uses:

- (a) Accessory Building
- (b) Essential Public Service
- (c) Home Occupation
- (d) Manufactured Home, except on all lots in registered subdivision plans 4480RS and 9421594, (Gregoire Lake Estates), and any subsequent lots created by subdivision of lots in registered subdivision plans 4480RS or

9421594, where manufactured homes are neither a permitted nor a discretionary use.

- (e) Park
- (f) Public Use/Utility
- (g) Satellite Dish Antenna
- (h) Single Detached Dwelling

102.3 Discretionary Uses - Development Officer

The following are discretionary uses that may be approved by the Development Officer:

- (a) Amateur Radio Antenna
- (b) Bed and Breakfast, specific to Lot 3, Plan 982 3452 (**BL 03/059**)
- (c) Home Business

102.4 Discretionary Use - Planning Commission

The following are discretionary uses that may be approved by the Municipal Planning Commission:

- (a) Basement Suite
- (b) Boarding House
- (c) Child Care Facility
- (d) Community Service Facility
- (e) Family Care Dwelling
- (f) Intensive Agriculture

102.5 Site Provisions

In addition to the General Regulations contained in Part 5, the following standards shall apply to every development in this district.

- | | | |
|-----|----------------------------|---|
| (a) | Front Yard (minimum): | 7.6 m |
| (b) | Side Yard, (minimum): | 7.6 m, except 3.0 m in the Gregoire Lake Estates Subdivision (BL 01/043) |
| (c) | Rear Yard (minimum): | 7.6 m |
| (d) | Lot Area: | |
| | (i) Minimum: | 1.0 ha |
| | (ii) Maximum: | 4.0 ha |
| (e) | Building Height (maximum): | 10.0 m |

102.6 Additional Provisions

Country residential development shall only be allowed if the Development Authority is satisfied that:

- (a) adequate access exists to a public road;
- (b) no conflict will result with adjacent land owners;
- (c) the developer will be responsible for constructing all internal roads;
- (d) the development can be serviced with water and sanitary sewage in compliance with the Nuisance and General Sanitation Regulation of the

Public Health Act and the Alberta Private Sewage Treatment and Disposal Regulation.

103. HR - Hamlet Residential District

103.1 Purpose

The purpose of this district is to provide for the development of a variety of residential uses in the hamlets of the Rural Service Area.

103.2 Permitted Uses

- (a) The following are permitted uses:
- (b) Accessory Building
- (c) Essential Public Service
- (d) Home Occupation
- (e) Manufactured Home
- (f) Park
- (g) Public Use/Utility
- (h) Satellite Dish Antenna
- (i) Semi-Detached Dwelling
- (j) Single Detached Dwelling

103.3 Discretionary Uses - Development Officer

The following are discretionary uses that may be approved by the Development Officer:

- (a) Amateur Radio Antenna
- (b) Apartment Building
- (c) Bed and Breakfast
- (d) Family Care Dwelling
- (e) Fourplex
- (f) Home Business
- (g) Residential Sales Center, dwelling based or portable (**BL 01/043**)
- (h) Townhouse
- (i) Triplex

103.4 Discretionary Use - Planning Commission

The following are discretionary uses that may be approved by the Municipal Planning Commission:

- (a) Basement Suite (**BL 08/001**)
- (b) Boarding House (**BL 08/001**)
- (c) Child Care Facility
- (d) Educational Service Facility (accessory to a Religious Assembly only)
- (e) Group Home
- (f) Manufactured Home Park
- (g) Religious Assembly

103.5 Site Provisions

In addition to the General Regulations contained in Part 5, and except for an apartment, townhouse, triplex, fourplex and manufactured home park, the following standards shall apply to every development in this district.

- (a) Front Yard (minimum): 7.5 m
- (b) Side Yard (minimum):
 - (i) Apartment Building: 4.6 m
 - (ii) All Other Uses: 3.0 m
- (c) Rear Yard (minimum): 7.5 m
- (d) Building Height (maximum): 10.0 for principal building
- (e) Lot Width (minimum):
 - (i) Unserved Lot, or Municipal Water or Sewer Only: 30.0 m
 - (ii) Municipal Water and Sewer: 15.0 m
- (f) Lot Area (minimum):
 - (i) Unserved Lot: 1,860.0 m²
 - (ii) Municipal Water Only: 930.0 m²
 - (iii) Municipal Sewer Only: 1,400.0 m²
 - (iv) Municipal Water and Sewer: 560.0 m²
 - (v) For Gregoire Lake Estates only, existing residential lots registered prior to the passage of this bylaw which are less than the listed minimum areas are deemed to be conforming.
- (g) Floor Area (minimum): 55.0 m²
- (h) Lot Coverage (maximum): 45 percent including accessory building

103.6 Additional Provisions: Manufactured Home

- (a) The undercarriage of manufactured homes shall be completely screened from view by the foundation, skirting, or by such other means satisfactory to the Development Authority.
- (b) All accessory buildings, additions, porches, and skirting shall be of a quality and appearance equivalent to the manufactured home.

103.7 Additional Provisions: Apartment Building, Townhouse, Triplex, Fourplex

For all apartment, townhouse, triplex and fourplex developments, the site provisions of the R3 (Medium Density Residential District) shall apply.

103.8 Site Provisions: Manufactured Home Park

- (a) Density:
 - (i) site shall not be less than 2.0 ha;
 - (ii) density shall not exceed 20 units per ha.
- (b) Stalls:
 - (i) each stall shall not be less than 420.0 m² in area and 14.0 m in width;

- (ii) each stall shall front onto an internal access road rather than a public street. All stalls shall be at least 3.0 m from the manufactured home park property boundary;
 - (iii) each stall shall be clearly marked off by means of stakes, countersunk steel posts, fences, curbs or hedges.
- (c) Setbacks:
 - (i) the minimum yard (front, side and rear) for each stall shall be 3.0 m;
 - (ii) in addition each manufactured home unit shall be separated from every other unit by at least 6.0 m.
- (d) Building Requirements (for manufactured home units):
 - (i) minimum ground floor area: 54.0 m² (excluding additions);
 - (ii) minimum width: 3.6 m;
 - (iii) each manufactured home unit shall be placed on suitable hard surfaced base within the stall;
 - (iv) all mobile home units shall provide skirting around the base of the unit that is of a manufactured or similar type to harmonize with the unit within 60 days of the placement of the unit in the stall;
 - (v) all additions, porches, garages and accessory structures shall be of an equivalent quality and appearance as the manufactured home unit and shall compliment the exterior;
 - (vi) all mobile homes shall have current C.S.A. certification (or the equivalent, thereof as determined by the Development Officer).
- (e) Internal Roads:
 - (i) all internal roads shall have a minimum right-of-way of 9.0 m with a carriage way of 4.5 m;
 - (ii) all roads shall be hard surfaced, well drained and maintained to the satisfaction of the Development Officer.
- (f) Utilities:
 - (i) manufactured home parks shall be connected to municipal services;
 - (ii) street lighting and other utilities shall be to the same standard as that in a conventional residential neighbourhood.
- (g) Common Areas:
 - (i) at least 5% of the gross site area shall be developed as playground space/amenity area in locations convenient to all manufactured home park residents;
 - (ii) a storage compound shall be provided for recreational vehicles and other equipment at the ratio of 14 m² per unit.
- (h) Landscaping:
 - (i) landscaping as per Section 72 of Part 5 (General Regulations);

- (ii) screen fences or walls shall be erected around laundry yards, refuse collection areas and storage areas to the satisfaction of the Development Officer.

104. SE - Suburban Estate Residential District

104.1 Purpose

The purpose of this district is to provide for multi-lot (more than 3) country residential development with specific development criteria for the Hamlet of Sapræ Creek.

104.2 Permitted Uses

The following are permitted uses:

- (a) Accessory Building (**BL 00/011**)
- (b) Home Occupation
- (c) Park
- (d) Public Use/Utility
- (e) Satellite Dish Antenna
- (f) Single Detached Dwelling

104.3 Discretionary Uses – Development Officer

The following are discretionary uses that may be approved by the Development Officer:

- (a) Amateur Radio Antenna
- (b) Family Care Dwelling
- (c) Home Business
- (d) Manufactured Home

104.4 Discretionary Use – Planning Commission

The following are discretionary uses that may be approved by the Municipal Planning Commission:

- (a) Community Service Facility
- (b) Intensive Agriculture
- (c) Outdoor Recreation Facility
- (d) Residential Sales Centre (**BL 08/001**)

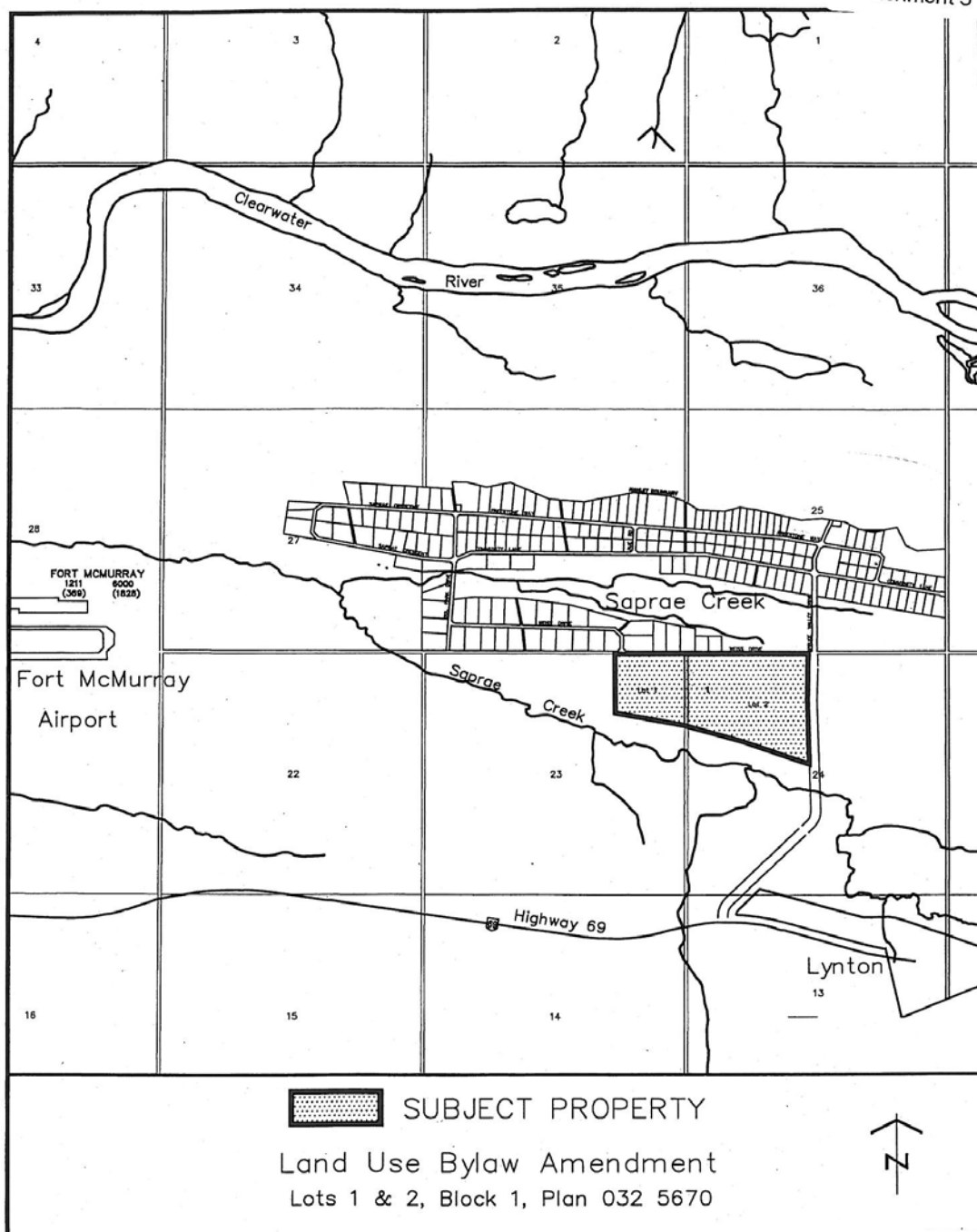
104.5 Site Provisions

In addition to the General Regulations contained in Part 5, the following standards shall apply to every development in this district:

- (a) for single detached dwellings, the site provisions under Country Residential (CR) District shall apply, except that residential lots registered under Plan 852 1969 prior to 1992, and which are less than 0.8 ha in size, are deemed to be conforming.
- (b) the minimum floor area of a single detached dwelling shall be 112.0 m², excluding the area of an attached garage.
- (c) Manufactured homes are a discretionary use only in accordance with the following:

- (i) development permits may be issued for manufactured homes east of Spruce Valley Drive.
 - (ii) temporary development permits for manufactured homes may be issued for lots west of Spruce Valley Drive in conjunction with the development of a single detached dwelling.
 - (iii) a temporary development permit for a manufactured home, issued in accordance with subsection (ii) above, shall be valid for a maximum term of two (2) years.
 - (iv) a development permit for a manufactured home may only be issued in conjunction with the simultaneous issuance of a development permit for a single detached dwelling.
 - (v) notwithstanding subsection (iii) above, the manufactured home shall be removed upon completion of the single detached dwelling.
 - (vi) An irrevocable letter of credit in the amount of \$5,000.00 shall be provided prior to issuance of the development permit for the manufactured home as a security to ensure compliance with the requirements of this section.
 - (vii) upon the removal of a manufactured home from a lot west of Spruce Valley Drive subsection (ii) above shall no longer apply to that lot.
- (d) Intensive agriculture and market gardens may be approved east of Spruce Valley Drive provided such use is not inconsistent with the restrictive covenant registered on the lots in Saprae Creek Subdivision.
 - (e) The re-subdivision of Lots 159, 165, 175, 194, 195 and 207, Block 1, Plan 8521969 may be permitted if all parcels to be created have a minimum lot area of 0.8 ha and have a minimum lot frontage of 50 m. Consolidation of residential parcels for the purpose of facilitating re-subdivision shall not be permitted. **(BL 00/084)**
 - (f) Notwithstanding Section (a), all new residential lots on lots 1 and 2, Block 1, Plan 032 5670 as shown on Schedule “A” attached hereto and forming part of this Bylaw, shall have a minimum area of 0.8 hectares. **(BL 05/036)**

Figure 104.1



105. CI - Community Commercial District

105.1 Purpose

The purpose of this District is to provide for the development of neighbourhood and community oriented retail and service commercial facilities that are intended to serve the needs of the residents of adjacent residential neighbourhoods in the Urban Service Area.

105.2 Permitted Uses (**BL 16/020**)

The following are permitted uses:

- (a) Accessory Building
- (b) Animal Service Facility, Minor
- (c) Child Care Facility
- (d) Financial Institution
- (e) Gas Bar (**BL 04/012**)
- (f) **DELETED (BL 08/001)**
- (g) Liquor Store
- (h) Office
- (i) Personal Service Facility
- (j) Retail Store, Convenience
- (k) Satellite Dish Antenna
- (l) **DELETED (BL 04/012)**

(BL 07/036, BL 16/020)

105.3 Discretionary Uses - Development Officer

The following are discretionary uses that may be approved by the Development Officer:

- (a) Animal Service Facility, Major, specific to Lot 81, Block 82, Plan 812 3174 (**BL 01/069**)
- (b) Automotive/Recreational Vehicle Sales & Rentals, specific to Lot 1, Block 20, Plan 315TR (**BL 02/073**)
- (c) Drinking Lounge, Minor (**BL 05/013**)
- (d) Dwelling Units attached to Ground Floor Commercial
- (e) **DELETED (BL 01/017)**
- (f) **DELETED (BL 05/013)**
- (g) Essential Public Service
- (h) Food Service, Drive-In or Drive-Through (**BL 05/013**)
- (i) Food Service, Minor Restaurant (**BL 05/013**)
- (j) Food Service, Take Out Restaurant (**BL 05/013**)
- (k) Household Equipment Repair
- (l) Project Accommodation (**BL 06/001**)
- (m) Public Use/Utility
- (n) Recyclable Materials Drop-Off Center (**BL 08/001**)

105.4 Discretionary Uses - Planning Commission

The following are discretionary uses that may be approved by the Municipal Planning Commission:

- (a) Arcade
- (b) Commercial Schools
- (c) Community Service Facility
- (d) **DELETED (BL 05/013)**
- (e) Eating and Drinking Facility – Minor (only for Lot 1, Plan 982 0716)
(BL 01/017)

105.5 Site Provisions

In addition to the General Regulations contained in Part 5, the following standards shall apply to every development in this district:

- (a) Front Yard (minimum): 6.0 m
- (b) Side Yard Interior (minimum): 4.6 m **(BL 08/001)**
Side Yard Exterior (minimum): 6.0 m **(BL 08/001)**
- (c) Rear Yard (minimum): 7.6 m
- (d) Building Height (maximum): 10.0 for principal building
- (e) Lot Width (minimum): 15.0 m
- (f) Lot Area (maximum): 1.2 ha
- (g) Floor Area Ratio (maximum): 1.0
- (h) Individual business premises shall be limited to a gross floor area not exceeding 275.0 m²
- (i) Landscaping as per Section 72 of Part 5 (General Regulations)

106. C2 - Mixed/Transitional Commercial District

106.1 Purpose

The purpose of this District is to provide for a mixture of residential, retail, and service commercial uses outside of the Central Business core of the Urban Service Area.
(BL 01/043)

106.2 Permitted Uses **(BL 16/020)**

The following are permitted uses:

- (a) Accessory Building
- (b) Animal Service Facility, Minor
- (c) Automotive and Equipment Repair and Storage, only on Lots 14-25, Block 8, Plan 6344AY **(BL 02/002)**
- (d) Automotive/Recreational
- (e) Broadcasting Studio
- (f) Business Support Facility
- (g) Commercial Entertainment Facility
- (h) Commercial Recreation Facility, Indoor
- (i) Commercial School
- (j) Community Service Facility
- (k) Contractor, Limited
- (l) Custom Manufacturing
- (m) Equipment Rental
- (n) Essential Public Service
- (o) Financial Institution

- (p) Gas Bar (**BL 04/012**)
- (q) **DELETED (BL 08/001)**
- (r) Hostel
- (s) Household Equipment Repair
- (t) Office
- (u) Park
- (v) Personal Service Facility
- (w) Public Use/Utility
- (x) Religious Assembly
- (y) Retail Store, Convenience and General
- (z) Satellite Dish Antenna
- (aa) Service Station, Minor and Major
- (bb) Vehicle Sales and Rental

DELETED (BL 07/036, BL 16/020)

106.3 Discretionary Uses - Development Officer

The following are discretionary uses that may be approved by the Development Officer:

- (a) Apartment Hotel
- (b) Arcade
- (c) Automotive Equipment and Repair
- (d) **DELETED (BL 00/011)**
- (e) **DELETED (BL 05/013)**
- (f) Drinking Lounge, Major (**BL 05/013**)
- (g) Drinking Lounge, Minor (**BL 05/013**)
- (h) Dwelling Units above Ground Floor Commercial
- (i) **DELETED (BL 05/013)**
- (j) Food Service, Drive-In or Drive-Through (**BL 05/013**)
- (k) Food Service, Major Restaurant (**BL 05/013**)
- (l) Food Service, Minor Restaurant (**BL 05/013**)
- (m) Food Service, Mobile Catering (**BL 05/013**)
- (n) Food Service, Take Out Restaurant (**BL 05/013**)
- (o) Funeral Home and Crematorium
- (p) Hotel
- (q) Liquor Store
- (r) Motel
- (s) Nightclub (**BL 05/013**)
- (t) Parking Lot/Structure
- (u) Project Accommodation (**BL 06/001**)
- (v) Recyclable Materials Drop-Off Centre (**BL 08/001**)

106.4 Discretionary Uses - Planning Commission

The following are discretionary uses that may be approved by the Municipal Planning Commission:

- (a) Adult Entertainment Facility

- (b) Automotive and Equipment Repair and Storage, Lower Townsite Only **(BL 02/002)**
- (c) Boarding House
- (d) Carnival
- (e) Casino
- (f) Child Care Facility
- (g) Commercial Recreation Facility, Outdoor
- (h) Country Inn
- (i) Educational Service Facility (accessory to a Religious Assembly only)
- (j) Group Home

106.5 Site Provisions

In addition to the General Regulations contained in Part 5, the following standards shall apply to every commercial development in this district.

- (a) Front Yard (minimum): None required.
- (b) Side Yard (minimum):
 - (i) Abutting HR, RI, R1E, RIM, R1S, R2 and R3, if Building Height is:
 - 10.5 m or less: 4.6 m
 - 10.5 m to 12.8 m: 6.1 m
 - 12.8 m or more: 7.6 m
 - (ii) Abutting R4, if Building Height is:
 - 10.5 m or less: 3.0 m
 - 10.5 m to 12.8 m: 4.6 m
 - 12.8 m or more: 6.1 m
 - (iii) All other cases: None required if firewall provided
- (c) Rear Yard (minimum):
 - (i) none, except
 - (ii) 4.6 m if abutting residential district. **(BL 00/011)**
- (d) Building Height (maximum): 12.2 m for principal building
- (e) Floor Area Ratio (maximum): 2.0
- (f) Landscaping as per Section 72 of Part 5 (General Regulations).

106.6 Regulations for Residential Units Above Ground Floor Commercial

- (a) Residential dwelling units and commercial premises shall not be permitted on the same storey of a building;
- (b) The residential dwelling units shall have at grade access that is separate from the access for commercial premises. Direct access from a residential dwelling unit to a commercial premise shall not be permitted;
- (c) A minimum of 4.0 square meters of provide amenity area shall be provided for each dwelling unit in the building;
- (d) On-site parking for the residential dwelling units shall be provided in accordance with the parking requirements for apartment buildings in Part 7

- of this Bylaw. Parking for the residential units shall be provided in addition to the parking requirements for the commercial premises; and
- (e) Where a building contains residential dwelling units above commercial premises, all parking for the residential use shall be provided on-site. Shared parking, off-site parking and/or money in lieu of parking for the residential units shall not be permitted.

(BL 02/002)

106.7 Outside Storage Restrictions

- (a) Outside storage will be prohibited for all developments approved after the passage of this amending Bylaw 02/002 with the exception of:
- (i) Automotive/Recreational vehicles being displayed for sale at a facility approved for this purpose;
 - (ii) Automotive Equipment and Repair and Storage facilities if stored in an enclosed and visually screened compound to the satisfaction of the Development Officer; and
 - (iii) Temporary/seasonal garden centres.
- (b) All outside storage facilities approved prior to this amending bylaw will be deemed legal non-conforming and are subject to the provisions of Section 33.

(BL 02/002)

107. C3 - Shopping Centre Commercial District

107.1 Purpose

The purpose of this District is to provide for the comprehensive development of commercial retail, service and community facilities in a shopping centre form, or as planned complex of free standing structures on a single site. Development of these centres shall be limited to sites located adjacent to arterial roadways and major collectors in the Urban Service Area.

107.2 Permitted Uses **(BL 16/020)**

The following are permitted uses:

- (a) Accessory Building
- (b) Animal Service Facility, Minor
- (c) Business Support Facility
- (d) Child Care Facility
- (e) Commercial Entertainment Facility
- (f) Commercial Recreation Facility, Indoor
- (g) Commercial School
- (h) Community Service Facility
- (i) Essential Public Service Facility
- (j) Financial Institution
- (k) Gas Bar **(BL 04/012)**
- (l) **DELETED (08/001)**
- (m) Liquor Store

- (n) Office
- (o) Parking Lot/Structure
- (p) Personal Service Facility
- (q) Public Use/Utility
- (r) Retail Store, General and Convenience
- (s) Service Station, Major and Minor
- (t) Shopping Centre

(BL 07/036, BL 16/020)

107.3 Discretionary Uses - Development Officer

The following are discretionary uses that may be approved by the Development Officer:

- (a) Arcade
- (b) Automotive and Equipment Repair
- (c) **DELETED (BL 05/013)**
- (d) Drinking Lounge, Major **(BL 05/013)**
- (e) Drinking Lounge, Minor **(BL 05/013)**
- (f) Dwelling Units above Ground Floor Commercial
- (g) **DELETED (BL 05/013)**
- (h) Food Service, Drive-In or Drive-Through **(BL 05/013)**
- (i) Food Service, Major Restaurant **(BL 05/013)**
- (j) Food Service, Minor Restaurant **(BL 05/013)**
- (k) Food Service, Take Out Restaurant **(BL 05/013)**
- (l) Hotel
- (m) Nightclub **(BL 05/013)**
- (n) Project Accommodation **(BL 06/001)**
- (o) Recyclable Materials Drop-Off Center **(BL 08/001)**
- (p) Satellite Dish Antenna
- (q) Warehouse and Storage, Specific to Lot 3, Block 2. Plan 3359TR and Lot 8, Block 2, Plan 922 0321 **(BL 03/006)**

107.4 Discretionary Uses - Planning Commission

The following are discretionary uses that may be approved by the Municipal Planning Commission:

- (a) Automotive/Recreational Vehicle Sales and Rental
- (b) Carnival
- (c) Casino
- (d) Custom Manufacturing
- (e) Farmers/Flea Market
- (f) Warehouse Sales

107.5 Site Provisions

In addition to the General Regulations contained in Part 5, the following standards shall apply to every development in this district.

- (a) Front Yard (minimum): 6.1 m
- (b) Side Yard (minimum):

- | | | | |
|-----|------|--|---|
| | (i) | Abutting Residential District: | 7.6 m |
| | (ii) | All Other Cases: | 6.1 m |
| (c) | | Rear Yard (minimum): | |
| | (i) | Abutting Residential District: | 7.6 m |
| | (ii) | All Other Cases: | 6.1 m |
| (d) | | Building Height (maximum): | |
| | (i) | Retail and Shopping: | 12.0 m |
| | (ii) | Non-Retail: | 20.0 m |
| (e) | | Lot Width (minimum): | 15.0 m |
| (f) | | Site Area (minimum): | 1.0 ha for comprehensively designed development which may consist of smaller individual lots. |
| (g) | | Floor Area Ratio (maximum): | 2.0 |
| (h) | | Loading, outdoor storage or garbage facilities shall not encroach more than 5.0 m in any required side or rear yard. | |
| (i) | | Landscaping as per Section 72 of Part 5 (General Regulations). | |

107.6 Regulations for Residential Units above Ground Floor Commercial

- (a) Residential dwelling units and commercial premises shall not be permitted on the same storey of a building;
- (b) The residential dwelling units shall have at grade access that is separate from the access for commercial premises. Direct access from a residential dwelling unit to a commercial premise shall not be permitted;
- (c) A minimum of 4.0 sq. meters of private amenity area shall be provided for each dwelling unit in the building;
- (d) On-site parking for the residential dwelling units shall be provided in accordance with the parking requirements for apartment buildings in Part 7 of this bylaw. Parking for the residential units shall be provided in addition to the parking requirements for the commercial premises; and
- (e) Where a building contains residential dwelling units above commercial premises, all parking for the residential use shall be provided on-site. Shared parking, off-site parking and or money in lieu of parking for the residential units shall not be permitted.

(BL 02/002)

108. C4 - Highway Commercial District

108.1 Purpose

The purpose of this district is to provide for the development of commercial and related uses which require large sites, and locations along primary highways, secondary highways, and urban arterials, that are intended to serve Wood Buffalo residents and the traveling public.

108.2 Permitted Uses **(BL 16/020)**

The following are permitted uses:

- (a) Accessory Building
- (b) Animal Service Facility, Minor
- (c) Automotive and Equipment Repair
- (d) Automotive/Recreational Vehicle Sales and Rentals
- (e) Business Support Facility
- (f) Commercial Recreation Facility, Indoor and Outdoor
- (g) Commercial School
- (h) Contractor, Limited
- (i) **DELETED (BL 05/013)**
- (j) Equipment Rental
- (k) Essential Public Service
- (l) Fleet Service
- (m) Gas Bar (**BL 04/012**)
- (n) Hostel
- (o) Hotel
- (p) Motel
- (q) Park
- (r) Parking Lot/Structure
- (s) Public Use/Utility
- (t) Religious Assembly
- (u) Retail, Convenience
- (v) Service Station, Major and Minor

DELETED (BL 07/036, BL 16/020)

108.3 Discretionary Uses - Development Officer

The following are discretionary uses that may be approved by the Development Officer:

- (a) Commercial Entertainment Facility
- (b) Drinking Lounge, Major (**BL 05/013**)
- (c) Drinking Lounge, Minor (**BL 05/013**)
- (d) **DELETED (BL 05/013)**
- (e) Farmers/Flea Market
- (f) Food Service, Drive-In or Drive-Through (**BL 05/013**)
- (g) Food Service, Major Restaurant (**BL 05/013**)
- (h) Food Service, Minor Restaurant (**BL 05/013**)
- (i) Food Service, Mobile Catering (**BL 05/013**)
- (j) Food Service, Take Out Restaurant (**BL 05/013**)
- (k) Funeral Home/Crematorium
- (l) Liquor Store
- (m) Nightclub (**BL 05/013**)
- (n) Office (**BL 08/001**)
- (o) Project Accommodation (**BL 06/001**)
- (p) **DELETED (BL 04/012)**
- (q) Recycling Depot
- (r) Recyclable Materials Drop-Off Center (**BL 08/001**)

- (s) Satellite Dish Antenna

108.4 Discretionary Uses - Planning Commission

The following are discretionary uses that may be approved by the Municipal Planning Commission:

- (a) Adult Entertainment Facility
- (b) Animal Service Facility, Major
- (c) Auctioneering Facility
- (d) Carnival
- (e) Casino
- (f) Contractor, General
- (g) Educational Service Facility (accessory to a Religious Assembly only)
- (h) Greenhouse/Plant Nursery
- (i) Personal Service Facility (**BL 00/002**)
- (j) **DELETED (BL 07/034)**
- (k) Spectator Sports Facility
- (l) Truck and Manufactured Home Sales
- (m) Warehouse Sales

108.5 Site Provisions

In addition to the General Regulations contained in Part 5, the following standards shall apply to every development in this district.

- (a) Front Yard (minimum):
 - (i) Fronting on Primary Highway
if no Service Road: 45.0 m
 - (ii) Where there is a Service Road: 7.6 m
- (b) Side Yard (minimum):
 - (i) Abutting a Residential District 6.0 m
 - (ii) All Other Cases: 4.6 m
- (c) Rear Yard (minimum): 4.6 m (**BL 08/001**)
- (d) Building Height (maximum): 12.0 m for principal building
- (e) Lot Width (minimum):
 - (i) No Service Road: 45.7 m
 - (ii) Fronting Service Road: No Minimum
- (f) Lot Area (minimum): 929.0 m²
- (g) Floor Area Ratio (maximum): 2.0
- (h) Landscaping as per Section 72 of Part 5 (General Regulations).

108.6 Additional Provisions (**BL 07/055**)

- (a) Purpose

Notwithstanding Section 108.1, the intent of this district is to allow for the development of an attractive industrial park that demonstrates innovation and high levels of environmental and economic performance.

The purpose of this district is to provide for a wide range of light and medium industrial uses. Development in this district must also minimize environmental impacts through the application of “eco-industrial” practices. Uses in this district should not adversely affect surrounding non-industrial uses through the generation of emissions, noise, odours, vibrations, heat, light, dust or other objectionable or dangerous conditions.

(b) Permitted Uses

Notwithstanding Section 108.2, there are no permitted uses in this district.

(c) Prohibited Uses

Notwithstanding Sections 108.2, 108.3 and 108.4, the following uses are prohibited:

- (i) Adult Entertainment Facility
- (ii) Automotive and Equipment Storage
- (iii) Campground (**BL 07/034**)
- (iv) Casino
- (v) Commercial Entertainment Facility
- (vi) Commercial Recreation Facility, Outdoor
- (vii) Contractor, General
- (viii) Drinking Lounge, Minor
- (ix) Drinking Lounge, Major
- (x) Educational Service Facility (accessory to a Religious Assembly only)
- (xi) Fleet Service
- (xii) Liquor Store
- (xiii) Manufactured Home Sales
- (xiv) Nightclub
- (xv) Recreational Vehicle Park
- (xvi) Religious Assembly
- (xvii) Spectator Sports Facility
- (xviii) Warehouse Sales

(d) Discretionary Uses – Development Officer

Notwithstanding Section 108.3, the following are discretionary uses that may also be approved by the Development Officer:

- (i) Accessory Building
- (ii) Animal Service Facility, Major & Minor
- (iii) Aquaculture Facility
- (iv) Auctioneering Facility
- (v) Automotive and Equipment Repair
- (vi) Automotive Sales/Rental
- (vii) Business Support Services Facility

- (viii) Carnival
- (ix) Childcare Facility
- (x) Commercial Recreation Facility, Indoor
- (xi) Commercial School
- (xii) Contractor, Limited
- (xiii) Custom Manufacturing
- (xiv) Equipment Rentals
- (xv) Essential Public Service
- (xvi) Gas Bar
- (xvii) Greenhouse/Plant Nursery
- (xviii) Health Service Facility
- (xix) Hostel
- (xx) Hotel
- (xxi) Household Equipment Repair
- (xxii) Motel
- (xxiii) Office (**BL 17/014**)
- (xxiv) Park
- (xxv) Parking Lot/Structure
- (xxvi) Personal Service Facility
- (xxvii) Private Utility
- (xxviii) Public Use/Utility
- (xxix) Recreational Vehicle Sales & Rental
- (xxx) Retail Store, Convenience
- (xxxi) Service Station, Major & Minor
- (xxxii) Truck Sales

(e) Discretionary Uses – Planning Commission

Notwithstanding Section 108.4, the following are discretionary uses that may be also be approved by the Municipal Planning Commission:

- (i) Farmers/Flea Market

(f) Site Provisions

In addition to the General Regulations contained in Part 5, and notwithstanding Section 108.5, the following standards shall apply to every development in this District, subject to Section 63:

- (i) Front Yard (minimum):
 - (A) Fronting on Primary Highway if no service road 45 m
 - (B) Where there is a service road 7.5 m
- (ii) Side Yard (minimum)
 - (A) Abutting a Residential District 6.0 m
- (iii) Rear Yard (minimum):
 - (A) Abutting a Residential District 4.5 m
 - (B) If firewall provided None required
 - (C) All other cases 2.0 m

- | | | |
|--------|---|---------------------------------|
| (iv) | Maximum setback: | 30.0 m |
| (v) | Building Height (maximum) | Lesser of 4.5 storeys or 17.5 m |
| (vi) | Lot Width (minimum): | |
| | (A) Abutting a public lane | 15.0 m |
| | (B) Not abutting a public lane | 40.0 m |
| (vii) | Lot Area (minimum): | 0.1 ha |
| (viii) | Floor Area Ratio (maximum): | 2.0 |
| (ix) | Lot Depth (minimum) | None required |
| (x) | Coverage (maximum) | 90% |
| (xi) | Landscaping as per Section 72 of Part 5 (General Regulations) and Subsection 108.6 (h). | |
- (g) Additional Requirements: Parking and Loading Areas
- (i) Parking shall be provided as required in Part 7 of this Bylaw and as provided in this Section.
 - (ii) Notwithstanding Section 136(d), each use shall provide one (1) preferential parking space for disabled persons for every 20 required parking spaces (minimum of 1 space).
 - (iii) Each use shall provide one (1) preferential parking space for every 20 required parking spaces (minimum of 1 space) for use only by any of the following types of vehicle:
 - (A) Car pool /van pool /car share vehicles
 - (B) Gas/electric hybrid, electric, and hydrogen fueled vehicles
 - (C) Cars that are selected as the most fuel efficient model for any given year, as measured by Natural Resources Canada's Office of Energy Efficiency.
 - (iv) Preferential parking spaces shall be in a convenient location and may be located within the front, side or rear yard of a building.
 - (v) Preferential parking spaces shall count towards the total parking spaces required in Part 7 of this Bylaw.
 - (vi) Notwithstanding Section 72.7:
 - (A) Development of driveways, parking areas, and other paved expanses shall provide for actively landscaped boulevards, medians and borders.
 - (B) Parking areas sized to accommodate 25 or more vehicles shall be subdivided into blocks not to exceed 400 square meters in paved area. Such subdivision shall be achieved using islands and medians of sufficient width to sustain existing or new tree and shrub plantings as a strong visual border and screen.
 - (vii) Parking areas shall be located, designed, and landscaped in accordance with the Design Guidelines in Part 5, Section 91.
 - (viii) Where the use of a parking space is limited on both sides by a wall or a column, the unobstructed width from face to face of the

obstructions shall be 3.0 m, and if in this case, a building door opens into the parking space on its long side, the unobstructed width shall be 3.3 m. Where the use of a parking space is limited to one side by a wall or a column, the unobstructed width of the parking space shall be 2.7 m, and if in this case, a building door opens into the parking space on its long side, the unobstructed width shall be 3.0 m.

(h) Additional Requirements: Landscaping and Screening

- (i) Notwithstanding Section 72.9(1)(i), a continuous landscaping strip not less than 4.0 m wide shall be provided along a public right-of-way.
 - (A) Between a parking or loading area and the right-of-way, the landscaping strip shall be designed to be:
 - 1. At least 75% opaque in all seasons between grade level and 1.5m above grade;
 - 2. Less than 25% opaque in all seasons between 1.5m and 2.5m above grade; and
 - 3. At least 50% opaque in growing season between 2.5m and 4.0m above grade.
 - (B) Between a building or display area and the right-of-way, the landscaping strip shall be designed to provide good visibility for signage and displays.
- (ii) Notwithstanding Section 72.7(a), the Development Authority may permit openings through required fencing & screening areas between lots in order to facilitate shared facilities (parking, storage areas, etc.) and pedestrian movement.
- (iii) Landscaped areas must be located in such a way as to create continuity of landscaped areas with those on adjacent parcels and park areas.
- (iv) Landscape areas must be concentrated or clustered to avoid sparse tree plantings and create functional green spaces that are not easily damaged by automobiles.
- (v) Choose plants that reduce the need for maintenance, pesticide use, and irrigation. Plants must be:
 - (A) Species native to the area, as identified on the native plant list available from the Development Authority.
 - (B) Include a combination of groundcover, shrubs and trees, planted to provide a multi-storey vegetative community.
 - (C) Hardy, drought-tolerant, perennial species.
- (vi) Tree trunks must be protected from winter snow clearing equipment.
- (vii) The landscape must be designed in conformance with Crime Prevention through Environmental Design (CPTED) principles.

- (viii) In landscape areas, trees must be planted in clusters, double rows or triangles instead of as a single tree row and must be spaced in accordance to recognized horticultural practice.
- (ix) Design to minimize landscaping irrigation requirements. Strategies can include, but are not limited to the following:
 - (A) not installing an irrigation system
 - (B) use of collected stormwater
 - (C) use of other non-potable water
 - (D) use of a temporary and/or high efficiency drip irrigation system
- (i) **Building Design, Character and Appearance**
 - (i) The front façade must be designed to create visual interest by articulating the facade into a series of intervals. One or more of the following methods may be used:
 - (A) Modulating the façade - stepping back or extending forward a portion of it;
 - (B) Use the pattern of fenestration to reinforce the façade modulation;
 - (C) Incorporating any merchandising display windows into the façade;
 - (D) Changing materials, colours, patterns, and textures within the building plane to reinforce the articulation both horizontally and vertically;
 - (E) Designing the building with visually distinct bottom, middle, and top;
 - (F) As an alternative to detailing the entire front facade, less architecturally significant portions of the front facades of buildings may be set back and screened from public view by mature, dense landscaping.
 - (ii) Blank walls facing public streets are not permitted.
 - (iii) Create visual interest through articulation of building walls adjacent to pedestrian/cyclist access routes. One or more of the following methods may be used: changes to materials, textures, colours and patterns, facade modulation; substantial, clustered landscape elements, and fenestration providing a sense of transparency.
 - (iv) Express the structural system (or implied structural system) of the building through visible exterior elements.
 - (v) For flat Roofs, distinguish the cornice from the wall by using suitable wood, metal, or stone materials, and/or by changing colour.
 - (vi) Define the entry. One or more of the following methods may be used:
 - (A) facade and structural elements such as overhangs, columns, pilasters, window placement

- (B) signage
 - (C) feature extra-height lobby space, distinctive doorways, a distinctive landscaped entry area, and/or changes in paving materials, textures or colour;
 - (D) use wood or stone planting boxes.
- (vii) In multi-building complexes, a consistent architectural concept must be maintained through the use of complementary building design, material and colors.
- (viii) All mechanical, electrical, pollution control or waste handling equipment ancillary to a building must be screened from view from public rights of way. Such screening may be achieved through landscaping or by using materials identical to, or structurally and visually compatible with, the principal building on the site.
 - (A) At the discretion of the Development Authority, equipment and facilities that are intended to provide educational or aesthetic benefit, such as alternative water treatment facilities, innovative recycling systems, etc., may be exempt from this requirement.
- (ix) Building design, character and materials for all development must be consistent with principles and regulations outlined in the Gateway South Zone.
- (j) Signage
 - (i) In addition to the sign provisions contained in Part 7 of this Bylaw, the following requirements must be met:
 - (A) The maximum height of freestanding signs is restricted to the highest roof line of the building.
 - (B) All signs must be architecturally compatible with the other buildings and structures on a site.
 - (C) A comprehensive sign design or multiple tenant sign is required for highway commercial sites, to ensure harmony and reduce sign clutter.
 - (D) Portable signs are not permitted.
 - (E) All signs must be consistent with principles and regulations outlined in the Gateway South Zone.
 - (ii) Notwithstanding the sign provisions contained in Part 7 of this Bylaw, additional signage may be permitted if the signage is considered informative, educational, or profiles Eco-Industrial Networking, subject to the approval of the Development Authority.
 - (A) Signs must not be floodlit in such a manner as to cause interference to Highway traffic.

(k) Additional Requirements: Other

- (i) An outdoor display area visible from a public roadway may not exceed the lesser of:
 - (A) 30 m in width, as measured along the front lot line; and
 - (B) 33% of the lot width.
- (ii) In addition to Section 131.1(c)(iv) of this Bylaw, on corner lots, access from a public roadway must be at the side or rear of the building.
- (iii) Grading and Drainage Plan must be submitted to the municipality for approval. In addition to requirements of Section 74, the plan must show how the developer intends to meet the intent and all requirements of the relevant Stormwater Master Plan.
- (iv) Minimize light pollution throughout site by using fixtures that provide absolute cut-off (vertical cut-off at 90 degrees above nadir)

(BL 07/055)



(Figure 108.1)
Highway 63 North Eco-Industrial Park site map
Part of Lot 3, Block 1, Plan 042 1905

109. **C5 - Central Business District**

109.1 The purpose of this District is to provide for the intensive development of retail, office, residential and public uses in the Central Business core of the Urban Service Area.

109.2 Permitted Uses (**BL 16/020**)

The following are Permitted Uses:

- (a) Accessory Building
- (b) Apartment Hotel
- (c) Broadcasting House
- (d) Business Support Services Facility
- (e) Commercial Entertainment Facility
- (f) Commercial Recreation Facility, Indoor
- (g) Commercial School
- (h) Community Service Facility
- (i) Essential Public Service Facility
- (j) Financial Institution
- (k) **DELETED (BL 08/001)**
- (l) Hostel
- (m) Hotel
- (n) Household Equipment Repair
- (o) Motel
- (p) Office
- (q) Park
- (r) Parking Lot/Structure
- (s) Personal Service Facility
- (t) Public Use/Utility
- (u) Religious Assembly
- (v) Retail Store, Convenience and General
- (w) **DELETED (BL 02/002)**

(BL 07/036, BL 16/020)

109.3 Discretionary Uses - Development Officer

The following are discretionary uses that may be approved by the Development Officer:

- (a) Animal Service Facility, Minor
- (b) Arcade
- (c) Carnival
- (d) **DELETED (BL 02/002)**
- (e) Drinking Lounge, Major (**BL 05/013**)
- (f) Drinking Lounge, Minor (**BL 05/013**)
- (g) Dwelling Units above Ground Floor Commercial
- (h) **DELETED (BL 05/013)**
- (i) Food Service, Major Restaurant (**BL 05/013**)
- (j) Food Service, Minor Restaurant (**BL 05/013**)
- (k) Food Service, Take Out Restaurant (**BL 05/013**)

- (l) Gas Bar (**BL 04/012**)
- (m) Home Business
- (n) Liquor Store
- (o) Nightclub (**BL 05/013**)
- (p) Project Accommodation (**BL 06/001**)
- (q) Recyclable Materials Drop-Off Center (**BL 08/001**)
- (r) Satellite Dish Antenna
- (s) Service Station, Minor (**BL 02/002**)
- (t) Shopping Centre

109.4 Discretionary Uses - Planning Commission

The following are discretionary uses that may be approved by the Municipal Planning Commission:

- (a) Adult Entertainment Facility
- (b) **DELETED (BL 02/002)**
- (c) Automotive/Recreational Vehicle Sales and Rental
- (d) Boarding House
- (e) Casino
- (f) Child Care Facility
- (g) Custom Manufacturing
- (h) Educational Service Facility (accessory to a Religious Assembly only)
- (i) Funeral Home/Crematorium
- (j) Group Home
- (k) Service Station, Major
- (l) Spectator Sports Facility

109.5 Site Provisions

In addition to the General Regulations contained in Part 5 the following standards shall apply to every development in this district.

- (a) Front Yard (minimum): None required.
- (b) Side Yard (minimum):
 - (i) Abutting RI, R1E, RIM, R1S, R2 and R3, if Building Height is:
 - (A) 10.5 m or less 4.6 m
 - (B) 10.5 m to 12.8m: 6.1 m
 - (C) 12.8 m or more: 7.6 m
 - (ii) Abutting R4, if Building Height is:
 - (A) 10.5 m or less: 3.0 m
 - (B) 10.5 m to 12.8 m: 4.6 m
 - (C) 12.8 m or more: 6.1 m
 - (iii) All Other Cases: None required if firewall provided.
- (c) Rear Yard (minimum): 4.6 m if abutting residential district
- (d) Building Height (maximum): 46.0 m for principal building

- (e) Floor Area Ratio (maximum): 5.0 (BL 09/017)
- (f) Landscaping as per Section 72 of Part 5 (General Regulations).

109.6 Regulations for Residential Units Above Ground Floor Commercial

- (a) residential dwelling units and commercial premises shall not be permitted on the same storey of a building;
- (b) the residential dwelling units shall have at grade access that is separate from the access for commercial premises. Direct access from a residential dwelling unit to a commercial premises shall not be permitted;
- (c) a minimum of 4.0 sq. meters of private amenity area shall be provided for each dwelling unit in the building;
- (d) on-site parking for the residential dwelling unit shall be provided in accordance with the parking requirements for apartment buildings in Part 7 of this bylaw. Parking for the residential units shall be provided in addition to the parking requirements for the commercial premises; and
- (e) where a building contains residential dwelling units above commercial premises, all parking for the residential use shall be provided on-site. Shared parking, off-site parking and or money in lieu of parking for the residential units shall not be permitted.

(BL 02/002)

110. HC - Hamlet Commercial District

110.1 Purpose

The purpose of this District is to provide for commercial development in established hamlets.

110.2 Permitted Uses

The following are permitted uses:

- (a) **DELETED (BL 05/013)**
- (b) Gas Bar (BL 04/012)
- (c) Hotel
- (d) Motel
- (e) Retail Store, Convenience and General
- (f) Service Station, Major and Minor

110.3 Discretionary Uses - Development Officer

The following are discretionary uses that may be approved by the Development Officer:

- (a) Accessory Buildings
- (b) Animal Service Facility, major and minor (BL 04/012)
- (c) Auctioneering Facility
- (d) Automotive Equipment and Repair
- (e) Automotive/ Recreational Vehicle Sales and Rentals
- (f) Business Support Facility
- (g) Child Care Facility

- (h) Commercial Entertainment Facility
- (i) Commercial Recreation Facility, Indoor and Outdoor
- (j) Community Service Facility
- (k) Contractor, Limited
- (l) **DELETED (BL 05/013)**
- (m) Drinking Lounge, Major **(BL 05/013)**
- (n) Drinking Lounge, Minor **(BL 05/013)**
- (o) Dwelling Units above Ground Floor Commercial only on Lots 3-8, Block 16, Plan 832 2978; Lots 9, 15, 17-18, Block 17, Plan 832 2978; Lots 16A-16B, Block 17, Plan 902 3066; Lots 1-4, Block 3, Plan 792 0314; Lots 1-3, 5-7, Block 11, Plan 792 0314 (Hamlet of Anzac) **(BL 08/037)**
- (p) **DELETED (BL 05/013)**
- (q) Equipment Rental
- (r) Essential Public Service
- (s) Farmers Market/ Flea market
- (t) Financial Institution
- (u) Food Service, Drive-In or Drive-Through **(BL 05/013)**
- (v) Food Service, Major Restaurant **(BL 05/013)**
- (w) Food Service, Minor Restaurant **(BL 05/013)**
- (x) Food Service, Mobile Catering **(BL 05/013)**
- (y) Food Service, Take Out Restaurant **(BL 05/013)**
- (z) Funeral Home
- (aa) Greenhouse / Nursery
- (bb) Hostel
- (cc) Household Equipment Repair
- (dd) Liquor Store
- (ee) Nightclub **(BL 05/013)**
- (ff) Office
- (gg) Parking Lot
- (hh) Personal Service Business
- (ii) Public Use/Utility
- (jj) Recreational Vehicle Park (on Lot 7, Block 11, Plan 792 0314)
- (kk) Recycling Depot
- (ll) Recyclable Materials Drop-Off Center **(BL 08/001)**
- (mm) Religious Assembly
- (nn) **DELETED (BL 07/002)**
- (oo) Satellite Dish Antenna
- (pp) Security residence
- (qq) Warehouse Sales

110.4 Discretionary Uses - Planning Commission

The following are discretionary uses that may be approved by the Municipal Planning Commission

- (a) Single Detached Dwelling in Fort Chipewyan **(BL 01/043)**

110.5 Requirements

- | | | |
|-----|---|---|
| (a) | Minimum Lot Area | 465.0 m ² |
| (b) | Minimum Lot Width | 16.0 m |
| (c) | Minimum yard setbacks | |
| | Front: | At the discretion of the Development Officer |
| | Side: | 4.5 m or ten percent (10%) of the lot width, whichever is less. |
| | Rear: | 7.5 m |
| | Note: Commercial uses constructed adjacent to existing similar uses may be built without side yard setbacks at the discretion of the Development Officer, and with appropriate fire wall ratings. When a commercial use is adjacent to a residential use a side yard of at least 4.5 m shall be provided. | |
| (d) | Maximum Height | 10.0 m |
| | | 12.2 m only for Lot 5, Block 11, Plan 792 0314 |

(BL 07/002)

111. BI Business Industrial District

111.1 Purpose

The purpose of this District is to provide for the development of a wide range of compatible commercial businesses and general industrial uses in the Urban Service Area, and in the hamlets of the Rural Service Area, which do not adversely affect surrounding non-industrial uses through the generation of emissions, noise, odours, vibrations, heat, bright light or dust.

111.2 Permitted Uses

DELETED (BL 01/043, BL 04/012, BL 06/030)

111.3 Discretionary Uses - Development Officer

The following are discretionary uses that may be approved by the Development Officer:

- (a) Accessory Building **(BL 06/030)**
- (b) Animal Service Facility, Major and Minor **(BL 06/030)**
- (c) Auctioneering Facility **(BL 06/030)**
- (d) Automotive and Equipment Repair and Storage **(BL 06/030)**
- (e) Automotive/Recreational Vehicle Sales and Rental **(BL 06/030)**
- (f) Broadcasting House **(BL 06/030)**
- (g) Business Support Services Facility **(BL 06/030)**
- (h) Commercial School **(BL 06/030)**
- (i) Commercial Recreational Facility, Indoor **(BL 17/020)**
- (j) Contractor, General and Limited **(BL 06/030)**
- (k) Custom Manufacturing **(BL 06/030)**

- (l) Drinking Lounge, Major (**BL 05/013**)
- (m) Drinking Lounge, Minor (**BL 05/013**)
- (n) **DELETED (BL 05/013)**
- (o) Equipment Rentals (**BL 06/030**)
- (p) Essential Public Service Facility (**BL 06/030**)
- (q) Fleet Service (**BL 06/030**)
- (r) Food Service, Drive-In or Drive-Through (**BL 05/013**)
- (s) Food Service, Minor Restaurant (**BL 05/013**)
- (t) Food Service, Mobile Catering (**BL 05/013**)
- (u) Food Service, Take Out Restaurant (**BL 05/013**)
- (v) Gas Bar (**BL 04/012**)
- (w) General Industrial
- (x) Household Equipment Repair
- (y) Industrial Support Facility
- (z) Office (**BL 08/001**)
- (aa) Parking Lot/Structure
- (bb) Project Accommodation (**BL 06/001**)
- (cc) Recycling Depot
- (dd) Retail Store, Convenience
- (ee) Satellite Dish Antenna
- (ff) Security Suite
- (gg) Service Station, Major and Minor
- (hh) Warehouse and Storage

111.4 Discretionary Uses Planning Commission

The following are discretionary uses that may be approved by the Municipal Planning Commission:

- (a) Adult Entertainment Facility
- (b) Bulk Oil and Chemical Storage
- (c) Carnival
- (d) Casino
- (e) Single Detached Dwelling (hamlets only)
- (f) Spectator Sports Facility
- (g) Warehouse Sales

111.5 Site Provisions

In addition to the General Regulations contained in Part 5, the following standards shall apply to every development in this district.

- (a) Front Yard (minimum): 6.0 m
- (b) Side Yard (minimum):
 - (i) If Required for Vehicular Access to Rear of Lot: 6.0 m
 - (ii) One Side if Firewall Provided: None required
 - (iii) All Other Cases: 1.2 m

- (c) Rear Yard (minimum):
 - (i) If Firewall Provided: None required
 - (ii) Abutting Railway Line: 4.6 m
 - (iii) All Other Cases: 1.2 m
- (d) Building Height (maximum): 12.0 m
- (e) Lot Width (minimum): 15.0 m
- (f) Lot Area (minimum): 0.2 ha
- (g) Floor Area Ratio (maximum): 2.0
- (h) Landscaping as per Section 72 of Part 5 (General Regulations).

111.6 Additional Requirement: Security Suite

Notwithstanding any other regulation in this Bylaw, the approval of a security suite is subject to the following provisions:

- (a) shall only be allowed as part of a warehouse or other storage facility development, subject to conformity with the Alberta Safety Code;
- (b) one (1) suite shall be permitted per site;
- (c) maximum floor area shall be 70.0 m²;
- (d) during the construction of a development a trailer or other removable structure may be used, as long as such facility is used for a temporary period (i.e. the construction period).

111.7 Additional Requirements: Dwellings in Hamlets

For single detached dwellings, manufactured and modular homes in hamlets, site provisions are at the discretion of the Development Authority.

111.8 Additional Requirements for Canvas Quonset Buildings

Fabric covered quonset buildings may be approved at the discretion of the Development Officer subject to the following:

- (a) a fabric covered quonset building shall be accessory to a principal building on the site;
- (b) a development permit for a fabric covered quonset building shall only be issued as a temporary development for a maximum period of two (2) years except where it is evident that a longer term is required; **(BL 04/012)**
- (c) a development permit for a fabric covered quonset building shall only be issued after or simultaneous to the issuance of a development permit for a principal building;
- (d) a fabric covered quonset building shall only be approved for storage use; and
- (e) the Development Officer may require that the fabric covered quonset building match the colour of the principal building wherever possible; and
- (f) Section 111.8 applies to all natural and synthetic fabric coverings on Quonset developments as determined by the Development Officer.

111.9 Additional Provisions (**BL 07/055**)

(a) Purpose

Notwithstanding Section 111.1, the intent of this District is to allow for the development of an attractive industrial park that demonstrates innovation and high levels of environmental and economic performance.

The purpose of this District is to provide for a wide range of light and medium industrial uses. Development in this District must also minimize environmental impacts through the application of “eco-industrial” practices. Uses in this District should not adversely affect surrounding non-industrial uses through the generation of emissions, noise, odours, vibrations, heat, light, dust or other objectionable or dangerous conditions.

(b) Prohibited Uses

Notwithstanding Sections 111.2, 111.3 and 111.4, the following uses are prohibited:

- (i) Adult Entertainment Facility
- (ii) Automotive/Recreational Vehicle Sales and Rental
- (iii) Business Support Services Facility
- (iv) Casino
- (v) Contractor, Limited
- (vi) Custom Manufacturing
- (vii) Drinking Lounge, Major
- (viii) Drinking Lounge, Minor
- (ix) Single Detached Dwelling (hamlets only)
- (x) Spectator Sports Facility
- (xi) Warehouse Sales

(c) Discretionary Uses – Development Officer

Notwithstanding Section 111.3, the following are discretionary uses that may also be approved by the Development Officer:

- (i) Aquaculture Facility
- (ii) Carnival
- (iii) Greenhouse/Plant Nursery
- (iv) Manufactured Home Sales
- (v) Office
- (vi) Park
- (vii) Personal Service Facility (**BL 15/028**)
- (viii) Public Use/Utility
- (ix) Private Utility
- (x) Research & Development
- (xi) Truck Sales
- (xii) Waste Management Facility

(d) Discretionary Uses - Planning Commission

Notwithstanding Section 111.4, the following are discretionary uses that may also be approved by the Municipal Planning Commission:

- (i) Commercial School
- (ii) Food Service, Drive-In or Drive Through
- (iii) Food Service, Major Restaurant
- (iv) Food Service, Minor Restaurant
- (v) Food Service, Mobile Catering
- (vi) Food Service, Take Out Restaurant
- (vii) Related Industrial Facility
- (e) Site Provisions

In addition to the General Regulations contained in Part 5, and notwithstanding Section 111.5, the following standards shall apply to every development in this district.

- (i) Front Yard (minimum): 6.0 m
- (ii) Side Yard (minimum)
 - If Required for Vehicular Access to Rear of Lot: 6.0 m
 - If Firewall Provided: None required
 - All Other Cases: 1.2 m
- (iii) Rear Yard (minimum):
 - If Firewall Provided: None required
 - Abutting Railway Line: 4.5 m
 - All Other Cases: 1.2 m
- (iv) Maximum setback: 30.0 m
- (v) Building Height (maximum): 14.0 m
- (vi) Lot Width (minimum):
 - Abutting a public lane 15.0
 - Not abutting a public lane 40.0 m
- (vii) Lot Area (minimum): 0.2 ha
- (viii) Floor Area Ratio (maximum): 2.0
- (ix) Lot Depth (minimum) None required
- (x) Coverage (maximum) 90%
- (xi) Landscaping as per Section 72 of Part 5 (General Regulations) and Subsection 111.9 (g).
- (f) Additional Requirements: Parking and Loading Areas
 - (i) Parking shall be provided as required in Part 7 of this Bylaw and as provided in this section.
 - (ii) Notwithstanding Section 136(d), each use shall provide 1 preferential parking space for disabled persons, for every 20 required parking spaces (minimum of 1 space).
 - (iii) Notwithstanding Section 136(d), each use shall provide 1 preferential parking space for every 20 required parking spaces (minimum of 1 space) for use only by the following types of vehicle:
 - (A) Car pool/van pool/car share vehicles
 - (B) Gas/electric hybrid, hydrogen, or electric fueled vehicles

- (C) Cars that are selected as the most fuel efficient model for any given year, as measured by Natural Resources Canada's Office of Energy Efficiency
- (iv) All preferential parking spaces shall be located close to a suitable building entry.
- (v) Preferential parking spaces shall count towards the total required parking spaces required in Part 7 of this Bylaw.
- (vi) Notwithstanding Section 72.7 of this Bylaw:
 - (A) Development of driveways, parking areas, and other paved areas shall incorporate actively landscaped boulevards, medians and borders.
 - (B) Parking areas sized to accommodate 25 or more vehicles shall be subdivided into blocks not to exceed 400 square meters in paved area. Such subdivision shall be achieved using islands and medians of sufficient width to sustain existing or new tree and shrub plantings as a strong visual border and screen.
- (vii) Where the use of a parking space is limited on both sides by a wall or a column, the unobstructed width from face to face of the obstructions shall be 3.0 m, and if in this case, a building door opens into the parking space on its long side, the unobstructed width shall be 3.3 m. Where the use of a parking space is limited to one side by a wall or a column, the unobstructed width of the parking space shall be 2.7m, and if in this case, a building door opens into the parking space on its long side, the unobstructed width shall be 3.0 m.
- (g) Additional Requirements: Landscaping and Screening
 - (i) Notwithstanding Section 72.9(1)(i), a continuous landscaping strip not less than 4.0 m wide shall be provided along a public right-of-way.
 - (A) Between a parking or loading area and the right-of-way, the landscaping strip shall be designed to be:
 1. At least 75% opaque in all seasons between grade level and 1.5 m above grade;
 2. Less than 25% opaque in growing season between 2.5 m and 4.0 m above grade.
 3. At least 50% opaque in growing season between 2.5 m and 4.0 m above grade.
 - (B) Between a building or display area and the right-of-way, the landscaping strip shall be designed to provide good visibility for signage and displays.
 - (ii) Notwithstanding Section 72.7(a), the Development Authority may permit openings through required fencing & screening areas

- between lots in order to facilitate shared facilities (parking, storage areas, etc.) and pedestrian movement.
- (iii) Landscaped areas must be located in such a way as to create continuity of landscaped areas with those on adjacent parcels and park areas.
- (iv) Landscaped areas must be concentrated or clustered to avoid sparse tree plantings and to create functional green spaces that are not easily damaged by automobiles.
- (v) Choose plants that:
 - (A) Are species native to the area, as identified on the native plant list available from the Development Authority.
 - (B) Provide a complex multi-storey vegetative community through inclusion of a combination of groundcover, shrubs and trees;
 - (C) Are hardy, drought-tolerant, perennial species, reducing the need for maintenance, pesticide use, and irrigation.
- (vi) Tree trunks must be protected from winter snow clearing equipment.
- (vii) The landscape must be designed in conformance with Crime Prevention Through Environmental Design (CPTED) principles.
- (viii) In landscape areas, trees must be planted in clusters, double rows or triangles instead of as a single tree row and must be spaced in accordance to recognized horticultural practice.
- (ix) Design to minimize landscaping irrigation requirements. Strategies can include, but are not limited to the following:
 - (A) Not installing an irrigation system
 - (B) Use of collected stormwater
 - (C) Use of other non-potable water
 - (D) Use of a temporary and/or high efficiency drip irrigation system
- (h) Building Design, Character and Appearance
 - (i) The Front Façade must be designed to create visual interest by articulating the facade into a series of intervals. One or more of the following methods may be used:
 - (A) Modulating the façade – stepping back or extending forward a portion of it;
 - (B) Use the pattern of fenestration to reinforce the façade modulation;
 - (C) Incorporating any merchandising display windows into the façade;
 - (D) Changing materials, colours, patterns, and textures within the building plane to reinforce the articulation both horizontally and vertically;
 - (E) Designing the building with visually distinct bottom, middle, and top.

- (F) As an alternative to detailing the entire front façade, less architecturally significant portions of the front facades of buildings may be set back and screened from public view by mature, dense landscaping.
- (ii) Blank walls facing public streets are not permitted.
- (iii) Create visual interest through articulation of building walls adjacent to pedestrian/cyclist access routes. One or more of the following methods may be used: changes to materials, textures, colours and patterns, facade modulation; substantial, clustered landscape elements, and fenestration providing a sense of transparency.
- (iv) Express the structural system (or implied structural system) of the building through visible exterior elements.
- (v) For flat Roofs, distinguish the cornice from the wall by using suitable wood, metal, or stone materials, and/or by changing colour.
- (vi) Define the entry. One or more of the following methods may be used:
 - (A) façade and structural elements such as overhangs, columns, pilasters, window placement
 - (B) Signage
 - (C) Feature extra-height lobby space, distinctive doorways, a distinctive landscaped entry area, and/or changes in paving materials, textures or colour
 - (D) Use wood or stone planting boxes;
- (vii) In multi-building complexes, a consistent architectural concept must be maintained through the use of complementary building design, material and colours.
- (viii) All mechanical, electrical, pollution control or waste handling equipment ancillary to a building must be screened from view from public rights of way. Such screening may be achieved through landscaping or by using materials identical to, or structurally and visually compatible with, the principal building on the site.
 - (A) At the discretion of the Development Authority, equipment and facilities that are intended to provide educational or aesthetic benefit, such as alternative water treatment facilities, innovative recycling systems, etc. may be exempt from this requirement.
- (ix) Building design, character and material for all development must be consistent with principles and regulations outlined in section the Gateway South Zone.
- (i) Signage
 - (i) In addition to the provisions in the Sign Bylaw (01/068), the following requirements must be met:

- (A) The maximum height of freestanding signs is restricted to the highest roofline of the building.
 - (B) All signs must be architecturally compatible with the other buildings and structures on a site.
 - (C) A comprehensive sign design or multiple tenant sign is required for highway commercial sites, to ensure harmony and reduce sign clutter.
 - (D) Portable signs are not permitted.
 - (E) All signs must be consistent with principles and regulations outlines in section the Gateway South Zone.
- (ii) Notwithstanding the Sign Bylaw (01/068), additional signage may be permitted if the signage is considered informative, educational, or profiles Eco-Industrial Networking; subject to the approval of the development authority.
 - (A) Signs must not be floodlit in such a manner as to cause interference to Highway traffic.
- (j) Additional Requirements: Other
 - (i) An outdoor display area visible from a public roadway may not exceed the lesser of:
 - (A) 30 m in width, as measured along the front lot line; and
 - (B) 33% of the lot width.
 - (ii) In addition to Section 131.1(c)(iv) of this Bylaw, on corner lots, access from a public roadway must be at the side or rear of the building.
 - (iii) Grading and Drainage Plan must be submitted to the municipality for approval. In addition to requirements of Section 74, the plan must show how the developer intends to meet the intent and all requirements of the relevant Stormwater Master Plan.
 - (iv) Minimize light pollution throughout site by using fixtures that provide absolute cut-off (vertical cut-off at 90 degrees above nadir)."

(BL 07/055)

Figure 111.1. Highway 63 North Eco-Industrial Park Site Map



112. EP Environmental Preservation District

112.1 Purpose

The purpose of this District is to provide for the preservation of natural open space and the protection of environmentally sensitive lands from incompatible development.

112.2 Permitted Uses (BL 16/020)

The following are permitted uses:

- (a) Accessory Building (BL 01/043)
- (b) Home Occupation

DELETED (BL 07/036, BL 16/020)

112.3 Discretionary Uses - Development Officer

The following are discretionary uses that may be approved by the Development Officer:

- (a) Home Business
- (b) Outdoor Recreation Facility
- (c) Park
- (d) Parking Lot/Structure
- (e) Public Use/Utility

112.4 Discretionary Uses - Planning Commission

The following are discretionary uses that may be approved by the Municipal Planning Commission:

- (a) Market Garden
- (b) Manufactured Home existing prior to the passing of this bylaw
- (c) Single Detached Dwelling existing prior to the passing of this bylaw

112.5 Site Provisions

- (a) Notwithstanding Section 16, all developments require a development permit.
- (b) Clearing, tree cutting, trail construction, irrigation, or similar activity Require prior permission be obtained from the Development Authority.
- (c) Any development permit applications or request for clearing, tree cutting, trail construction, irrigation, or similar activity which requires the restoration and rehabilitation of a site upon completion of such activity shall be accompanied by detailed landscaping plan prepared to the satisfaction of the Development Authority.
- (d) The extraction of sand, gravel, or aggregate is not permitted.
- (e) Development permit applications for:
 - (i) any swimming and wading pool;
 - (ii) any water foundation and /or water sculpture ;
 - (iii) any water reservoir and water tank;
 - (iv) any ornamental pond or lake;
 - (v) any water retaining excavation, structure or vessel that could affect sub-soil characteristics;

- (f) shall be accompanied by a report, satisfactory to the Development Authority, by a qualified, registered professional Engineer, detailing the structural components of the proposal which will limit any risk to the bank stability.

113. PS - Public Services District

113.1 Purpose

The purpose of this district is to provide for the development of buildings and uses for the delivery of educational, health, government, and other institutional services.

113.2 Permitted Uses (**BL 16/020**)

The following are permitted uses:

- (a) Accessory Building (**BL 01/043**)
- (b) Community Recreation Facility (**BL 11/016**)
- (c) Community Service Facility
- (d) Educational Service Facility
- (e) Essential Public Service
- (f) Park
- (g) Parking Lot/Structure
- (h) Public Use/Utility
- (i) Religious Assembly

(BL 07/036, BL 16/020)

113.3 Discretionary Uses - Development Officer

The following are discretionary uses that may be approved by the Development Officer:

- (a) Cemetery
- (b) Hospital
- (c) Medical Clinic (**BL 13/027**)
- (d) Outdoor Recreation Facility (**BL 12/025**)
- (e) Project Accommodation (**BL 06/001**)
- (f) Recyclable Materials Drop-Off Center (**BL 08/001**)
- (g) Spectator Sports Facility (hamlets only)
- (h) Youth Assessment Center, specific to a portion of Block 46, Plan 752 0462 (**BL 02/044**).

113.4 Discretionary Uses - Planning Commission

The following are discretionary uses that may be approved by the Municipal Planning Commission:

- (a) Child Care Facility
- (b) Detention Facility
- (c) Group Home
- (d) Military Facility

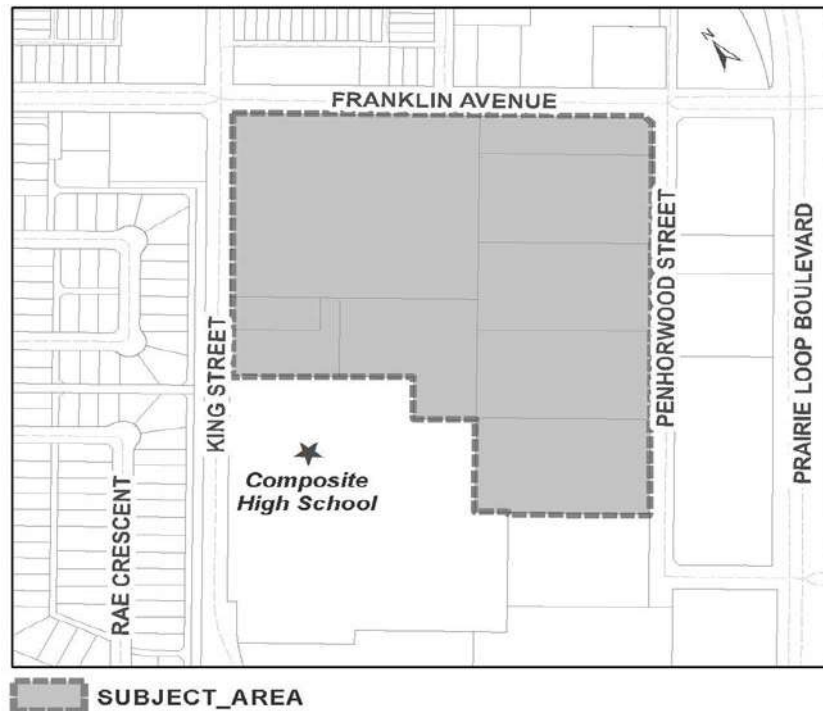
113.5 Site Provisions

In addition to the General Regulations contained in Part 5, the following standards shall apply to every development in this District.

- | | | |
|-----|----------------------------|--|
| (a) | Front Yard (minimum): | 6.0 m |
| (b) | Side Yard (minimum): | 6.0 m |
| (c) | Rear Yard (minimum): | 6.0 m |
| (d) | Building Height (maximum): | 12.2 m except 14.7 m on Lot 14, Block 14, Plan 032 0719 (BL 04/041) |

113.6 The following regulations apply to any new development on Lots 1-5, Block 2, Plan 503TR, Lot 12, Block 2, Plan 5030TR; Lot 1, Plan 3790 NY; Lot 15MR, Block 2, Plan 922 0240; Lot 2, Block 2, Plan 772 2192 as identified in the area shown in Figure 113.1. **(BL 15/026)**

Figure 113.1 – Keyano College Cleawater Campus Site Map



(a) Purpose

The purpose of this type of Node is to provide more detailed urban design direction and development standards for the successful integration of a higher density mixed-use, walkable, transit-oriented node associated with, but extending beyond the existing regulations of the Public Service District.

(b) General Regulations

Where a conflict exists between the regulations contained within this overlay district and the underlying Public Service District, the regulations contained within this overlay district shall apply.

(c) Permitted Uses

Notwithstanding the Permitted Uses of the Public Service District, within the Public Service Keyano College Node the following uses shall apply:

- (i) Retail Store, General and Convenience Office
- (ii) Food Service, Mayor Restaurant
- (iii) Food Service, Take Out Restaurant
- (iv) Commercial Entertainment Facility

(d) Discretionary Uses – Development Officer

Notwithstanding the Discretionary Uses of the Public Service District, within the Public Service Keyano College Node the following uses shall apply:

- (i) Drinking Lounge, Major
- (ii) Drinking Lounge, Minor

(e) Site Provisions

In addition to the General Regulations contained in Part 5, the following standards shall apply to every development in this district:

- (i) Front Yard Setback (minimum): 1.0 m
- (ii) Front Yard Setback (maximum): 3.0 m
- (iii) Side Yard: 0.0 m
- (iv) Rear Yard: 0.0 m
- (v) Building Height (maximum): 12 Storeys
- (vi) Landscaping: 10%
- (vii) Floor Area Ratio (maximum): 5 FAR

(f) Additional Regulations

- (i) There shall be a minimum of 2.5 barrier free sidewalk where there are active at-grade frontages. This sidewalk can be provided in the municipal boulevard where there is sufficient width available.
- (ii) No residential uses shall be permitted on the ground floor of a building.
- (iii) Loading, storage and trash collection area is encouraged to be located internally within the development. However, where this is not possible, they shall be located to the rear or sides of the principal building and shall be screened from view from any adjacent sites and public streets.
- (iv) Along with transit-oriented development principles, sites large than 1.0 ha must plan for integrating a bus stop on site along the Franklin Avenue and King Street corridors.
- (v) No storage, loading or similar use may occur within the front yard setback.

(g) Built Form Regulations

(i) City Blocks

- (A) A mid-Block opening into the campus shall be provided for blocks exceeding 150.0 m in length, or after every 150.0 m interval.
- (B) Through Block Connections for pedestrians, bikes and parking access shall be a minimum width of 5.0 m to accommodate both pedestrian bicycle access.

(ii) Siting

- (A) Along Franklin Avenue and King Street, development shall front the public street and be located within 3.0 m of the property line.
- (B) Notwithstanding the above, up to 50% of the development fronting onto a public street may be setback up to 5.0 m to provide for outdoor patio space or retail spill-out zone. The outdoor patio space or spill-out may be covered with an arcade or cantilever.

- (C) Direct access to transit stops or situations shall be provided in the site at convenient locations and shall be connected to pedestrian infrastructure.
 - (D) There shall be a direct, uninterrupted barrier free sidewalk from the front entrance of the building to the public sidewalk, or road right-of-way if no sidewalk exists at the perimeter property, and/or transit stop.
- (iii) Massing
 - (A) Buildings along Franklin Avenue and King Street shall be a minimum height of 6.0 m.
 - (B) The ground floor of any development within this district shall have a minimum ground floor building height of 4.5 m.
 - (C) Development within this Node shall consist of a podium and tower. The podium level of a building can extend upwards to a maximum height of 6 storeys. Development of more than 6 storeys shall stepback a minimum of 3.0 m to a maximum of 5.0 m. This stepback can be accommodated anywhere within, or at the 6th storeys of a development. A stepback can be reduced to 1.5 m at the discretion of the development authority if the building design provides a visual break through design, materials, and/or colours.
- (h) Architectural Elements
 - (i) The building face of all development shall be articulated by recession and/or architectural projections at a minimum of 20.0 m intervals
 - (ii) Blank walls facing public streets or public spaces shall not be permitted.
 - (iii) A minimum of 60% of the ground floor façade of a building facing a public street shall contain transparent glazing comprised of windows and entrances.
 - (iv) Non-residential development facing public streets shall provide weather protection in the form of awnings or canopies for a minimum of 80% of the overall Building Frontage and must comply with the following:
 - (A) Awnings or canopies must project a minimum of 1.5 m and a maximum of 2.5 m over the public side walk along Franklin Avenue and King Street.
 - (B) Awnings or canopies must provide a minimum of 2.5 m and a maximum of 4.0 m of vertical clearance over the sidewalk
 - (v) The Primary Entry Doors must be located on the side of the building facing the public streets. Secondary entrances can exist on the side or rear of a development.

(i) Parking

- (i) No additional parking is permitted between the public street and the front facade along Franklin Avenue and King Street.
- (ii) Surface parking shall generally be located to the rear of the building.
- (iii) Parking structures and surface parking lots shall be connected to public streets or Primary Entry Doors of surrounding buildings by defined pedestrian pathways.
- (iv) A parking structure is permitted to front Franklin Avenue or King Street provided that 100% of the ground floor of the parking structure fronting onto Franklin Avenue or King Street, excluding any related mechanical room or pedestrian or vehicular access, is occupied by active uses such as retail, food and beverage commercial, or office. These ground floor uses must maintain a minimum depth of 12.0 m.
- (v) Site access will be limited to 3 curb cuts per 180 m. Access must be a minimum of 12.0 m from an intersection and a maximum of 9.0 m wide for surface parking or 14.0 m wide for garage access.”

(BL 15/026)

114. PR Parks and Recreation District

114.1 Purpose

The purpose of this district is to provide for the development of land for parks and recreational facilities intended for the use and enjoyment of the public at large.

114.2 Permitted Uses **(BL 16/020)**

- (a) Accessory Building
- (b) Park
- (c) Parking Lot/Structure
- (d) Public Utility/Use

(BL 07/036, BL 16/020)

114.3 Discretionary Uses - Development Officer

- (a) Community Recreation Facility
- (b) Outdoor Recreation Facility
- (c) Project Accommodation **(BL 06/001)**
- (d) Recyclable Materials Drop-Off Center **(BL 08/001)**
- (e) Sand and gravel extraction and associated processing and shipping activities within the West ½ of Section 31, Township 90, Range 9 W4M **(BL 06/037)**
- (f) Sand and gravel extraction and associated processing and shipping activities within part of Section 30, Township 90, Range 9, W4M **(BL 10/018)**
- (g) Sand and gravel extraction and associated processing and shipping activities within part of NW ¼, NE ¼, SE ¼ 18-91-9, W4M **(BL 11/004)**

- (h) Spectator Sport Facility
- (i) Recyclable Materials Drop-Off Centre **(BL 08/001)**
- (j) Resort Facility

114.4 Discretionary Uses - Planning Commission

DELETED (BL 01/043)

114.5 Site Provisions

In addition to the General Regulations contained in Part 5, the following standards shall apply to every development in this district.

- (a) Front Yard (minimum) 6.0 m, except 41.0 m when the site is adjacent to the primary or secondary highway
- (b) Side Yard (minimum): 6.0 m
- (c) Rear Yard (minimum): 6.0 m
- (d) Building Height (maximum): 12.2 for principal building

114.6 Additional Requirements: Float Plane Base

In addition to the above regulations, the development of a float plane base in the Urban Service Area is subject to the following:

- (a) Side Yard, Interior (minimum): 1.2 m
- (b) Side Yard, Exterior (minimum): 3.0 m
- (c) Building Height (maximum): 6.0 m for principal building
- (d) Accessory development may include office buildings, fuel storage and maintenance facilities integral to the operation of the base
- (e) Fuel storage facilities shall be located to the satisfaction of the Development Authority in accordance with Provincial Regulations.

115. **UE - Urban Expansion District**

115.1 Purpose

The purpose of this district is to protect land in the Rural Service Area suited for future urban and hamlet expansion from premature subdivision and development.

115.2 Permitted Uses

The following are permitted uses:

- (a) Accessory Building
- (b) Essential Public Service
- (c) Outdoor Recreation Facility
- (d) Park
- (e) Public Use/Utility

115.3 Discretionary Uses - Development Officer

The following are discretionary uses that may be approved by the Development Officer:

- (a) Amateur Radio Antenna
- (b) Extensive Agriculture
- (c) Intensive Agriculture
- (d) Market Garden
- (e) **DELETED (BL 08/001)**
- (f) Recreation Vehicle Park specific to NW ¼ Sec 17 and SW ¼ Sec 20-88-9-W4M **(BL 03/019)**
- (g) Resort Facility specific to N ½ Sec 15-88-8, NW ¼ Sec 17, and SW ¼ Sec 20-88-9-W4M **(BL 03/019, BL 10/012)**
- (h) Satellite Dish Antenna
- (i) **DELETED (BL 06/030)**
- (j) Temporary Project Accommodation **(BL 06/001)**

115.4 Discretionary Use - Planning Commission

The following are discretionary uses that may be approved by the Municipal Planning Commission:

- (a) Airport
- (b) Automotive Wrecker
- (c) Manufactured Home (accessory to Intensive or Extensive Agriculture)
- (d) Natural Resource Extraction and Processing **(BL 00/011)**
- (e) Storage Facility
- (f) Single Detached Dwelling (accessory to Intensive or Extensive Agriculture)
- (g) Security Suite
- (h) Temporary Building or Structure
- (i) Waste Management Facility

115.5 Site Provisions

In addition to the General Regulations contained in Part 5, the following standards shall apply to every development in this district.

- (a) Lot Area (minimum): 2.0 ha
- (b) The subdivision of one (1) lot from an unsubdivided quarter may be allowed to accommodate an existing residence and related improvements, provided the balance is retained for agricultural purposes.
- (c) All other standards shall be at the discretion of the Development Authority.

115.6 **DELETED (BL 08/001)**

116. **RD - Rural District**

116.1 Purpose

The purpose of this district is to manage development in the Rural Service Area, outside established hamlets, including the accommodation of oil sands mining, extraction and upgrading.

116.2 Permitted Uses

The following are permitted uses:

- (a) Extensive Agriculture
- (b) Home Occupation
- (c) Oil Sands Mining, Extraction and Upgrading
- (d) Oil Sands Pilot Projects
- (e) On-site security
- (f) Park
- (g) Trapper's Cabin
- (h) Utilities/Co-generation

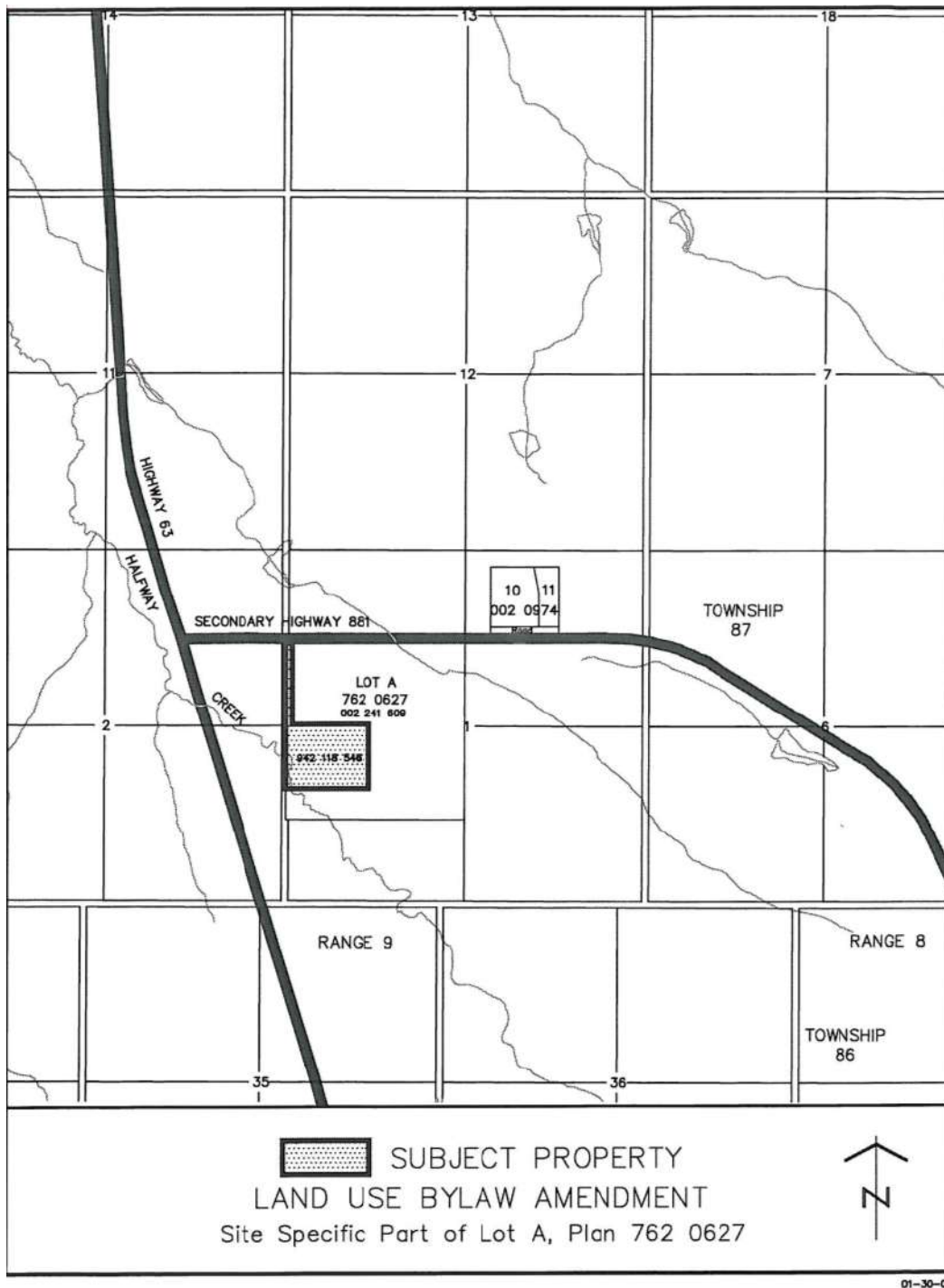
116.3 Discretionary Uses - Development Officer

The following are discretionary uses that may be approved by the Development Officer:

- (a) Accessory Building
- (b) Airport
- (c) Bed and Breakfast
- (d) Campground (**BL 04/012**)
- (e) Cemetery
- (f) Community Recreation Facility
- (g) Country Inn
- (h) **DELETED (BL 05/013)**
- (i) Drinking Lounge, Minor (**BL 05/013**)
- (j) Educational Service Facility (accessory to a Religious Assembly only)
- (k) Family Care Dwelling
- (l) Food Service, Drive-In or Drive-Through (**BL 05/013**)
- (m) Food Service, Minor Restaurant (**BL 05/013**)
- (n) Food Service, Take Out Restaurant (**BL 05/013**)
- (o) Gas Bar (**BL 04/012**)
- (p) General Contractor only on part of Lot A, Plan 762 0627, as shown on Schedule A, attached hereto and forming part of this Bylaw (**BL 01/067**)
- (q) Guest Ranch
- (r) Home Business
- (s) Hotel
- (t) Industrial Support Facility (**BL 04/012**)
- (u) Intensive Agriculture
- (v) Kennel
- (w) Manufactured/Modular Home
- (x) Market Garden
- (y) Motel
- (z) Natural Resource Extraction and Upgrading
- (aa) Outdoor Recreation Facility
- (bb) Project Accommodation (**BL 06/001**)
- (cc) Public Use/Utility
- (dd) **DELETED (BL 04/012)**
- (ee) Religious Assembly

- (ff) Resort Facility
- (gg) Retail Store, Convenience
- (hh) Satellite Dish Antenna
- (ii) Security Suite
- (jj) Service Station, Minor
- (kk) Single Detached Dwelling
- (ll) Spectator Sports Facility
- (mm) Staff Accommodation (**BL 08/001**)
- (nn) **DELETED (BL 06/030)**
- (oo) Waste Management Facility

Figure 116.3



116.4 Discretionary Uses - Planning Commission

The following are discretionary uses that may be approved by the Municipal Planning Commission:

- (a) Abattoir
- (b) Intensive Livestock Operation

116.5 Site Provisions

In addition to the General Regulations contained in Part 5, the following standards shall apply to every development in this District.

- | | | |
|-----|--------------------------------|---|
| (a) | Front Yard (minimum): | 40.0 m |
| (b) | Side Yard, Interior (minimum): | 15.0 m |
| (c) | Side Yard, Exterior (minimum): | 40.0 m |
| (d) | Rear Yard (minimum): | 10.0 m |
| (e) | Lot Area (minimum): | |
| | (i) Extensive Agriculture | 32.0 ha |
| | (ii) Market Garden | 4.0 ha |
| | (iii) Intensive Agriculture: | 2.0 ha |
| | (iv) All Other Uses: | At discretion of Development Authority |

116.6 **DELETED (BL 08/001)**

116.7 **DELETED (BL 08/001)**

116.8 **DELETED (BL 08/001)**

117. **HG - Hamlet General District**

117.1 Purpose

The purpose of this District is to provide for a wide variety of uses in the hamlets of the Rural Service Area.

117.2 Permitted Uses

The following are permitted uses:

- (a) Accessory Building
- (b) Educational Service Facility
- (c) Essential Public Service
- (d) Home Occupation
- (e) Manufactured Home
- (f) Manufactured Home Park
- (g) Park
- (h) Public Use/Utility
- (i) Satellite Dish Antenna
- (j) Semi-Detached Dwelling
- (k) Single Detached Dwelling

117.3 Discretionary Uses - Development Officer

The following are discretionary uses that may be approved by the Development Officer:

- (a) Amateur Radio Antenna
- (b) Apartment Building
- (c) Bed and Breakfast
- (d) Child Care Facility
- (e) Commercial Uses (all uses in the C4 district may be approved at the discretion of the Development Officer and shall comply with the regulations of the C4 District)
- (f) Family Care Dwelling
- (g) Fourplex
- (h) Home Business (**BL 04/012**)
- (i) Industrial Uses (all uses in the BI District may be approved at the discretion of the Development Officer and shall comply with the regulations of the BI District)
- (j) Institutional Uses (all uses in the PS District may be approved at the discretion of the Development Officer and shall comply with the regulations of the PS District)
- (k) Outdoor Recreation Facility
- (l) Religious Assembly
- (m) Resort Facility (specific to units 7-11, Condominium Plan 962 0928 and NW ¼ sec 33-76-7-4 (**BL 02/042**))
- (n) Spectator Sports Facility
- (o) Temporary Project Accommodation (specific to NW ¼ Sec 33-76-7-4) (**BL 02/042, BL 06/001**)
- (p) Townhouse

117.4 Discretionary Use - Planning Commission

The following are discretionary uses that may be approved by the Municipal Planning Commission:

- (a) None

117.5 Site Provisions

In addition to the General Regulations contained in Part 5, the following standards shall apply to all permitted uses:

- (a) Front Yard (minimum): 7.5 m
- (b) Side Yard (minimum):
 - (i) Apartment Building: 4.6 m
 - (ii) All Other Uses: 3.0 m
- (c) Rear Yard (minimum): 7.5 m
- (d) Building Height (maximum): 10.0 m for principal building
- (e) Lot Width (minimum):
 - (i) Unserved Lot, or Municipal Water or Sewer Only: 30.0 m
 - (ii) Municipal Water and Sewer: 15.0 m
- (f) Lot Area (minimum):
 - (i) Unserved Lot: 1,860.0 m²
 - (ii) Municipal Water Only: 930.0 m²
 - (iii) Municipal Sewer Only: 1,400.0 m²
 - (iv) Municipal Water and Sewer: 560.0 m²
- (g) Floor Area (minimum): 55.0 m²

117.6 Additional Provisions: Manufactured Homes

- (a) The undercarriage of manufactured homes shall be completely screened from view by the foundation, skirting, or by such other means satisfactory to the Development Authority.
- (b) All accessory buildings, additions, porches, and skirting shall be a quality and appearance equivalent to the manufactured home.

117.7 Site Provisions: Apartment, Townhouse, Fourplex

For all apartment, townhouse and fourplex developments, the site provisions of the Medium Density Residential (R3) District shall apply.

117.8 Site Provisions: Commercial Uses

For all commercial uses listed as permitted or discretionary in the Highway Commercial (C4) District, the site provisions of that District shall apply.

117.9 Site Provisions: Industrial Uses

For all business, general industrial uses listed as permitted or discretionary in the Business Industrial (BI) District, the site provisions of that District shall apply.

117.10 Site Provisions: Institutional Uses

For all institutional uses listed as permitted or discretionary in the Public Service (PS) District, the site provisions of that District shall apply.

117.11 Site Provisions: Manufactured Home Park

- (a) Density:
 - (i) site shall not be less than 2.0 ha;
 - (ii) density shall not exceed 20 units per ha.
- (b) Stalls:
 - (i) each stall shall not be less than 420.0 m² in area and 14.0 m in width;
 - (ii) each stall shall front onto an internal access road rather than a public street. All stalls shall be at least 3.0 m from the manufactured home park property boundary;
 - (iii) each stall shall be clearly marked off by means of stakes, countersunk steel posts, fences, curbs or hedges.
- (c) Setbacks:
 - (i) the minimum yard (front, side and rear) for each stall shall be 3.0 m;
 - (ii) in addition each manufactured home unit shall be separated from every other unit by at least 6.0 m.
- (d) Building Requirements (for manufactured home units):
 - (i) minimum ground floor area: 54.0 m² (excluding additions);
 - (ii) minimum width: 3.6 m;
 - (iii) each manufactured home unit shall be placed on suitable hard surfaced base within the stall;
 - (iv) all mobile home units shall provide skirting around the base of the unit within 60 days of the placement of the unit in the stall;
 - (v) all additions, porches, garages and accessory structures shall be on all equivalent quality and appearance as the manufactured home unit and shall complement the exterior;
- (e) Internal Roads:
 - (i) all internal roads shall have a minimum right-of-way of 9.0m with a carriage way of 4.5 m;
 - (ii) all roads shall be hard surfaced, well drained and maintained to the satisfaction of the Development Officer.
- (f) Utilities:
 - (i) manufactured home parks shall be connected to municipal services;

- (ii) street lighting and other utilities shall be to the same standards as that in a conventional residential neighbourhood.
- (g) Common Areas:
 - (i) at least 5 % of the gross site area shall be developed as playground space/amenity area in locations convenient to all manufactured home park residents;
 - (ii) a storage compound shall be provided for recreational vehicles and other equipment at the ratio of 14.0 m² per unit.
- (h) Landscaping:
 - (i) landscaping as per Section 72 of Part 5 (General Regulations);
 - (ii) screen fences or walls shall be erected around laundry yards, refuse collection areas and storage area to the satisfaction of the Development Officer.

118. DC Direct Control District

118.1 Purpose

The purpose of this District is to provide for the creation of specific land use regulations where the circumstances are such that control by other Districts would be inappropriate or inadequate, having regard to any applicable statutory plans, existing or future surrounding developments and the public interest.

118.2 Application

- (a) This District shall only be applied where the following conditions are met:
 - (i) the development is, in the opinion of Council, considered appropriate for the site, having regard for the policies and objectives of any statutory plan and compatibility with the scale and character of surrounding development;
 - (ii) the use of any other District to accommodate the development would, in the opinion of Council, result in potential conflicts with existing or future surrounding developments, should the full development potential of such District be utilized; or
 - (iii) the development is of a unique form or nature not contemplated or reasonably regulated by another District.
- (b) In addition to the information required by this bylaw for an amendment application, the applicant shall also provide the following information:
 - (i) support rational explaining why the District is desirable for the site, having regard for the conditions of application set out in (a) above;
 - (ii) a list of uses proposed for the site;
 - (iii) a narrative documenting the options and concerns of surrounding property owners and residents obtained through a public information program, and how the proposed development responds to those concerns, together with a summary of the methods used to obtain such input;

- (iv) plans and elevations that would help to substantiate the need for the district; and
 - (v) any other information as may be required by Council.
- (c) Notwithstanding (b) above, Council may consider an application for this District, if, in the opinion of Council, the application is of such a nature as to enable a decision to be made without all of the required information.

118.3 Uses

In approving a Direct Control District, Council shall specify those uses which may be permitted or discretionary in the District.

118.4 Development Permits

In approving this District, Council shall specify which uses shall be decided upon by the Development Officer, by the Municipal Planning Commission and by Council.

118.5 Development Controls

In approving this district, Council shall specify those regulations, in addition to the general regulations of this bylaw, which shall apply to uses in this District.

119. **R1P - Planned Unit Residential District**

119.1 Purpose

The purpose of this District is to provide for residential development on small lots in a wide variety of forms, including manufactured homes, single detached dwellings, semi-detached dwellings and townhouses. Boarding houses, group homes, bed and breakfasts and other accessory uses which generate parking will not be permitted in this District due to the small lots.

119.2 Permitted Uses (**BL 16/020**)

The following are permitted uses:

- (a) Accessory Building
- (b) Duplex
- (c) Home Occupation
- (d) Manufactured Home (except for River Lot 1, part of Block X, Plan 198AS; and part of the west ½, Block X, Plan 616AO (**BL 01/016**))
- (e) Park
- (f) Public Utility
- (g) Semi-detached Dwelling
- (h) Single Detached Dwelling
- (i) Townhouse

(BL 07/036, BL 16/020)

119.3 Discretionary Uses - Development Officer

The following are discretionary uses that may be approved by the Development Officer:

- (a) Amateur Radio Antenna
- (b) Home Business
- (c) Project Accommodation (**BL 06/001**)

- (d) Public Use
- (e) Residential Sales Centre (dwelling based or portable) **(BL 01/043)**
- (f) Satellite Dish Antenna

119.4 Discretionary Uses - Planning Commission

The following are uses that may be approved by the Municipal Planning Commission:

- (a) Basement Suite

119.5 Site Provisions

In addition to the General Regulations contained in Part 5, the following standards shall apply to every development in this District.

- (a) Front Yard (minimum)
 - (i) 6.0 m; or
 - (ii) 3.0 m if the lot has access to the rear lane
- (b) Side Yard
 - (i) a minimum of 1.2 m for each side yard except a minimum of 3.0 m on the side of a corner site; or
 - (ii) a minimum of 0.0 m on one side and a minimum of 2.7 m on the other side subject to the following requirements:
 - (A) the owner of the adjacent site grants a 1.0 m private access and maintenance easement which shall be registered against the title of that adjacent site;
 - (B) all roof drainage is directed from the building on to the building site by eavestroughs and downspouts or other suitable means;
 - (C) it is a requirement of this District that a minimum of twelve (12) lots utilize the zero lot line concept before an area would be given approval; and
 - (D) the zero lot line side shall not be located on the street side of a corner lot.
 - (iii) a minimum of 0.0 m on one side and a minimum of 1.2 m on the interior side yard or 3.0 m on the exterior side yard, for semi-detached dwellings only. **(BL 04/012)**
- (c) Rear Yard (minimum)
 - (i) 5.0 m; or
 - (ii) 6.0 m if the site has access to a rear lane.
- (d) Lot Width (minimum)
 - (i) 7.6 m for single detached dwellings and manufactured homes;
 - (ii) 7.6 m per dwelling unit for semi-detached and duplex dwellings; **(BL 04/012)**
 - (iii) 6.0 m per dwelling unit for townhouses (interior lot and interior unit);
 - (iv) 7.2 m per dwelling until townhouses (end unit); and
 - (v) 9.0 m per dwelling until for townhouses (corner lot)

- (e) Lot Depth (minimum)
 - (i) 24.2 m for manufactured homes with a rear lane;
 - (ii) 26.2 m for manufactured homes without a rear lane; and
 - (iii) 31.0 m for single detached, duplexes and semi-detached dwellings **(BL 04/012)**
- (f) Lot Area (minimum)
 - (i) 184.0 m² per dwelling unit for manufactured homes with a rear lane;
 - (ii) 200.0 m² per dwelling unit for manufactured homes without a rear lane;
 - (iii) 235.6 m² for single detached, duplexes and semi-detached dwellings. **(BL 04/012)**
- (g) Lot Coverage (maximum)
 - (i) 50 percent for single detached, semi-detached, duplexes, and manufactured homes; and **(BL 04/012)**
 - (ii) 45 percent for townhouses
- (h) Building Height (maximum)
 - (i) 10.0 m for single detached, semi-detached, duplexes and townhouses; and **(BL 04/012)**
 - (ii) 6.0 m for manufactured homes.
- (i) Landscaping
 - (i) a minimum of 20 percent of the lot area shall be landscaped with soft landscaping.
- (j) Density (maximum)
 - (i) 42 units/ha for townhouses.
- (k) All manufactured homes shall be placed on permanent foundations. Every foundation shall form a complete basement. The width and length of every foundation shall be the same width and length as the manufactured home placed on it.

119.6 Accessory Buildings

In addition to Section 50, accessory buildings shall comply with the following standards:

- (a) Side Yard

Where an accessory building is located on a site which allows for zero lot line development it may be located a minimum of 0.0 m on one side where:

 - (i) the owner of the adjacent site grants a 1.0 m private access and maintenance easement which shall be registered against the title of that adjacent site;
 - (ii) all roof drainage is directed from the building onto the building site by eavestroughs
 - (iii) the principal building is located in a zero lot line configuration.

120. SH Small Holdings District (BL 00/001)

120.1 Purpose

The purpose of this District is to provide large lot acreages intended for residential, small scale agricultural pursuits and other compatible uses on lands that are potentially susceptible to flooding which are located below the 250 m contour.

If it can be demonstrated, through legal survey, that lands in this District are above the 250 m contour, or if lands between 248 m and 250 m can be demonstrated through certified geotechnical and environmental impact assessment to support smaller parcel sizes, subdivision to smaller lot sizes (minimum of 1.0 ha) may be considered. The provisions of the CR-Country Residential District shall apply to all SH – Small Holdings lots that are less than 2.0 ha in size without amendment to this Land Use Bylaw.

120.2 Permitted Uses:

- (a) Accessory Building
- (b) Essential Public Service
- (c) Home Occupation
- (d) Manufactured/Modular Home
- (e) Park
- (f) Public Use
- (g) Public Utility
- (h) Satellite Dish Antenna
- (i) Single Detached Dwelling
- (j) **DELETED (BL 12/039, BL 13/014)**

120.3 Discretionary Uses – Development Officer

- (a) Amateur Radio Antenna
- (b) Campground (**BL 04/012**)
- (c) Family Care Dwelling
- (d) Home Business
- (e) Market Garden
- (f) **DELETED (BL 04/012)**
- (g) Temporary Building or Structure

120.4 Discretionary Uses – Planning Commission (**BL 04/012**)

- (a) Bed and Breakfast
- (b) Camp Site
- (c) Community Service Facility
- (d) Country Inn
- (e) *Guest Ranch
- (f) *Intensive Agriculture (**as per Section 76.7 keeping of animals)
- (g) *Kennel
- (h) *Recreational Vehicle Park
- (i) *Resort Facility
- (j) *Outdoor Recreation Facility

120.5 Site Provisions

In addition to the general provision contained in Part 5, (of the Land Use Bylaw), the following standards shall apply to every Development in this District.

- | | | |
|-----|-----------------------------|--|
| (a) | Lot Area (minimum): | 2.0 ha Those uses identified with an * must be on parcels 4.0 ha or greater |
| (b) | Front Yard, (minimum): | 7.6 m for principal building 15.0 m for all other buildings and structures |
| (c) | Side Yard, (minimum): | 7.6 m for principal building |
| (d) | Rear Yard, (minimum): | 7.6 m for principal building |
| (e) | Building Height, (maximum): | 10.0 m |

120.6 Additional Provisions

Small Holdings development shall only be allowed if the Development Authority is satisfied that:

- (a) adequate access exists to a public road;
 - (b) no conflict will result with adjacent land owners;
 - (c) the developer will be responsible for constructing all internal roads;
 - (d) the development can be serviced with water and sanitary sewage in compliance with the Nuisance and General Sanitation Regulation of the Public Health Act and the Alberta Private Sewage Treatment and Disposal Regulation;
 - (e) the development meets the requirements of Section 60 – Development in the Flood Plain (Clearwater River/Athabasca River Flood Plain Area) and Section 61 – Development Near Water Bodies and Water Courses, of this Bylaw.
- (i) **DELETED (BL 12/039, BL 13/014)**

121. RMH – 1 Modified Manufactured Home District (BL 00/074)

121.1 Purpose

The purpose of this District is to provide for the development of manufactured home subdivisions which will allow for an attached garage in the Urban Service Area.

121.2 Permitted Uses:

The following are permitted uses:

- (a) Accessory Building
- (b) Home Occupation
- (c) Manufactured Home

- (d) Park
- (e) Public Utility

121.3 Discretionary Uses – Development Officer

The following are discretionary uses that may be approved by the Development Officer:

- (a) Amateur Radio Antenna
- (b) Home Business
- (c) Project Accommodation (**BL 06/001**)
- (d) Public Use
- (e) Residential Sales Center (**BL 06/029**)
- (f) Satellite Dish Antenna

121.4 Discretionary Uses – Planning Commission

The following are discretionary uses that may be approved by the Municipal Planning Commission:

- (a) Basement Suite (**BL 08/001**)
- (b) Child Care Facility

121.5 Site Provisions

In addition to the general provisions contained in Part 5, (of the Land Use Bylaw), the following standards shall apply to every development in this District.

- | | | |
|-----|--------------------------------|---|
| (a) | Front Yard (minimum): | 6.0 m but can be reduced to 4.5 m when the lot is served by a rear yard lane. (BL 06/029) |
| (b) | Side Yard, Interior (minimum): | 1.2 m each side with an attached garage In a laneless subdivision, excepting corner lots, a manufactured home without an attached garage shall provide one (1) 2.7 m side yard to provide vehicular access to the rear yard. |
| (c) | Side Yard, Exterior (minimum): | 3.0 m |
| (d) | Rear Yard (minimum): | 2.0 m |
| (e) | Building Height (maximum): | 6.0 m |
| (f) | Lot Width (minimum): | 12.2 m |
| (g) | Lot Depth (minimum): | 30 m |
| (h) | Lot Area (minimum): | 366 m ² |
| (i) | Lot Coverage (maximum): | 45 percent (BL 02/076) |
| (j) | Landscaping: | A minimum of 30 percent of the lot area shall be |

landscaped with soft landscaping.

121.6 Additional Provisions

- (a) The undercarriage of manufactured homes shall be completely screened from view by the foundation, skirting or by such other means satisfactory to the Development Authority.
- (b) All accessory building, additions, porches and skirting shall be of a quality and appearance equivalent to the manufactured home. **(BL 00/074)**

122. **SI - Support Industrial District (BL 01/099)**

122.1 Purpose

The purpose of this District is to provide for the development of heavier industrial uses, which support the oil sands industry and which may have larger land requirements and create some nuisance effects on adjacent sites.

122.2 Permitted Uses

The following are permitted uses:

- (a) **DELETED (BL 06/030)**

122.3 Discretionary Uses – Development Officer

The following are discretionary uses that may be approved by the Development Officer:

- (a) Accessory Building **(BL 06/030)**
- (b) Automotive and Equipment Repair and Storage **(BL 06/030)**
- (c) Bulk Oil and Chemical Storage
- (d) Business Support Facility
- (e) Contractors, General **(BL 06/030)**
- (f) Custom Manufacturing **(BL 06/030)**
- (g) Equipment Rental **(BL 06/030)**
- (h) Essential Public Service **(BL 06/030)**
- (i) Fleet Service **(BL 06/030)**
- (j) Gas Bar **(BL 04/012)**
- (k) General Industrial **(BL 06/030)**
- (l) Industrial Support Facility
- (m) Public Use/Utility **(BL 06/030)**
- (n) Recycling Depot
- (o) Satellite Dish Antenna **(BL 06/030)**
- (p) Security Suite
- (q) Service Station, Major and Minor
- (r) Warehouse and Storage **(BL 06/030)**

122.4 Site Provisions

In addition to the General Regulations contained in Part 5, the following standards shall apply to every development in this District subject to Section 63.

- (a) Front yard (minimum):
 - (i) 41.0 m (if adjacent to a Primary or Secondary Highway) this must be a natural or landscaped buffer and cannot be utilized by any building, facilities or storage.
 - (ii) all other cases 12.0 m
- (b) Side yard (minimum):
 - (i) 41.0 m (if adjacent to a Primary or Secondary Highway) this must be a natural or landscaped buffer and cannot be utilized by any building, facilities or storage.
 - (ii) all other cases 12.0 m
- (c) Rear yard (minimum)
 - (i) 41.0 m (if adjacent to a Primary or Secondary Highway) this must be a natural or landscaped buffer and cannot be utilized by any building, facilities or storage.
 - (ii) all other cases 12.0 m
- (d) Lot Area (minimum):
 - (i) Adjacent to a Primary or Secondary Highway 2.0 ha
 - (ii) All other cases 1.0 ha
- (e) Lot Frontage (minimum): 60.0 m
- (f) Lot Depth (minimum) 60.0 m

(BL 01/099)

123. DC-R4 - Direct Control High Density Residential District (BL 02/002)

123.1 Purpose

The purpose of this District is to establish special land use and development regulations to accommodate medium/high density residential development and to ensure a high and comprehensive standard of form and appearance appropriate to the site in conformance with the Lower Townsite Area Redevelopment Plan. This District is also intended to provide the Municipality with the necessary control over development to address the issues of flooding, flood protection and the necessity for filling land within the Clearwater River Valley Flood Plain Area, as well as the environmental circumstances, unique character and recreational opportunities of the Clearwater River Valley and the servicing and transportation challenges in this area.

123.2 Discretionary Use – Development Officer

The following are discretionary uses that may be approved by the Development Officer having regard for the policies contained in the Lower Townsite Area Redevelopment Plan:

- (a) Accessory Building
- (b) Amateur Radio Antenna
- (c) Child Care Facility
- (d) Educational Services Facility (accessory to a Religious Assembly only)
- (e) Home Business
- (f) Home Occupation

- (g) Public Use
- (h) Residential Sales Center
- (i) Park
- (j) Parking Lot or Structure
- (k) Project Accommodation (**BL 06/001**)
- (l) Public Utility
- (m) Satellite Dish Antenna
- (n) Senior Citizen Housing

123.3 Discretionary Use – Regional Council

The following are discretionary uses that may be approved by Regional Council having regard for the policies contained in the Lower Townsite Area Redevelopment Plan:

- (a) Apartment Building
- (b) Cluster Housing
- (c) Religious Assembly

123.4 Site Provisions

In addition to the General Regulations contained in Part 5, the following minimum standards shall apply to every development in this District. The Development Authority may require a higher standard than those contained in Part 5 or the standards contained in this District to achieve the vision of the Lower Townsite Area Redevelopment Plan and to address the unique character and limitations of the area.

- | | | |
|-----|--------------------------------|--|
| (a) | Front Yard (minimum): | 6.0 m |
| (b) | Side Yard, Interior (minimum) | 3.0 m or ½ the height of the principal building(s), whichever is greater |
| (c) | Side Yard, Exterior (minimum): | 6.0 m |
| (d) | Rear Yard (minimum): | 7.5 m |
| (e) | Building Separation (minimum): | In accordance with Section 88 (BL 01/043) |
| (f) | Building Height (maximum): | |
| | (i) Apartment Building | 18.0 m at any eave line for principal building, except Regional Council may allow additional height where site landscaping exceeds 30 percent of the lot area or site area, (additional height will be proportionate to the amount of additional landscaping), or where it is of the opinion that the amenity of the development benefits the community. |

- | | | | |
|-----|-------|--|--|
| | (ii) | Townhousing, Cluster Housing and Religious Assembly | 10.0 m |
| (g) | | Lot Width (minimum): | |
| | (i) | Apartment building | 30.0 m |
| | (ii) | Cluster Housing | 7.5 m per unit |
| | (iii) | Street-oriented Townhousing (interior lot) | 6.0 m per unit |
| | (iv) | Street-oriented Townhousing (corner lot or end unit) | 10.0 m per unit |
| (h) | | Lot Area (minimum): | |
| | (i) | Street-oriented Townhousing (interior lot) | 185.5 m ² per unit |
| | (ii) | Street-oriented Townhousing (corner lot or end unit) | 297.0 m ² per unit |
| | (iii) | Non-street oriented Townhousing | 0.2 ha |
| | (iv) | Cluster Housing | 0.2 ha |
| | (v) | Apartment Building | 0.14 ha |
| (i) | | Density (maximum): | |
| | (i) | Cluster Housing, Townhousing | 60 units/ha |
| | (ii) | Apartment Building | 90 units/ha, except Regional Council may allow additional density where site landscaping exceeds 30 percent of the lot area or site area, (additional density will be proportionate the amount of additional landscaping), or where it is of the opinion that the amenity of the development benefits the community. |
| (j) | | Private Amenity Area (minimum) | |
| | (i) | For at-grade units: | 6.0 m ² per unit |
| | (ii) | For above-grade units: | 4.0 m ² per unit |
| (k) | | Landscaping | |
| | | A minimum of 30 percent of the site area plus adjoining Municipal boulevards shall be landscaped in accordance with Section 72 of Part 5 (General Regulations) | |
| (l) | | Parking | |
| | | Parking shall be provided in accordance with Part 7. | |
| (m) | | Notwithstanding Subsection 61.4 of this Bylaw and subsections (a), (b), (c), and (d) above, all buildings, structures, parking lots, etc. shall maintain | |

- a minimum setback of 30.0 m from the highest valley break of the Clearwater River as determined by a qualified professional engineer.
- (n) In addition to the private amenity area identified in subsection (j) above any residential developments in this District shall provide playground area with play structure(s) to the satisfaction of the Development Authority. The playground area shall be considered part of the landscaped area.

(BL 02/002)

124. C4A Arterial Commercial District (BL 02/002)

124.1 Purpose

The purpose of this District is to provide for the development of commercial and related uses which are normally located in highly visible locations along major arterial roadways that are not adjacent to highways.

124.2 Permitted Uses (BL 16/020)

The following are permitted uses:

- (a) Accessory Building
- (b) Automotive/Recreational Vehicle Sales and Rentals
- (c) Broadcast Facility
- (d) Business Support Facility
- (e) Commercial Entertainment Facility
- (f) Commercial Recreational Facility, Indoor
- (g) Community Recreational Facility
- (h) **DELETED (BL 05/013)**
- (i) **DELETED (BL 05/13)**
- (j) Essential Public Service
- (k) Financial Institution
- (l) Gas Bar **(BL 04/012)**
- (m) **DELETED (BL 08/001)**
- (n) Hotel
- (o) Liquor Store
- (p) Motel
- (q) Office
- (r) Park
- (s) Personal Service Facility
- (t) Public Use/Utility
- (u) Retail Store, General & Convenience
- (v) Service Station Minor

(BL 07/036, (BL 16/020)

124.3 Discretionary Uses – Development Officer

The following are discretionary uses that may be approved by the Development Officer:

- (a) Animal Service Facility, Minor
- (b) Arcade
- (c) Automotive Equipment & Repair

- (d) Custom Manufacturing, only on Lot 10A, Plan 982 2224 (**BL 02/002**)
- (e) Drinking Lounge, Minor (**BL 05/013**)
- (f) Dwelling units above Ground Floor Commercial
- (g) Equipment Rental
- (h) Food Service, Drive-In or Drive-Through (**BL 05/013**)
- (i) Food Service, Major Restaurant (**BL 05/013**)
- (j) Food Service, Minor Restaurant (**BL 05/013**)
- (k) Food Service, Mobile Catering (**BL 05/013**)
- (l) Food Service, Take Out Restaurant (**BL 05/013**)
- (m) Hostel
- (n) Nightclub (**BL 05/013**)
- (o) Parking Lot/Structure
- (p) Project Accommodation (**BL 06/001**)
- (q) Recyclable Materials Drop-Off Center (**BL 08/001**)
- (r) Religious Assembly
- (s) Service Station, Major
- (t) Shopping Centre

124.4 Discretionary Uses – Notification to Adjacent Land Owner Required

The following are discretionary uses that may be approved by the Municipal Planning Commission:

- (a) Adult Entertainment Facility
- (b) Contractor, Limited
- (c) Warehouse Sales

124.5 Site Provisions

In addition to the General Regulations contained in Part 5, the following standards shall apply to every development in this District:

- | | | |
|-----|--|--|
| (a) | Front Yard (minimum): | None Required |
| (b) | Side Yard (minimum): | |
| | (i) Abutting Residential District | 7.6 m |
| | (ii) All Other Cases | 3.0 m if no firewall provided. None required if firewall provided. |
| (c) | Rear Yard (minimum): | |
| | (i) Abutting Residential District | 7.6 m |
| | (ii) All other cases | 6.1 m |
| (d) | Building Height (maximum): | 12.0 m |
| (e) | Lot Width (minimum): | |
| | (i) Vehicular-Oriented uses | As per Section 135 |
| | (ii) All other cases | 12.19 m |
| (f) | Loading, outdoor storage or garbage facilities shall not encroach more than 5.0 m in any required side or rear yard. | |
| (g) | Landscaping as per Section 72 of Part 5 (General Regulations) | |

125. DC-R2 Direct Control Low Density Residential (BL 02/045)

125.1 Purpose

The purpose of this District is to establish a special land use and development regulations to accommodate offices on a site specific basis within the R2 – Low Density Residential District. The District is intended to provide the municipality with the necessary control over parking and future development on the site.

125.2 Discretionary Uses

The following are discretionary uses that may be approved by the Development Officer:

- (a) Accessory Building
- (b) **DELETED (BL 08/001)**
- (c) Home Occupation
- (d) Home Business
- (e) Office
- (f) Personal Service Facility **(BL 08/001)**
- (g) Project Accommodation **(BL 06/001)**
- (h) Semi-detached Dwelling
- (i) Single Detached Dwelling

125.3 Site Provisions

In addition to the General Regulations contained in Part 5, the following standards shall apply to every development in this District:

- (a) Front Yard (minimum) 6.0 m
- (b) Side Yard, Interior (minimum) 1.2 m, except the following:
 - (i) In a laneless subdivision, excepting corner lots, a dwelling without an attached garage shall provide one (1) 2.7 m (minimum) interior side yard to provide vehicular access to the rear yard.
 - (ii) For a semi-detached dwelling, one (1) interior side yard may be reduced to zero when a common wall is located on the property line.
- (c) Side Yard, Exterior (minimum):
 - (i) All Uses 3.0 m
- (d) Rear Yard (minimum):
 - (i) All Uses 4.6 m
- (e) Building Height (maximum): 10.0 m for principal building
- (f) Lot Width (minimum):
 - (i) Semi-Detached 7.6 m per unit
 - (ii) All Uses 12.2 m
- (g) Lot Depth (minimum): 30.0 m
- (h) Lot Area (minimum):

| | | |
|-----|-------------------------|--|
| | (i) Semi-Detached | 228.0 m ² per unit |
| | (ii) All Uses | 366.0 m ² |
| (i) | Lot Coverage (maximum): | 45 percent including accessory buildings |
| (j) | Density (maximum) | Cluster Housing 30 units/ha |
| (k) | Landscaping | A minimum of 30 percent of the lot area shall be landscaped with soft landscaping. |

126. R3-1 Medium Density Residential District (BL 02/070)

126.1 Purpose

The purpose of this District is to provide for the development of medium density residential housing in the form of cluster housing, townhouses, low rise apartments and other dwelling types of similar density in the Urban Service Area and allowing high rise apartment.

126.2 Permitted Uses

The following are permitted uses:

- (a) Accessory Building
- (b) Apartment Building with density of less than 60 units per ha
- (c) Cluster Housing
- (d) Fourplex
- (e) Home Occupation
- (f) Park
- (g) Parking Lot or Structure
- (h) Public Utility
- (i) Satellite Dish Antenna
- (j) Town House
- (k) Triplex

126.3 Discretionary Uses – Development Officer

The following are discretionary uses that may be approved by the Development Officer:

- (a) Amateur Radio Antenna
- (b) Apartment Building with density of 60 units per ha or greater or building height exceeding 12.2 m
- (c) Boarding House
- (d) Home Business
- (e) Project Accommodation (**BL 06/001**)
- (f) Public Use
- (g) Religious Assembly
- (h) Residential Sales Center (dwelling based or portable)
- (i) Senior Citizen Housing
- (j) Visiting Students Supervised Housing Unit

126.4 Discretionary Uses – Planning Commission

The following are discretionary uses that may be approached by the Municipal Planning Commission:

- (a) Child Care Facility
- (b) Educational Service Facility (accessory to Religious Assembly only)

126.5 Site Provisions

In addition to the General Regulations contained in Part 5, the following standards shall apply to every development in this District:

- (a) Front Yard (minimum):
 - (i) Building height 12.2 m or less 6.0 m
 - (ii) Building height over 12.2 m 9.1 m
- (b) Side Yard (minimum): 6.0 m
- (c) Rear Yard (minimum): 7.5 m
- (d) Building Height (maximum): 55.0 m
- (e) Lot Width (minimum):
 - (i) Triplex, Fourplex 7.6 m per unit
 - (ii) Cluster Housing, Apartment Building 30.0 m
 - (iii) Street-oriented Townhousing (interior lot) 6.0 m per unit
 - (iv) Street-oriented Townhousing (corner lot or lot with end unit) 10.0 m per unit
- (f) Lot Area (minimum):
 - (i) Triplex, Fourplex 297.0 m² per unit
 - (ii) Street-oriented Townhousing (interior lot) 185.5 m² per unit
 - (iii) Street-oriented Townhousing (corner lot) 297.0 m² per unit
 - (iv) Non-street oriented Townhousing 0.2 ha
 - (v) Cluster Housing 0.2 ha
 - (vi) Apartment Building 0.14 ha
- (g) Density (maximum):
 - (i) Cluster Housing, Townhousing 60 units/ha
 - (ii) Apartment Building 145 units/ha
- (h) Private Amenity Area (minimum):
 - (i) For at grade units 6.0 m² per unit
 - (ii) Apartment Building 145 units/ha
- (i) Landscaping

A minimum of 30 percent of the site area plus all adjoining Municipal boulevards shall be landscaped in accordance with Section 72 of Part 5 (General Regulations)
- (j) Building Separation as per Section 88

(k) Garbage Disposal

Garbage and waste materials shall be stored in weatherproof and animal proof containers and shall be visually screened from all adjacent sites and public thoroughfares to the satisfaction of the Development Authority.

(l) Playground Structures

Every Apartment Building, Townhouse development or Cluster Housing development containing 100 or more dwelling units on the lot or site shall provide a playground with a play structure. The playground shall be a minimum of 1.0 m² for each dwelling unit on the site or lot and shall be considered part of the landscaped area. The play structure shall conform to CSA standards.

(BL 02/070)

127. DC – RMH Direct Control Manufactured Home District (BL 03/018)

127.1 Purpose

The purpose of this District is to provide for the development of unique form of manufactured housing that creates an appropriate and aesthetically suitable transition between the single detached housing in Confederation Heights and the manufactured housing in Morgan Heights. The District will allow development to be approved by a Development Officer while maintain the development control of a Direct Control District.

127.2 Direct Control Uses

The following are uses that may be approved at the discretion of the Development Officer in the Direct Control District:

- (a) Accessory Building
- (b) Amateur Radio Antenna
- (c) Home Business
- (d) Home Occupation
- (e) Manufactured Home, excluding single wide Manufactured Home
- (f) Park
- (g) Project Accommodation **(BL 06/001)**
- (h) Public Use/Utility
- (i) Satellite Dish Antenna

127.3 Site Provisions

In reviewing development applications in this District, the Development Officer shall have regard for the General Regulations contained in Part 5 and the following guidelines:

- | | | |
|-----|--------------------------------|--------|
| (a) | Front Yard (minimum): | 6.0 m |
| (b) | Side yard, interior (minimum): | 1.2 m |
| (c) | Side yard, exterior (minimum): | 3.0 m |
| (d) | Rear Yard (minimum): | 4.6 m |
| (e) | Building Height (maximum): | 10.0 m |
| (f) | Lot Width (minimum): | 12.2 m |
| (g) | Lot depth (minimum): | 30.0 m |

- (h) Lot Area (minimum): 366 m²
- (i) Lot coverage (maximum): 45 percent
- (j) Landscaping: A minimum of 30 percent of the lot area shall be landscaped with soft landscaping.
- (k) Each manufactured home in this District shall include an attached garage.

127.4 Discretionary Use – Planning Commission

- (a) Basement Suite (**BL 08/001**)

127.5 Additional Provisions

- (a) The undercarriage of a manufactured home shall be completely screened from view by the foundation, skirting, or by other such means satisfactory to the Development Authority.
- (b) All accessory buildings, additions, porches and skirting shall be of a quality and appearance equivalent to the manufactured home.

(BL 03/018)

128. BIU Business Industrial Unserviced Lot District (**BL 03/057**)

128.1 Purpose

The purpose of this District is to provide for the development of industrial uses located on unserviced lots outside the urban area.

128.2 Permitted Uses

The following are permitted uses:

- (a) **DELETED (BL 06/030)**

128.3 Discretionary Uses – Development Officer

The following are discretionary uses that may be approved by the Development Officer:
(BL 06/030)

- (a) Accessory Building
- (b) Auctioneering Facility
- (c) Business Support Facility
- (d) Contractor, General and Limited
- (e) Essential Public Service (**BL 06/030**)
- (f) Equipment Rental
- (g) Fleet Service
- (h) General Industrial
- (i) Industrial Support Facility
- (j) Parking Lot/Structure
- (k) Public Use/Utility (**BL 06/030**)
- (l) Recycling Depot
- (m) Satellite Dish Antenna
- (n) Security Suite

- (o) Warehouse and Storage

128.4 Discretionary Uses Planning Commission

The following are discretionary uses that may be approved by the Planning Commission:

- (a) Automotive Wrecker
- (b) Spectator Sports Facility
- (c) Warehouse Sales

128.5 Site Provisions

In addition to the General Regulations contained in Part 5, the following standards shall apply to every development in this District subject to Section 63.

- (a) Front Yard (minimum):
 - (i) 40.0 m (if adjacent to Primary or Secondary Highway) this must be a natural or landscaped buffer and cannot be utilized by any building, facilities, parking or storage.
 - (ii) All other cases 12.0 m
- (b) Side yard (minimum):
 - (i) 40.0 m (if adjacent to Primary or Secondary Highway) this must be a natural or landscaped buffer and cannot be utilized by any building, facilities or storage.
 - (ii) All other cases 12.0 m
- (c) Rear Yard (minimum):
 - (i) 40.0 m (if adjacent to Primary or Secondary Highway) this must be a natural or landscaped buffer and cannot be utilized by any building, facilities, parking or storage.
 - (ii) All other cases 12.0 m
- (d) Lot Area (minimum):
 - (i) Adjacent to a Primary or Secondary Highway 2.0 ha
 - (ii) All other cases 1.0 ha
- (e) Lot Frontage (minimum): 60.0 m
- (f) Lot Depth (minimum): 60.0 m
- (g) Building Height (maximum): 20.0 m
- (h) Floor Area Ratio (maximum): 1.0

128.6 General Requirement

Adequate emergency response capability must be considered when development proposals are evaluated.

128.7 Additional Requirement: Security Suite

Notwithstanding any other regulation in this Bylaw, the approval of a security suite is subject to the following provisions:

- (a) shall only be allowed as part of a warehouse or other storage facility development (e.g. auctioneering, rental equipment), subject to conformity with the Alberta Safety Code;
- (b) one (1) suite may be permitted per site;
- (c) maximum floor area shall be 70.0 m²;
- (d) during the construction of a development, a trailer or other removable structure may be used, as long as such facility is used for a temporary period (i.e., the construction period).

128.8 Additional Requirements for Canvas Quonset Buildings

Fabric covered Quonset buildings may be approved at the discretion of the Development Officer subject to the following:

- (a) a fabric covered quonset building shall be accessory to a principal building on the site;
- (b) development permit for a fabric covered quonset building shall only be issued as a temporary development for a maximum period of two (2) years except where it is evident that a longer term is required;
- (c) a development permit for a fabric covered quonset building shall be issued after or simultaneous to the issuance of a development permit for a principal building;
- (d) a fabric covered quonset building shall only be approved for storage use;
- (e) the Development officer may require that a fabric covered quonset building match the colour of the principal building whenever possible; and Section 128.7 applies to all natural and synthetic fabric coverings on quonset developments as determined by the Development Officer.

(BL 03/057)

129. A – Airport District (BL 03/064)

129.1 Purpose

The purpose of this District is to provide for the continued operation of an airport and to allow development on airport property that will provide for economic and financial viability for the airport.

129.2 Permitted Uses Not Requiring a Development Permit

- (a) Development covered by the Aeronautics Act as amended **(BL 06/030)**
- (b) Within the Airport District, ‘airside’ developments for aviation related purposes shall not require a development permit.
- (c) The Airport District is divided into the following six (6) sub-areas as shown on Map B: Airport District:
 - 1. Airport Reserve
 - 2. Airside Reserve
 - 3. Airside Business Industrial
 - 4. Landside Business Industrial
 - 5. Airport Support
 - 6. Terminal Reserve

- (d) Except sub-area 'Landside Business Industrial,' all sub-areas are planned for accommodating 'airside' related land uses and developments wherein development permits shall not be required.
- (e) The Municipality shall be responsible for approving developments on the sub-area 'Landside Business Industrial.'

(BL 12/011)

129.3 Permitted Uses locating within Landside Business Industrial sub-area requiring a Development Permit.

- (a) Animal Service Facility, Minor
- (b) Automotive and Equipment Repair and Storage
- (c) Automotive/Recreational Vehicle Sales and Rental
- (d) Child Care Facility
- (e) Commercial Entertainment Facility
- (f) Commercial Recreational Facility, Indoor
- (g) Commercial School
- (h) Community Service Facility
- (i) Contractor General
- (j) Contractor Limited
- (k) Drinking Lounge (Major and Minor)
- (l) Essential Public Service
- (m) Equipment Rental
- (n) Fleet Service
- (o) Food Service, Drive-In or Drive-Through
- (p) Food Service, Major Restaurant
- (q) Food Service, Minor Restaurant
- (r) Food Service, Take Out Restaurant
- (s) Gas Bar
- (t) General Industrial
- (u) Hotel / Motel
- (v) Liquor Store
- (w) Office
- (x) On-Site Security
- (y) Park
- (z) Parking Lot/Structure
- (aa) Public Use
- (bb) Retail Store (General and Convenience)
- (cc) Service Station (Major and Minor)
- (dd) Storage Facility
- (ee) Warehouse and Storage
- (ff) Warehouse Sales

(BL 05/013, BL 06/030, BL 12/011)

129.4 Discretionary Uses

The following discretionary uses that may be approved by the Development Officer:

- (a) Animal Service Facility, Major
- (b) Arcade
- (c) Apartment Hotel
- (d) Auctioneering Facility
- (e) Casino
- (f) Private Utility
- (g) Security Suite
- (h) Shopping Centre

(BL 06/030, BL 08/001, BL 12/011)

129.5 Federal Regulations

The Airport Authority must abide by all federal regulations for airports, airport operations and airport safety. Federal regulation supersedes all municipal regulation. The federally approved Fort McMurray Airport Zoning Regulations C.R.C., c.82 shall be of paramount concern to the Airport Authority and the Regional Municipality of Wood Buffalo.

(BL 12/011)

129.6 Site Provisions

In addition to the General Regulations contained in Part 5, the following standards shall apply to developments located within the Landside Business Industrial sub-area on airport property: **(BL 12/011)**

- (a) The front yard shall be considered to be that portion of the lot abutting the internal roadway:
- (b) Front yard (minimum): none required;
- (c) Side yard (minimum): 1.5 m
- (d) Rear Yard (minimum): Transitional set back from the runway (if applicable based on the Fort McMurray Airport Zoning Regulations C.R.C., c. 82, otherwise not required.
(BL 12/011)
- (e) Building Height (maximum):
 - I. 45.0 m (maximum) and approved by the Airport Authority; and
 - II. Conforming to the Fort McMurray Airport Zoning Regulations C.R.C., c. 82Note: If the Fort McMurray Airport Zoning Regulations are repealed, then the maximum

building height will be
45.0m and approved by
the Airport Authority.

(BL 12/011)

- (f) Floor area ratio (maximum): as approved by the Development Officer
- (g) Landscaping: as per Section 72 of Part 5 (General Regulations) and only in the front yard;
- (h) Notwithstanding Part 5, parking requirement shall be determined by the Airport Authority based on the total parking provided on the airport property, the availability of parking stalls and the potential for future revenue generation; and

(BL 12/011)

- (i) Notwithstanding Part 5, no use shall be allowed that will cause smoke, steam, electrical interference, or undue attraction for birds and wildlife.

129.7 Conformity with Bylaw

- (a) No person shall commence any development unless it is in accordance with the terms and conditions of this Bylaw.
- (b) No development will be approved that does not meet the height restrictions in the vicinity of the airport.

(BL 03/064)

200. **DC-UER Direct Control Urban Estate Residential District (BL 03/066)**

200.1 Purpose

The purpose of this District is to establish a site specific Direct Control District the estate residential development with limited urban services.

200.2 Permitted Uses **(BL 16/020)**

The following are permitted uses:

- (a) Accessory Building
- (b) Single Detached Dwelling
- (c) Home Occupation
- (d) Home Occupation
- (e) Satellite Dish Antenna

(BL 07/036, BL 16/020)

200.3 Discretionary Uses

The following are discretionary uses that may be approved by the Development Officer:

- (a) Amateur Radio Antenna
- (b) Bed and Breakfast
- (c) Boarding House
- (d) Project Accommodation **(BL 06/001)**
- (e) Residential Sales Center
- (f) Family Care Dwelling

200.4 Site Provisions

In addition to the General Regulations contained in Part 5, the following standards shall apply to every development in this District:

- | | | |
|-----|------------------------------------|---------------------------------|
| (a) | Front Yard (minimum): | 7.5 m |
| (b) | Side yard, interior (minimum): | 2.5 m |
| (c) | Rear yard, exterior (minimum): | 10.0 m |
| (d) | Lot Frontage (minimum): | 20.0 m |
| (e) | Lot Depth (minimum) | 75.0 m |
| (f) | Lot Coverage (maximum): | |
| | (i) Principal building (maximum): | 35 percent |
| | (ii) Accessory building (maximum): | a total of 140.0 m ² |

200.5 Additional Regulations

- (a) The individual lots shall be serviced with water and sewage in compliance with the Nuisance and General Sanitation Regulations of the Public Health Act and the Alberta Private Sewage Treatment and Disposal Regulation.
- (b) The siting of the structures and construction techniques shall be in conformance with the recommendations of a geo-technical report prepared by a qualified professional geo-technical engineer.

(BL 03/066)

201. **R3-2 Special Medium Density Residential District (BL 04/010)**

201.1 Purpose

The purpose of this District is to provide for the development of medium density residential housing in the form of low-rise apartments.

201.2 Permitted Uses **(BL 16/020)**

The following are permitted uses:

- (a) Home Occupation
- (b) Parking Lot or Structure
- (c) Public Utility
- (d) Satellite Dish Antenna

(BL 07/036, BL 16/020)

201.3 Discretionary Use – Development Officer

The following are discretionary uses that may be approved by the Development Officer:

- (a) Apartment Building with density of up to 145 units per ha.
- (b) Home Business
- (c) Project Accommodation **(BL 06/001)**
- (d) Public Use

201.4 Discretionary Use – Planning Commission

The following are discretionary uses that may be approved by the Municipal Planning Commission:

None

201.5 Site Provisions

In addition to the General Regulations contained in Part 5, the following standards shall apply to every development in this District.

- (a) Front Yard (minimum): 5.3 m
- (b) Side Yard, Interior (minimum): 2.0 m
- (c) Rear Yard (minimum): 3.0 m
- (d) Building Height (maximum): maximum 12.2 m at any eave line for principal building
- (e) Lot Width (minimum): 30.0 m
- (f) Lot Area (minimum): 0.14 ha
- (g) Density (maximum): 145 units per ha
- (h) Private Amenity Area (minimum):
 - (i) For at grade units: 6.0 m² per unit
 - (ii) For above grade units: 4.0 m² per unit
- (i) Landscaping
A minimum of 30 percent of the site area plus all adjoining Municipal boulevards shall be landscaped in accordance with Section 72 of Part 5 (General Regulations)
- (j) Building Separation as per Section 88
- (k) Garbage Disposal
Garbage and waste materials shall be stored in weatherproof and animal proof containers and shall be visually screened from all adjacent sites and public thoroughfares to the satisfaction of the Development Authority.

(BL 04/010)

202. **R2-1 Modified Medium Density Residential District (BL 04/053)**

202.1 Purpose

The purpose of this District is to provide for mixed forms of medium density residential development.

202.2 Permitted Uses

The following are permitted uses:

- (a) Accessory Building
- (b) Home Occupation
- (c) Park
- (d) Public Utility
- (e) Satellite Dish Antenna
- (f) Cluster Housing
- (g) Townhouse
- (h) Apartment, Low Rise Walk Up Buildings (Maximum 3 storey)

202.3 Discretionary Uses – Development Officer

The following are discretionary uses that may be approved by the Development Officer:

- (a) Boarding House
- (b) Home Business
- (c) Project Accommodation (**BL 06/001**)
- (d) Public Use
- (e) Religious Assembly
- (f) Residential Sales Center (dwelling based or portable)
- (g) Senior Citizen Housing

202.4 Discretionary Uses – Planning Commission

The following are discretionary uses that may be approved by the Municipal Planning Commission:

- (a) Child Care Facility
- (b) Group Home
- (c) Education Service Facility (accessory to a Religious Assembly only)

202.5 Site Provisions

In addition to the General Regulations contained in Part 5, the following standards shall apply to every development in this District.

- (a) Front Yard (minimum): 6.0 m
- (b) Interior Side Yard (minimum) 3.0 m or ½ the height of the principal building(s) to the peak, whichever is greater.
- (c) Exterior Side Yard (minimum): 6.0 m
- (d) Rear Yard (minimum): 7.5 m
- (e) Building Separation (minimum): refer to Section 88
- (f) Building Height (maximum):
 - (i) Cluster & Townhouses 10 m to peak for principal building
 - (ii) Low Rise Apartment 10 m main eave line for principal building with total height to peak not exceeding 3 m
- (g) Lot Width (minimum): 30.0 m
- (h) Lot Area (minimum):
 - (i) Cluster & Townhouses 0.2 ha
 - (ii) Low Rise Apartments 0.14 ha
- (i) Density (maximum): 45 units/ha
- (j) Private Amenity Area (minimum)

- | | | |
|------|------------------------|--|
| (i) | For at grade units | 6.0 m ² per unit |
| (ii) | For above grade units | 4.0 m ² per unit |
| (k) | Landscaping: | A minimum of 30 percent of the site area plus all adjoining Municipal Boulevard shall be landscaping accordance with Section 72 of Part 5 (General Regulations) (Bylaw No. 01/102) |
| (l) | Garbage Disposal: | Garbage and waste materials shall be stored in weatherproof and animal proof containers and shall be visually screened from all adjacent sites and public thoroughfares to the satisfaction of the Development Authority. |
| (m) | Playground Structures: | Every development containing 100 or more dwelling units on the lot or site shall provide a playground with a play structure. The playground shall be a minimum of 1.0 m ² for each dwelling unit on the site or lot and shall be considered part of the landscaped area. The play structure shall conform to CSA standards. |

(BL 04/053)

203. DC-R3 Direct Control Medium Density Residential District (BL 04/025)

203.1 Purpose

The purpose of this District is to establish a special land use and development regulations to accommodate townhouses on a site specific basis. The District is intended to provide the Municipality with the necessary control over the nature and location, site design and appearance of development on the site.

203.2 Discretionary Uses

The following are discretionary uses that may be approved by the Development Officer:

- (a) Accessory Building

- (b) Home Business
- (c) Home Occupation
- (d) Project Accommodation **(BL 06/001)**
- (e) Townhouses

203.3 Site Provisions

In addition to the General Regulations contained in Part 5, the following minimum standards shall apply to every development in this District. The Development Authority may require a higher standard than those contained in Part 5 or the standards contained in this District to address the character and limitations of the site.

- (a) Front yard (minimum): 6.0 m
 - (b) Side yard, interior (minimum) 3.0 m or ½ height of the principal building, whichever is greater
 - (c) Side yard, exterior (minimum): 4.5 m
 - (d) Rear yard, (minimum): 7.5 m
 - (e) Building separation (minimum): 6.0 m
 - (f) Building height (maximum): 10.0 m
 - (g) Density (maximum): 40 units per hectare
 - (h) Private Amenity Area (minimum): 4.0 m² per unit
 - (i) Landscaping: as per Section 72
 - (j) Garbage Disposal: Garbage and waste materials shall be stored in weatherproof and animal proof containers and shall be visually screened from adjacent sites and public thoroughfares to the satisfaction of the Development Authority.
 - (k) Parking: as per Part 5
- (BL 04/025)**

204. C3A – Timberlea Shopping Centre Commercial District (BL 04/049)

204.1 Purpose

The purpose of this District is to provide for the development of retail and service commercial facilities in Timberlea in the form of a shopping centre or as a comprehensively planned complex of freestanding structures on a single site. Development of these centres shall be limited to sites located adjacent to arterial roadways and major collectors.

204.2 Permitted Uses

The following are permitted uses:

- (a) Accessory Building
- (b) Animal Service Facility
- (c) Business Support Facility

- (d) Childcare Facility
- (e) Commercial Entertainment Facility
- (f) Commercial Recreation Facility, Indoor
- (g) Commercial School
- (h) Community Service Facility
- (i) Essential Public Service Facility
- (j) Financial Institution
- (k) Gas Bar
- (l) **DELETED (BL 08/001)**
- (m) Liquor Store
- (n) Office
- (o) Personal Service Facility
- (p) Public Use/Utility
- (q) Retail Store, General and Convenience
- (r) Service Station, Major and Minor
- (s) Shopping Centre

204.3 Discretionary Uses – Development Officer

The following are discretionary uses that may be approved by the Development Officer:

- (a) Arcade
- (b) Automotive and Equipment Repair
- (c) Eating and Drinking Facility, Major and Minor
- (d) Drive-In Food Facility
- (e) Dwelling units above ground floor commercial (**BL 06/038, BL 08/001**)
- (f) Project Accommodation (**BL 06/001**)
- (g) Recyclable Materials Drop-Off Center (**BL 08/001**)
- (h) Satellite Dish Antenna
- (i) Farmer/Flea Market

204.4 Site Provisions

In addition to the General Regulations contained in Part 5, the following standards shall apply to every development in this District:

- | | | |
|-----|------------------------------------|--------|
| (a) | Front Yard (minimum) | 6.1 m |
| (b) | Side Yard (minimum) | |
| | (i) Abutting Residential District: | 7.6 m |
| | (ii) All other cases: | 6.1 m |
| (c) | Rear Yard (minimum) | |
| | (i) Abutting Residential District: | 7.6 m |
| | (ii) All other cases: | 6.1 m |
| (d) | Building Height (maximum) | |
| | (i) Retail and Shopping: | 12.0 m |
| | (ii) Non-Retail: | 20.0 m |
| (e) | Lot Width (minimum): | 15.0 m |

- (f) Site Area (minimum): 1.0 ha for designed development, which may consist of smaller individual lots comprehensively
- (g) Floor Area Ratio (maximum): 2.0
- (h) Loading, outdoor storage or garbage facilities shall not encroach more than 5.0 m in any required side or rear yard.
- (i) Landscaping shall be provided as per Section 72 of Part 5 (General Regulations)
- (j) Parking shall be provided as per Part 7 (Parking and Loading Requirements)
- (k) Individual business premises shall be limited to a maximum gross floor area of 5,000.0 m², excluding grocery stores.

204.5 Regulations for Dwelling Units above Ground Floor Commercial
(BL 06/038, BL 8/001)

- (a) Residential dwelling units and commercial premises shall not be permitted on the same storey of a building;
- (b) The residential dwelling units shall have at grade access that is separate from the access for commercial premises. Direct access from a residential dwelling unit to a commercial premises shall not be permitted;
- (c) A minimum of 4.0 square meters of private amenity shall be provided for each dwelling unit in the building;
- (d) On-site parking for the residential dwelling units shall be provided in accordance with the parking requirements for apartment buildings in Part 7 of this bylaw. Parking for the dwelling units shall be provided in addition to the parking requirements for the commercial premises; and
- (e) Where a building contains residential dwelling units above commercial premises, all parking for the residential use shall be provided on-site. Shared parking, off-site parking and/or money in lieu of parking for the residential units shall not be permitted.

(BL 04/049, BL 06/038)

205. DC – C5 Direct Control Central Business District (BL 05/041)

205.1 Purpose

The purpose of this District is to provide for the intensive development of retail, office, residential and public uses in the Central Business core of the Urban Service Area.

205.2 Permitted Uses (BL 16/020)

The following are permitted uses:

- (a) Accessory Building
- (b) Apartment Hotel
- (c) Broadcasting House

- (d) Business Support Services Facility
 - (e) Commercial Entertainment Facility
 - (f) Commercial Recreation Facility, Indoor
 - (g) Commercial School
 - (h) Community Services Facility
 - (i) Essential Public Service Facility
 - (j) Financial Institution
 - (k) Health Service Facility
 - (l) Hostel
 - (m) Hotel
 - (n) Household Equipment Repair
 - (o) Motel
 - (p) Office
 - (q) Park
 - (r) Parking Lot/Structure
 - (s) Personal Service Facility
 - (t) Public Use/Utility
 - (u) Religious Assembly
 - (v) Retail Store, Convenience and General
- (BL 07/036, BL 16/020)**

205.3 Discretionary Uses – Development Officer

The following are discretionary uses that may be approved by the Development Officer

- (a) Animal Service Facility, Minor
- (b) Arcade
- (c) Carnival
- (d) Drinking Lounge, Major
- (e) Drinking Lounge, Minor
- (f) Dwelling Units above Ground Floor Commercial
- (g) Food Service, Major Restaurant
- (h) Food Service, Minor Restaurant
- (i) Food Service, Take Out Restaurant
- (j) Gas Bar
- (k) Home Business
- (l) Liquor Store
- (m) Nightclub
- (n) Recyclable Materials Drop-Off Center **(BL 08/001)**
- (o) Satellite Dish Antenna
- (p) Service Station, Minor
- (q) Shopping Center

205.4 Discretionary Uses – Planning Commission

The following are discretionary uses that may be approved by the Municipal Planning Commission:

- (a) Adult Entertainment Facility
- (b) Automotive/Recreation Vehicle Sales and Rental

- (c) Boarding House
- (d) Casino
- (e) Child Care Facility
- (f) Custom Manufacturing
- (g) Educational Service Facility (accessory to Religious Assembly only)
- (h) Funeral Home/Crematorium
- (i) Group Home
- (j) Service Station, Major
- (k) Spectator Sports Facility

205.5 Site Provisions

In addition to the General Regulations contained in Part 5 the following standards shall apply to every development in this District.

- | | | |
|-----|--|---|
| (a) | Front Yard (minimum) | None required |
| (b) | Side Yard (minimum) | |
| | (i) Abutting R1, R1E, R1M, R1S, R2 and R3 if Building Height is: | |
| | 10.5 m or less: | 4.6m |
| | 10.5 m to 12.8 m | 6.1m |
| | 12.8 or more | 7.6 m |
| | (ii) Abutting R4, if Building Height is: | |
| | 10.5 m or less: | 3.0 m |
| | 10.5 m to 12.8 m | 4.6 m |
| | 12.8 m or more: | 6.1 m |
| | (iii) All Other Cases: | None required if firewall provided |
| (c) | Rear Yard (minimum): | 4.6 m if abutting residential District |
| (d) | Building Height (maximum): | 115.0 m for principal building |
| (e) | Floor Area Ratio (maximum): | 13.1 |
| (f) | Landscaping | as per section 72 of Part 5 (General Regulations) |

205.6 Regulations for Dwelling Units Above Ground Floor Commercial (**BL 08/001**)

- (a) Residential dwelling units and commercial premises shall not be permitted on the same storey of a building;
- (b) The residential dwelling units shall have at grade access that is separate from the access for commercial premises. Direct access from a residential dwelling unit to a commercial premises shall not be permitted;
- (c) A minimum of 4.0 sq metres of private amenity area shall be provided for each dwelling unit in the building;
- (d) On-site parking for the residential dwelling units shall be provided in accordance with the parking requirements for apartment buildings in Part 7 of this bylaw. Parking for the residential dwelling units shall be provided in addition to the parking requirements for commercial premises; and

- (e) Where a building contains residential dwelling units above commercial premises, all parking for the residential uses shall be provided on-site. Shared parking, off-site parking and or/money in lieu of parking for the residential units shall not be permitted.

(BL 05/041)



206. **Reserved for Future Use**

207. **R5-MU - Apartment and Commercial Mixed Use District (BL 06/017)**

207.1 Purpose

The purpose of this District is to provide for the development of multi-family housing in the form of 4 to 6 storey apartment buildings, with an opportunity for ground floor commercial development.

207.2 Permitted Uses:

The following are permitted uses:

- (a) Accessory Buildings
- (b) Apartment Buildings with density of up to 80 units per ha
- (c) **DELETED (BL 08/001)**
- (d) Home Occupation
- (e) Office, only on the ground floor
- (f) Personal Service Facility, only on the ground floor
- (g) **DELETED (BL 12/001)**
- (h) Senior Citizen Housing

207.3 Discretionary Uses: Development Officer (**BL 12/001, 13/034**)

The following are discretionary uses that may be approved by Development Officer:

- (a) Apartment Buildings with density of 81 units per ha or greater
- (b) Apartment units located on the ground floor
- (c) Child Care Facility, only on the ground floor
- (d) Cluster Housing
- (e) Drinking Lounge, Major (**BL 12/001**)
- (f) Drinking Lounge-Minor, only on the ground floor
- (g) Financial Institution, only on the ground floor
- (h) Food Service, Major Restaurant (**BL 12/001**)
- (i) Food Service, Minor Restaurant (**BL 12/001**)
- (j) Food Service, Take Out Restaurant (**BL 12/001**)
- (k) Gas Bar (**BL 12/001**)
- (l) Home Business
- (m) Liquor Store (**BL 13/034**)
- (n) Parking lot or Structures
- (o) Personal Service Facility (**BL 12/001**)
- (p) Public Use, only on the ground floor
- (q) Retail Store General (**BL 12/001**)
- (r) Retail Store Convenience (**BL 12/001**)
- (s) Take Out Restaurant
- (t) Townhouses

207.4 Site Provisions

In addition to the General Regulations contained in Part 5, the following standards shall apply to every development in this District.

- (a) Front yard (minimum):
 - (i) for 4 storey buildings 6.0 m
 - (ii) for 6 storey buildings 9.1 m
- (b) Side Yard, Interior (minimum) 3.0 m
- (c) Side Yard, Exterior (minimum): 6.0 m
- (d) Rear Yard (minimum): 7.6 m
- (e) Building Separation (minimum): 6.0 m where more than one building is located on the site
- (f) Building Height (maximum): maximum 6 storeys or 21m to the top of the parapet of the principal building
- (g) Lot Width (minimum): 30.0 m
- (h) Lot Area (minimum): 0.14 ha
- (i) Density (maximum): 200 units per ha
- (j) Private Amenity Area (minimum): a minimum of 6 m² for every unit (**BL 12/001**)
- (k) Convenience retail stores, financial institutions, minor restaurants and drinking lounges, offices and personal service facilities shall: (**BL 08/001**)
 - (i) **DELETED (BL 12/001)**
 - (ii) abut a 4-lane urban divided arterial road or a major collector residential road;
 - (iii) be oriented towards a 4-lane urban divided arterial road or major collector residential road;
 - (iv) **DELETED (BL 12/001)**
 - (v) notwithstanding Section 207.4(a), provide a minimum front yard setback of 1.5m;
 - (vi) conform to the signage requirements outlined in the Municipal Sign Bylaw (01/068) for fascia, protruding and A-Board signs.
 - (vii) notwithstanding Section 207.4 (k)(vi), all signs shall be of similar appearance, colour and material as the building for which the sign may be placed upon or abutting; and
 - (viii) notwithstanding Part 7, parking for ground floor commercial uses shall be provided at 2.5 stalls per 100 m² of gross floor area and shall be separated from required residential parking.

(l) Landscaping

A minimum of 10 percent of the site area plus all adjoining Municipal Boulevards shall be landscaped in accordance with Section 72 of Part 5 (General Regulations)

(m) Garbage Disposal

Garbage and waste materials shall be stored in weatherproof and animal proof containers and shall be visually screened from all adjacent sites and public thoroughfares to the satisfaction of the Development Authority.

(n) Parking-Residential

For every one bedroom and two bedroom dwelling unit at least one resident parking space per unit must be provided in an underground parking structure. The balance of the required resident parking, together with the visitor parking spaces, may be provided at grade in accordance with Part 7.

(o) Playground Structures

Every Apartment site containing 100 or more dwelling units on the lot or site shall provide a playground with a play structure. The playground shall be a minimum of 1.0 m² for each dwelling unit on the lot or site and shall be considered part of the landscaped area. The play structure shall conform to CSA standards.

(p) Architectural Guidelines

- (i) Building facades shall incorporate variation into the overall pattern through the use of the following elements, balconies and entry canopies, color change, cornice and parapet walls, horizontal relief details, texture change and windows;
- (ii) Building facades greater than 50 metres in length shall incorporate changes in plane of at least 1 metre for a distance of not more than 15 metres;
- (iii) All doors, overhead doors, vents and louvers are to be finished in a colour that is consistent with the overall colour scheme of the building;
- (iv) All joints, edges, openings and corners shall be articulated and detailed through the use of reveals, ribs, offsets and/or changes in plane;
- (v) Primary exterior walls shall be finished with high quality materials such as brick, cultured stone, architectural detailed pre-cast concrete, coloured split-faced concrete block, architectural tile, acrylic stucco, hardi plank or exposed aggregate. Any other cladding elements must be secondary to the preceding list of materials.

(BL 06/017)

208. R5 - Apartment Density Residential District (BL 06/017)

208.1 Purpose

The purpose of this District is to provide for the development of multi-family housing in the form of 4 to 6 storey apartment buildings.

208.2 Permitted Uses:

The following are permitted uses:

- (a) Accessory Buildings
- (b) Apartment Buildings with density of up to 80 units per ha
- (c) Home Occupation
- (d) Parking Lot or Structure

(e) Senior Citizen Housing
208.3 Discretionary Uses: Development Officer

The following are discretionary uses that may be approved by Development Officer:

- (a) Apartment Buildings with density of 81 units per ha or greater
- (b) Child Care Facility
- (c) Cluster Housing
- (d) Home Business
- (e) Townhouses

208.4 Site Provisions

In addition to the General Regulations contained in Part 5, the following standards shall apply to every development in this District.

- (a) Front yard (minimum):
 - (i) for 4 storey buildings 6.0 m
 - (ii) for 6 storey buildings 9.1 m
- (b) Side Yard, Interior (minimum) 3.0 m
- (c) Side Yard, Exterior (minimum): 6.0 m
- (d) Rear Yard (minimum): 7.6 m
- (e) Building Separation (minimum): 6.0 m where more than one building is located on the site.
- (f) Building Height (maximum): maximum 6 storeys or 21m to the top of the parapet of the principal building.
- (g) Lot Width (minimum): 30.0 m
- (h) Lot Area (minimum): 0.14 ha
- (i) Density (maximum): 200 units per ha
- (j) Private Amenity Area (minimum):
- (i) For every unit: 8 m²
- (k) Landscaping
A minimum of 40 percent of the site area plus all adjoining Municipal Boulevards shall be landscaped in accordance with Section 72 of Part 5 (General Regulations).
- (l) Garbage Disposal
Garbage and waste materials shall be stored in weatherproof and animal proof containers and shall be visually screened from all adjacent sites and public thoroughfares to the satisfaction of the Development Authority.
- (m) Parking
For every one bedroom and two bedroom dwelling unit at least one resident parking space per unit must be provided in an underground parking structure. The balance of the required resident parking, together with the visitor parking spaces, may be located at grade in accordance with Part 7.

- (n) **Playground Structures**
Every Apartment site containing 100 or more dwelling units on the lot or site shall provide a playground with a play structure. The playground shall be a minimum of 1.0 m² for each dwelling unit on the site or lot and shall be considered part of the landscaped area. The play structure shall conform to CSA standards.
- (o) **Architectural Guidelines**
 - (i) Building facades shall incorporate variation into the overall pattern through the use of the following elements, balconies, and entry canopies, colour change, cornice and parapet walls, horizontal relief details, texture change and windows;
 - (ii) Building facades greater than 50 metres in length shall incorporate changes in plane of at least 1 metre for a distance of not more than 15 metres;
 - (iii) All doors, overhead doors, vents and louvers are to be finished in a colour that is consistent with the overall colour scheme of the building;
 - (iv) All joints, edges, openings and corners shall be articulated and detailed through the use of reveals, ribs, offsets and/or changes in plane;
 - (v) Primary exterior walls shall be finished with high quality materials such as brick, cultured stone, architectural detailed pre-cast concrete, coloured split-faced concrete block, architectural tile, acrylic stucco, hardi plank or exposed aggregate. Any other cladding element must be secondary to the preceding list of materials.

(BL 06/017)

209. LBL – R4 Longboat Landing District (BL 10/036)

209.1 Purpose

The purpose of this District is to establish special land use and development regulations to accommodate medium/high density residential development and to ensure a high and comprehensive standard of form and appearance appropriate to the site in conformance with the Lower Townsite Area Redevelopment Plan for Longboat Landing. This District is also intended to provide the Municipality with the necessary control over development to address the issues of flooding, flood protection and the necessity for filling land within the Clearwater River Valley Flood Plain Area, as well as the environmental circumstance, unique character and recreational opportunities of the Clearwater River Valley and the servicing and transportation challenges in this area.

209.2 Permitted Uses:

The following are permitted uses:

- (a) Accessory Building
- (b) Home Occupation
- (c) Park
- (d) Parking Lot or Structure

209.3 Discretionary Use – Development Officer

The following are discretionary uses that may be approved by the Development Officer having regard for the policies contained in the Lower Townsite Area Redevelopment Plan (2009) and the Longboat Landing Outline Plan (2009):

- (a) Apartment Building
- (b) Child Care Facility
- (c) Educational Service Facility (accessory to a Religious Assembly only)
- (d) Food Service, Minor Restaurant
- (e) Home Business
- (f) Public Use
- (g) Public Utility
- (h) Religious Assembly
- (i) Residential Sales Center
- (j) Retail, Convenience
- (k) Senior Citizen Housing
- (l) Townhouse

209.4 Discretionary Uses – Planning Commission

The following are discretionary uses that may be approved by the Municipal Planning Commission having regard for the policies contained in the Lower Townsite Area Redevelopment Plan (2009) and the Longboat Landing Outline Plan (2009):

- (a) Cluster Housing
- (b) Community Service Facility

209.5 Site Provisions

In addition to the General Regulations contained in Part 5, the following standards shall apply to every development in this District. The Development Authority may require a higher standard than those contained in Part 5 or the standards contained in this District to achieve the vision of the Lower Townsite Area Redevelopment Plan and to address the unique character and limitations to the area.

- (a) Front Yard Setback (minimum): 3.0 m
- (b) Side Yard Setback (minimum): 3.0 m
- (c) Rear Yard Setback (minimum): 3.0 m
- (d) Building Separation (minimum): in accordance with Section 88
- (e) Building Height (maximum):
 - (i) Apartment Building: 46.0m
 - (ii) Religious Assembly 12.2m
 - (iii) Townhousing, Cluster Housing 12.2m

In the LBL-R4 District, building height means the vertical distance of a building measured from the average grade adjacent to the building to the eaves.

(BL 12/019)

- (f) **DELETED (BL 11/014)**

- (g) Lot Width (minimum):
 - (i) Apartment Building: 30.0 m
 - (ii) Cluster Housing: 7.5 m per unit
 - (iii) Street-Oriented
 - (iv) Townhousing (interior lot) 4.5 m per unit
 - (iv) Street-Oriented Townhousing (corner lot or end unit) 9.0 m
- (h) Lot Area (minimum):
 - (i) Street-Oriented Townhousing (interior lot) 50.0 m² per unit
 - (ii) Street-Oriented Townhousing (corner lot or end unit): 85.0 m² per unit
 - (iii) Non-Street Oriented Townhousing 0.2 ha
 - (iv) Cluster Housing: 0.2 ha
 - (v) Apartment Building: 0.14 ha
- (i) Private Amenity Area (minimum):
 - (i) For at-grade units: 6.0 m² per unit
 - (ii) For above grade units: 4.0 m² per unit
- (j) Convenience Retail Stores:
 - (i) shall be limited to the main floor of an apartment building containing at least 50 dwelling units;
 - (ii) shall be limited to the ground floor of a residential building along Prairie Loop Boulevard;
 - (iii) shall provide a separate, outside principal entrance;
 - (iv) may reduce the required front yard to zero.
- (k) Landscaping:
 - (i) A minimum of 30 percent of the entire site area of Longboat Landing plus all adjoining municipal boulevards shall be landscaped in accordance with Section 72 of Part 5 (General Regulations).
 - (ii) One tree for each 35 m² and one shrub for each 25 m² of any required yard.
 - (iii) One (1) tree shall be sited for every five (5) stalls in a parking lot with 25 stalls or greater as per Section 72.7 of this Bylaw.
- (l) Garbage Disposal:

Garbage and waste materials shall be stored in weatherproof and animal proof containers and shall be visually screened from all adjacent sites and public thoroughfares to the satisfaction of the Development Authority.
- (m) Parking

Parking shall be provided in accordance with Part 7 of this Bylaw.
- (n) Notwithstanding Subsection 61.4 of this Bylaw and Subsection (a), (b), (c) and (d) above, all buildings, structures, parking lots, etc. shall maintain a minimum setback of 30.0 m from the highest valley break of the Clearwater River as determined by a qualified professional engineer.
- (o) In addition to the private amenity area identified in Subsection (i) above, any residential development containing 100 or more dwelling units in this District shall provide playground area with play structure(s) to the

satisfaction of the Development Authority. The playground area shall be considered part of the landscaped area.

- (i) Playground or playgrounds shall be provided with a minimum of 1.0 m² for each dwelling unit on the site or lot and shall be considered part of the landscaped area. The play structure shall conform to CSA standards.

(BL 10/036)

210. GD - Gateway District (BL 12/02, BL 15/022)

210.1 Purpose

The purpose of this district is to provide for predominantly vehicle oriented commercial development along high volume, high visibility corridors. Developments approved under this district will be of a high standard in terms of architectural design, use of materials, use of signage and public art, landscaping and the relationship between buildings, structures and open spaces.

210.2 Use Table

| Permitted Uses | Discretionary Uses (DO) | Discretionary Uses (MPC) |
|---|---|---|
| <ul style="list-style-type: none"> - Animal Service Facility, Minor - Business Support Facility - Casino - Hotel up to a height of 14.0 m - Drinking Lounge, Minor - Equipment Rental - Fleet Service - Medical Clinic - Liquor Store - Automotive/Recreational Vehicle Sales and Rental - Nightclub - Parking lot/Structure - Personal Service Facility - Public Utility - Commercial Recreation Facility, Indoor - Food Service, Major Restaurant - Food Service, Minor Restaurant - Retail Store, General - Retail Store, Convenience - Service Station, Major - Service Station, Minor | <ul style="list-style-type: none"> - Animal Service Facility, Major - Hotel with a height of 14.0 m or greater - Drinking Lounge, Major - Food Service, Drive-in or Drive-Through - Essential Public Service - Funeral Home/Crematorium - Office (maximum floor area of 5000 m²) - Public Use Commercial Entertainment Facility - Automotive and Equipment Repair - Religious Assembly | <ul style="list-style-type: none"> - Animal Service Facility |

210.3 Site Provisions

In addition to the General Regulations contained in Part 5, the following standards shall apply to every development in this district.

| | Site Standard |
|----------------------------------|---|
| a) Lot Area (minimum): | 0.5 ha |
| b) Lot Width (minimum): | 30.0m |
| c) Front Yard Setback (minimum): | 4.5m |
| d) Side Yard Setback (minimum): | 6.5m where the lot is adjacent to a residential district 4.5m in all other cases |
| e) Rear Yard Setback (minimum): | 6.5m where the lot is adjacent to a residential district 4.5m in all other cases |
| f) Building Height (maximum): | 30.0m for Hotel 14.0m in all other cases |

| | |
|--------------------------------|--|
| g) Landscaping (minimum): | 10% |
| h) Floor Area Ratio (maximum): | 1.5 May be exceeded to a maximum of 2.5 as per section L20.5c |

210.4 Additional Regulations

- (a) Loading, outdoor storage or garbage facilities are not permitted in a front yard setback or a setback visible from a public street corridor.
- (b) Within the Urban Service Area, highway setback required under Section 63.1 (Bylaw No. 99/059) may be reduced to 10.0m with approval from Alberta Transportation.
- (c) There shall be a minimum 2.5m barrier free sidewalk along active at-grade frontages.
- (d) The layout of the site, structures, and parking areas shall facilitate the movement of pedestrian and vehicle traffic through the use of safe barriers such as landscaping, separated walkways, and raised crosswalks.

210.5

- (a) In addition to the setback requirements of this district, the Development Officer may, as a condition of approval, require an additional setback for that portion of a Hotel that exceeds 14.0 m in height in order to protect the amenity and privacy of development in any adjacent or abutting residential district. The Development Officer shall not require a total yard greater than the height of the building.
- (b) The Development Officer may attach conditions to all permitted and discretionary uses regarding the size, location, screening and landscaping of the outdoor display areas and storages areas, to ensure that development is compatible with the appearance of surrounding developments.
- (c) An application for a Hotel with a height of 14.0 m or greater may exceed a Floor Area Ratio of 1.5 to a maximum of 2.5 provided that a Traffic Impact Assessment and Servicing Studies support the proposed density based on infrastructure capacity and shall be at the discretion of the Development Authority. **(BL 12/021)**

210.6 Sitting

Direct access to transit stops or stations should be provided in the site at convenient locations and shall be connected to pedestrian infrastructure.

210.7 Massing

- (a) The maximum building length shall be 80.0m.
- (b) Where a High-Rise tower is part of a Hotel development, the tower:
 - i) Shall have a podium of 2-3 storeys;
 - ii) Shall be stepback a minimum of 3.0m from any street-facing façade of the podium;
 - iii) Shall have a maximum floor plate of 750.0m². More than one tower is permitted on one podium provided there is a separation distance of at least 20.0m;

- iv) Shall be oriented and designed to limit shadows on parks, schools and open spaces.
- (c) Where a High-Rise bar building is part of a Hotel development, the building:
 - i) Shall have a podium of 2-3 storeys;
 - ii) Shall have a stepback of a minimum of 3.0m from any street-facing façade of the podium;
 - iii) Stepbacks from non-street facing facades of the podium may be required at the discretion of the Development Authority;
 - iv) Shall be oriented and designed to limit shadows on parks, schools and open spaces.

210.8 Architectural Elements

- a) The building face of all development shall be articulated by recession and/or architectural projections at a minimum of 20.0m intervals.
- b) Building design shall positively address the arterial and/or highway frontage through architectural detail, materiality and articulation of the building façade and/or landscape treatment facing these public street corridors.
- c) Blank walls facing public street or public spaces shall not be permitted.
- d) Building entrances shall be easily accessible by pedestrian traffic and clearly defined through the use of architectural elements.”

211. DC-MI - Direct Control MacDonald Island District (BL 12/040)

211.1 Purpose

The purpose of this District is to establish special land use and development regulations to accommodate the development of MacDonald Island Park. The District is intended to provide the Municipality with the necessary control over the nature and location, site design and appearance of development on the site. As a Direct Control District, Council may approve any development for any use on any terms and conditions it considers appropriate.

211.2 Permitted Uses- Development Officer

The following are developments that may be approved by the Development Officer (without specific approval by Council):

- (a) Accessory Building or Use
- (b) Park
- (c) Parking Lot/Structure
- (d) Public Utility/Use

Developments (namely new developments or changes to existing or proposed developments) where referenced in a development permit issued by Council.

211.3 Discretionary Uses – Council

*Council may approve additional developments at their discretion, where those developments, in Council’s view, are compatible with or enhance the existing or proposed developments for the lands within the District.

- (a) Child Care Facility
- (b) Commercial Entertainment Facility
- (c) Commercial School
- (d) Community Recreation Facility
- (e) Community Service Facility
- (f) Drinking Lounge, Minor
- (g) Educational Service Facility
- (h) Food Service, Major
- (i) Hotel
- (j) Outdoor Recreation Facility
- (k) Personal Service Facility
- (l) Recyclable Materials Drop-Off Centre
- (m) Resort Facility
- (n) Retail Store, General
- (o) Spectator Sport Facility

211.4 Site Provisions

In addition to the General Regulations contained in Part 5, the following standards shall apply to every development in this District. The Development Authority may require a higher standard than those contained in Part 5 or the standards contained in this District to achieve the vision of the City Centre Area Redevelopment Plan and to address the unique character and limitations of the area:

- | | | |
|-----|----------------------------|--|
| (a) | Front Yard (minimum): | 6.0 m |
| (b) | Side Yard (minimum): | 6.0 m |
| (c) | Rear Yard (minimum): | 6.0 m |
| (d) | Building Height (maximum): | 12.2 m maximum or at the discretion of Regional Council |
| (e) | Landscaping: | As per Section 72 of Part 5 |
| (f) | Parking: | Parking shall be provided in accordance with Part 7 of this Bylaw or at the discretion of Council. |

211.5 Additional Provisions

- | | | |
|-----|-------------------------------|--|
| (a) | Development Officer Authority | <p>The development officer may approve additions, or changes that constitute less than 5% of the total Gross Floor area of all buildings on the Site.</p> <p>The development officer may approve revisions to fencing, screening, landscaping, and lighting.</p> |
|-----|-------------------------------|--|

- (b) Development not requiring a Development Permit

A Development Permits is not required for Special Events. **(BL12/040)**

PART 7 - Parking and Loading Requirements

130. General Provisions for Parking and Loading

- 130.1 The following requirements shall apply to all parking and loading facilities required by this Bylaw. Notwithstanding the requirements of this Section, specific rules contained in any land use district shall govern the parking and loading requirements for that district.
- 130.2 Where a building which requires parking or loading spaces is to be erected, the owner of the building shall provide the required parking and loading spaces at or before the time of occupancy of the building.
- 130.3 Parking areas which are intended for the use of general public shall only be used for the temporary parking of motor vehicles and shall not be used for extended or continued storage of motor vehicles, and without restricting the generality of the foregoing, no person shall permit a motor vehicle to be parked in a public parking area for a period in excess of 72 hours.
- 130.4 Parking areas and loading spaces shall be designed and located so as to minimize any disruption to the continuity of the pedestrian system of sidewalks and on-site pedestrian spaces.
- 130.5 Location
 - (a) All parking stalls and loading spaces required by this Bylaw shall be located on the same site as the use requiring it.
 - (b) The location of on-site parking on a school site shall be to the satisfaction of the Development Authority. Senior high schools, colleges, universities, commercial and trade schools, and other similar institutions shall provide parking spaces in respect of the gymnasium if it is open to public.
 - (c) The development of a parking lot shall not be permitted right up to a property line, with the exception of development in the C5 District and individual Manufactured Homes, Single Detached Dwellings, Semi-detached Dwellings and Duplexes. A minimum of 1.5 m separation is required to all property lines to accommodate grade changes and/or site landscaping. A Development Officer may consider parking lot development up to a property line in a commercial district if the request is submitted with a comprehensive parking plan for adjacent properties and which has incorporated site landscaping in accordance with Section 72 of this Bylaw. **(BL 02/080)**
 - (d) Parking areas for large commercial developments and all Multi-family Residential Developments shall include separate pedestrian circulation sidewalks for the safe movement of people to the satisfaction of the Development Officer. **(BL 02/080)**
 - (e) The use of portable barriers to define parking aisles are not permitted. All internal parking islands, within a parking lot containing 25 or more stalls, shall be permanent. **(BL 02/080)**

130.6 Single Detached and Semi-detached Dwellings

For single detached and semi-detached dwellings, the required parking stalls shall:

- (a) be accessible from a public thoroughfare;
- (b) be surfaced with gravel, asphalt, concrete or a similar material.

130.7 Use Other than Single Detached or Semi-detached Dwellings

- (a) the required parking spaces shall be surfaced to the satisfaction of the Development Authority, prior to occupancy unless an extension is granted for weather conditions.
- (b) in a district other than a residential district, where a parking area is located on a site immediately adjacent to a residential district, there shall be no parking spaces or parking allowed within 2.0 m of the common boundary within the residential district, unless a fence or a wall and landscaping approved by the Development Authority is provided.

130.8 Apartment and Multiple-Family Developments

- (a) parking spaces shall not be located in the front yard of the site or between the front of a building and the boundary of the street on which the building faces unless otherwise approved by the Development Authority.
- (b) for apartment or multiple-family developments with more than 20 units, adequate loading space shall be provided to the satisfaction of the Development Authority.
- (c) for apartment buildings located in the R5-MU and R5 districts, location of parking shall conform to the specific requirements given in the district.

(BL 06/017)

130.9 Basement Suites

- (a) a minimum of one on-site parking stall shall be provided for each bedroom in a basement suite to a maximum of two on-site parking stalls.
- (b) the on-site parking stall requirement for basement suites is in addition to the parking requirement for the single detached or semi-detached dwelling.
- (c) all on-site parking stalls shall remain accessible for parking by passenger vehicles at all times and shall be directly accessible to the street at all times.

130.10 Boarding Houses

- (a) one on-site parking stall be provided for each bedroom provided for compensation.
- (b) when a development permit for a boarding house has been approved pursuant to this Bylaw, the on-site parking requirement for the single detached dwelling shall be reduced from 2 parking stalls to 1 parking stall.

130.11 Visitor Parking **(BL 04/012)**

- (a) where parking stalls designated as visitor parking stalls shall not be condominimized must remain common property; and
- (b) visitor parking stalls cannot be sold.

131. On-Site Parking Requirements

131.1 Parking Standards

- (a) in the Urban Service Area all parking spaces, loading spaces, maneuvering aisles and driveways shall be surfaced and maintained to the satisfaction of the Development Authority.
- (b) in the Rural Service Area all parking spaces, loading spaces, maneuvering aisles and driveways shall be surfaced and maintained to the satisfaction of the Development Authority.
- (c) Design and Construction.

A parking lot must be designed, located and constructed so that it:

- (i) is accessible and appropriate for the nature and frequency of motor vehicles using it;
 - (ii) is paved and drained as required by the Development Authority,
 - (iii) does not interfere with traffic or traffic safety; and
 - (iv) driveway entrances onto a corner lot other than a residential district shall be setback a minimum of 25 m from any property boundary which fronts onto a street.
- (d) if a parking area contains more than 25 stalls, it must be landscaped in conformance with Section 72 of this Bylaw,
- (e) notwithstanding Section 120.1(a) of this Part, parking areas required for multi-attached buildings, multiple unit buildings, commercial buildings, industrial buildings and institutional buildings shall be hard surfaced with asphalt, concrete or other similar paving material and shall be maintained to the satisfaction of the Development Officer.

131.2 Size of Parking Stalls and Drive Aisle

- (a) the minimum dimensions for the design and construction of parking facilities shall be as set out in Figure 7.1. The stall depth shall be measured from the face of the curb to the back of the stall and does not include potential overhang onto landscaped areas or pedestrian walkways.
(BL 00/011, BL 02/080)
- (b) for parallel parking, the length of the parking spaces shall be increased to 7 m, except that an end space with an open end shall be a minimum of 5.5 m.
- (c) manoeuvring aisles and driveways serving as fire lanes shall be at least 6.1 m wide
- (d) manoeuvring aisles and driveways intended for two-way truck movements shall be at least 9.0 m wide.
- (e) parking stalls shall be clear of all obstructions, other than wheel stops.
- (f) The maximum grade of a parking stall shall not exceed 4 percent in any direction.
- (g) Notwithstanding Section 120.2(a) above, a minimum parking stall width of 3.1 m shall be provided wherever an end stall abuts a physical barrier.

131.3 Small Car Parking Spaces

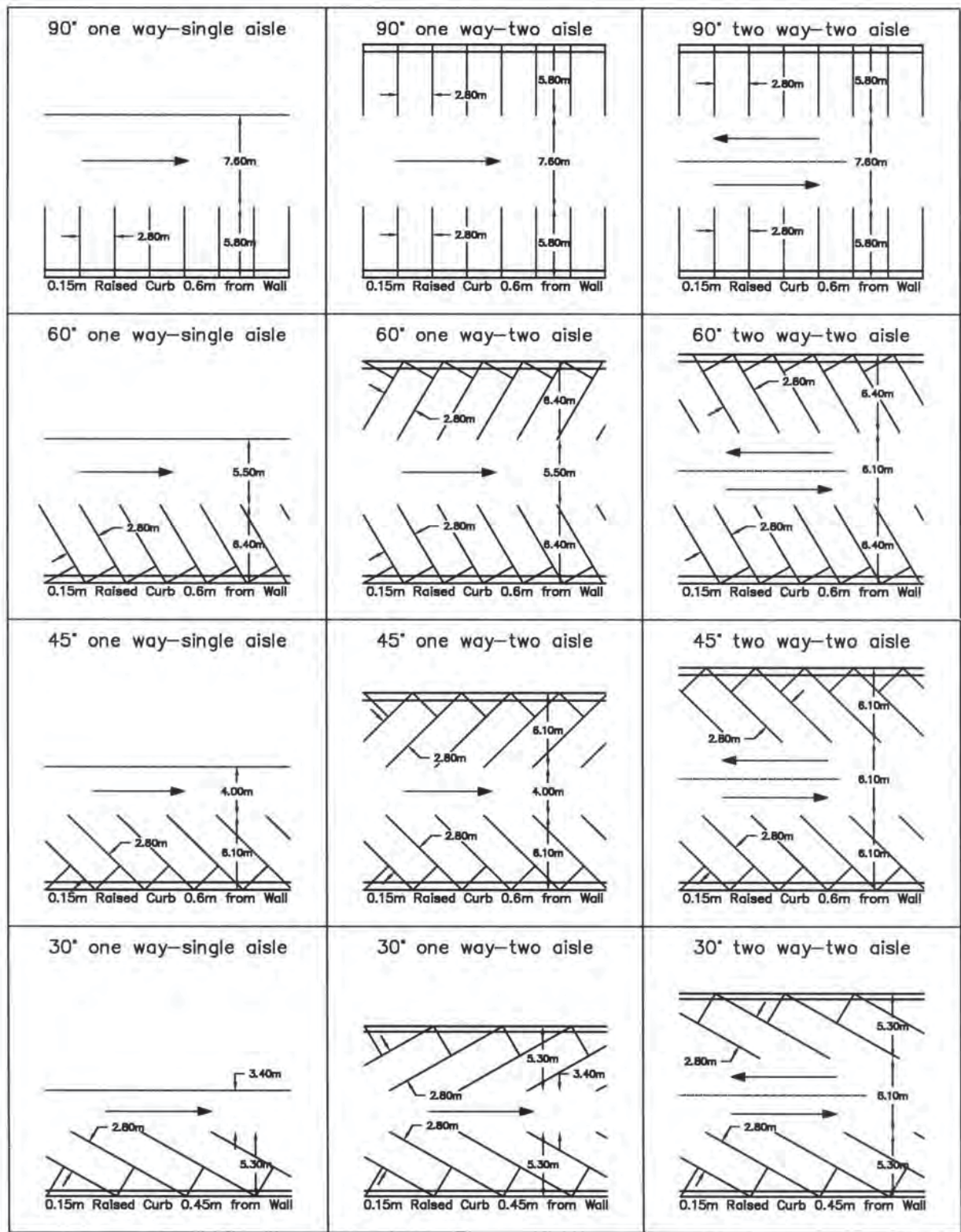
Development shall be allowed for parking spaces for compact automobiles providing that:

- (a) the minimum dimensions for the design of parking facilities shall be as set out in Figure 7.2.
 - (b) the compact automobile parking spaces account for a maximum of 15 percent of the total parking required.
 - (c) the compact automobile spaces are grouped together in a separate parking area designated for compact automobiles only.
 - (d) clear signage indicating that the stalls are for compact automobile parking are placed at the compact automobile parking stalls.
 - (e) small car parking stall are not permitted on multi-family developments.
- (BL 04/012)**

131.4 Markings and Barriers

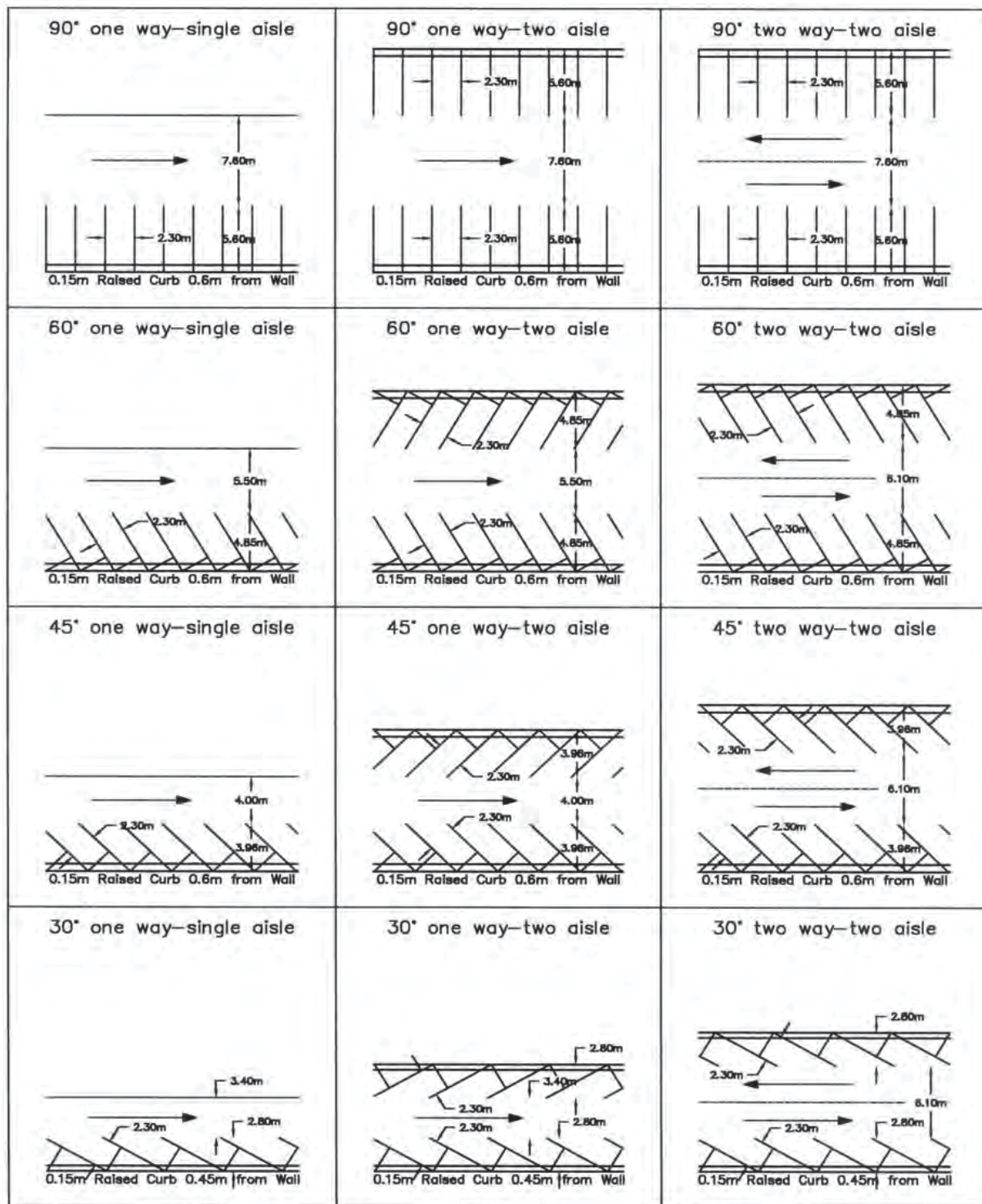
- (a) the portion or portions of a parking lot used for parking must:
 - (i) be marked off or physically divided to delineate clearly each parking stall, loading space or drive aisle;
 - (ii) have suitable barriers to prevent motor vehicles from encroaching onto landscaped areas and to protect fences, walls or buildings;
- (b) wheel stops shall not exceed 150 mm in height above the parking stall surface and shall be placed perpendicular to the parking stall depth, 600 mm from the front of the parking stall.

Figure 7.1 Parking Stall and Drive Aisle Requirements



Lib-parking

Figure 7.2 Small Car Parking Stall and Drive Aisle Requirements



131.5 Number of Parking Stalls Required

- (a) Where the calculation of the required number of parking stalls or loading spaces results in a fraction number of parking spaces, the next higher number shall be taken.
- (b) Where a development falls within 2 or more of the categories listed in this Part, it shall comply with all parking regulations applicable to all of the categories. The highest requirement shall be used.
 - (i) where intensification of development on an existing developed residential site is proposed, the development authority shall require as a condition of the development approval, that the existing development be modified to meet current parking stall number requirements under this Land Use Bylaw, as if the existing development was a new development. **(BL 00/082)**
- (c) “Maximum working shift” means the time period during which the greatest number of employees are required to be present at the development.
- (d) Parking stall requirements for uses other than those set out in this Part shall be determined by the Development Authority, having regard to similar uses for which specific parking stall requirements are set.
- (e) The on-site parking stalls requirement for a use shall be as follows:

Number of On- Site Parking Stalls Required:Accommodation/Food Establishments

Legend: GFA – Gross Floor Area

du - Dwelling Unit

| Land Use Accommodation: | Minimum Parking Requirement |
|--|---|
| Apartment Hotel | 1.25 stalls/guest room plus additional stalls in accordance with the parking requirements of this Part for any other uses which form part of the hotel/motel. |
| Lodging House | 1.25 stalls/guest room plus additional stalls in accordance with the parking requirements of this Part for any other uses which form part of the hotel/motel. |
| Hotel/Motel | 1 stall/ guest room plus additional stalls in accordance with the parking requirements of this Part for any other uses which form part of the hotel/motel. |
| Conference Rooms, Ballrooms, Banquet Rooms | 10 stalls/100 sq. m GFA, except 6 stalls/100 sq. m GFA when forming part of a hotel/motel development. |
| Food: | |
| DELETED (BL 05/013) | |
| DELETED (BL 05/013) | |
| DELETED (BL 05/013) | |
| Food Service, Major Restaurant | 1/3.5 m ² Public Floor Area (BL 05/013) |
| Food Service, Minor Restaurant | 1/3.5 m ² Public Floor Area (BL 05/013) |
| Food Service, Mobile Catering | 1 stall per employee (BL 05/013) |
| Food Service, Take Out | 1/3.5 m ² Public Floor Area (min. 3 stalls) (BL 05/013) |
| Food Service, Drive-In or Drive-Through | 1/3.5 m ² Public Floor Area (min. 3 stalls) (BL 05/013) |
| Drinking Lounge, Minor | 1/3.0 m ² Public Floor Area (BL 05/013) |
| Nightclub | 1/3.0 m ² Public Floor Area (BL 05/013) |

Businesses

Legend: GFA – Gross Floor Area

du - Dwelling Unit

| Land Use | Minimum Parking Requirement |
|--|--|
| Auto Dealership/ Auto Service | 2 stalls/100 sq. m GFA |
| DELETED (BL 08/001) | |
| Equipment and Repair Shop | 2 stalls/100 sq. m GFA |
| Industrial and Manufacturing Plants | 0.33 stall/employee on maximum work shift |
| Laboratories | 0.33 stalls/employee, minimum 5 stalls |
| Offices | 2.8 stalls/100 sq. m GFA |
| Professional Services | 2.2 stalls/100 sq. m GFA |
| Retail and Personal Services | 2.2 stalls/100 sq. m GFA; for stores on site 0.4 ha or larger use shopping centre requirements |
| Warehouse and Wholesale Establishments | 1.1 stalls/100 sq. m GFA up to 2000 sq. m GFA + 0.2 stalls/100 sq. m GFA thereafter |

Education/Government/Health Services

Legend: GFA – Gross Floor Area

du - Dwelling Unit

| Land Use | Minimum Parking Requirement |
|--------------------------------|---|
| Education Services: | |
| Elementary/Junior High Schools | 1 stall/employee + stalls for 15% of no. of employees for guest or 0.1 stalls/seat in gymnasium |
| Senior High School | 0.2 stalls/student +0.83 stalls/staff + 0.1 stalls/seat in gymnasium |
| College/University | 0.37 stalls/student |
| Technical College | 0.82 stalls/student |
| Commercial School | 0.67 stalls/student |
| Government Services: | |
| Government Services | 4.1 stalls/100 sq. m GFA |
| Library | 2.2 stalls/100 sq. m GFA |
| Health Services: | |
| Child Care Facility | 1 stall/employee on duty, minimum 4 stalls |
| Hospital | 1 stall/bed |
| Medical Clinic/Vet Clinic | 4 stalls/100 sq. m GFA |
| Nursing Homes | 0.2 stalls/bed |

Residential

Legend: GFA – Gross Floor Area
du - Dwelling Unit

| Land Use | Minimum Parking Requirement |
|---|--|
| Single Detached/ Semi-Detached/ Triplex/ Quadplex | 2 stalls/du |
| Townhouse/Cluster housing | 2 stalls/unit + 0.15 stalls/du for visitors (BL 04/012) |
| Apartment – Bachelor/1 Bedroom | 1 stall/du + 0.15 stalls/du for visitors |
| Apartment – 2 Bedroom | 1.5 stalls/du + 0.15 stalls/du for visitors |
| Apartment – 3 or more Bedroom | 2 stalls/du + 0.15 stalls/du for visitors |
| Senior Citizen Housing | 0.3 stalls/du |
| Mobile Home (in Subdivision) | 2 stalls/du |
| Mobile Home Park | 2 stalls/du + 0.15 stalls/du for visitors |
| Basement Suite | 1 stall/bedroom to a maximum of 2 stalls |
| Boarding House | 1 stall/rentable bedroom |
| Home Business | 1 stall |

Retail

Legend: GFA – Gross Floor Area
du - Dwelling Unit

| Land Use | Minimum Parking Requirement |
|---|--|
| General Retail: | |
| Convenience Store (BL 04/012) | 3.4 stalls/100 sq. m GFA |
| Discount Store | 4.2 stalls/100 sq. m GFA |
| Furniture/Carpet Store | 1.4 stalls/100 sq. m GFA |
| Hardware/Paint Store | 3.9 stalls/100 sq. m GFA |
| Liquor Store | 8.5 stalls/100 sq. m GFA |
| DELETED (BL 04/012) | |
| Service Station | 2 parking stalls plus 1 stall per service bay plus parking requirements for other uses (eg. convenience stores) (BL 04/012) |
| Supermarket | 4.1 stalls/100 sq. m GFA |
| Video Rental Store | 2.2 stalls/100 sq. m GFA |
| Shopping Centers: | |
| Shopping Center (over 55,000 sq. m GFA) | 5.8 stalls/100 sq. m GFA |
| Shopping Center (35,001 to 55,000 sq. m GFA) | 5.2 stalls/100 sq. m GFA |
| Shopping Center (up to 35,000 sq. m GFA) (BL 04/012) | 4.6 stalls/100 sq. m GFA |

Social/Recreational Services

Legend: GFA – Gross Floor Area
du - Dwelling Unit

| Land Use | Minimum Parking Requirement |
|--|---|
| Amusement Center/ Pinball Arcade/ Billiard Parlour | 10 stalls/100 sq. m GFA |
| Bingo Hall | 0.4 stalls/seat |
| Bowling Alley | 5 stalls/alley |
| Church | 10 stalls/100 sq. m GFA, with discretion use of adjacent sites |
| Curling Rink | 8 stalls/sheet of ice + 5 stalls for staff + 0.1 stalls/seat for spectators |
| Golf Course | 4 parking spaces per hole plus parking requirements for accessory uses (BL 04/012) |
| Health Spa/Sports Club | 4.7 stalls/100 sq. m GFA |
| Racquet Sports Facility | 4 stalls/court |
| Theatre and Cinema | 0.3 stalls/seat |

No variance from the on-site parking requirements in subsection 120.5(e), above, shall be granted.

132. On-Site Loading Requirements

- 132.1 A loading space shall be designed and located so that all vehicles using that space can be parked and maneuvered entirely within the bounds of the site before moving onto adjacent streets.
- 132.2 A loading space situated within a setback distance from a street or lane shall not be counted for the purposes of this section.
- 132.3 A loading space shall be a minimum width of 3.1 m and a minimum depth of 9.2 m and maintain a minimum overhead clearance of 4.3 m.
- 132.4 Minimum loading space dimensions may be changed by the Development Authority having regard to the types of vehicles that are likely to use the loading spaces.
- 132.5 Loading space requirements for uses other than those set out in this section shall be determined by the Development Authority, having regard to similar uses for which specific loading facility requirements are set.
- 132.6 Unless otherwise allowed by the Development Authority, the required on-site loading space for any use shall be as follows:

Required Number of Loading Spaces:

| Use of Building or Site | Minimum Number of Loading Spaces |
|---|----------------------------------|
| Drinking and Eating Establishments | 1 space per 9000 sq. m of GFA |
| Funeral Homes | 1 space per 9000 sq. m of GFA |
| Freight Terminals and Railroad Yards | 1 space per 2000 sq. m of GFA |
| Hospitals, Sanatoria and Welfare Institutions | 1 space per 9000 sq. m of GFA |
| Hotels | 1 space per 9000 sq. m of GFA |
| Industrial and Manufacturing Plants | 1 space per 2000 sq. m of GFA |
| Office Buildings | 1 space per 9000 sq. m of GFA |
| Public or Quasi-Public Buildings | 1 space per 9000 sq. m of GFA |
| Retail and Wholesale Establishments | 1 space per 9000 sq. m of GFA |
| Sports Arenas | 1 space per 9000 sq. m of GFA |
| Warehouses | 1 space per 2000 sq. m of GFA |

133. Off-Site Parking**133.1 Off-Site Parking - Commercial or Industrial Land Use Districts**

Notwithstanding Section 119.5(a) of this Part, in a commercial or industrial district, the Development Authority may allow for the provision of required parking stalls on a site other than the proposed development site provided that the following conditions are met:

- (a) the alternative site is within 100.0 m of the approved use, is used exclusively as a parking area and can be secured for a time period equal to that of the approved use.
- (b) there is a convenient walkway from the off-site parking to the development that is the subject of the development permit application;
- (c) the owner of the development proposing to use an off-site parking space has ownership and control of the site where the parking is proposed and has dedicated the site to parking for the benefit of the development in question.

In such cases, a condition of the development permit for the development may require that a restrictive covenant or caveat be registered against the title to the site on which parking spaces are located. The restrictive covenant or caveat shall stipulate that the parking spaces shall be maintained exclusively for the parking requirements of the development. The restrictive covenant or caveat may only be discharged with the Development Authority's approval.

133.2 Off-Site Parking Levy

The Development Authority shall not grant any variance from the parking standards in this Bylaw. The Development Authority, at their discretion, may permit an applicant to pay to the Municipality a payment equal to the cost of an equivalent public parking space provided elsewhere in the area up to a total of twenty (20) percent of the total required number. This money is to be used for the establishment of municipally owned parking spaces.

133.3 Underground Parkade (**BL 01/043, BL 05/011**)

- (a) Where any portion of a parkade is above grade that portion must comply with the building front, side and rear yard setback requirements for that district.
- (b) An underground parkade may be located closer to a property line than the principal building at the discretion of the Development Officer under the following conditions:
 - (i) A Development Officer may permit a parkade to encroach to the Property lines of the front, rear and side property lines provided the portion of the parkade roof deck is suitable for use as amenity space by a development permit. (**BL 09/019**)
 - (ii) No encroachments will be granted into registered easements or right of ways.
 - (iii) No encroachment will be permitted nearer than 1.0 m from any existing or proposed underground utility; and
 - (iv) In order to receive any encroachment consideration, detailed grading and building plans must be submitted along with as-built information on all underground utilities and written consultation statements from the franchise and municipal utilities.
- (c) A level stop zone (minimum 4.5 m) for a standard size vehicle is required to ensure that a vehicle exiting an underground parkade can safely stop without interfering with pedestrian safety.
- (d) The municipal boulevard, with the written approval of the Municipality, may be utilized as part of the level stop zone but shall maintain positive drainage to the streets shall not overlap the sidewalk and shall not obstruct the sight line of traffic or pedestrians.
- (e) Entrance ramps shall be accessed from within the property. The approval for an entrance ramp directly off a municipal road is at the sole discretion of Engineering Services Division.
- (f) The entrance ramp to an underground parkade shall commence at the property line and shall not be permitted to encroach onto the municipal road right of way or lane.

(BL 05/011)

134. Multi-Use or Mixed-Use Developments

- (a) Notwithstanding Section 119.5(a) of this Appendix, developments containing or providing for more than one use shall provide parking stalls and loading spaces equal to the sum of the requirements of individual uses, unless the applicant can otherwise demonstrate to the Development Authority through the use of a qualified Transportation Engineer that, there is a complementary or overlapping use of the parking facilities which would warrant a reduction in the parking requirements, and
- (b) Where a proposed use in a shopping centre has a higher minimum parking requirement than the minimum parking requirement for that shopping

centre under Section 131.5 of this Bylaw, the shopping centre must have sufficient on-site parking to accommodate the proposed use. **(BL 01/043)**

134.2 Combined or Shared Parking

- (a) The Development Authority may allow 2 or more developments to share parking spaces. Up to 20% of the required parking may be combined or shared parking.
- (b) Permission to share parking spaces may only be granted by the Development Authority in the following circumstances:
 - (i) the developments are in close proximity to each other and within 100 m of the site on which the parking spaces are located;
 - (ii) the demand for parking spaces for each development is not likely to occur at the same time;
 - (iii) the Development Authority is satisfied that the arrangement between the owners of the developments for the sharing of parking spaces is to be permanent unless an alternative permanent arrangement is made that is satisfactory to the Approving Authority; and
 - (iv) a legal agreement is provided and the parking arrangements are acceptable to the Development Authority. Any change of use requires a development permit and a new agreement. The Development Authority reserves the right to refuse an applicant not fully complying with parking requirements.

135. Vehicular-Oriented Uses

- (a) Vehicular-oriented uses shall include drive-in food services, gas bars, minor and major services stations, drive-through vehicular services and such developments providing drive-in services in which patrons generally remain inside their vehicles.
- (b) Vehicular-oriented uses shall be located only where the Development Authority is satisfied that the development will not adversely affect the functioning of surrounding public roadways.
- (c) The minimum site width shall be 30.0 m.
- (d) Queuing space shall be provided as follows:
 - (i) for drive-in food services, and other development having a service window, a minimum of 6 inbound queuing spaces shall be provided for vehicles approaching the service window;
 - (ii) for drive-through services, a minimum of 5 inbound queuing spaces shall be provided for each service bay, except that in the case of a complete service car wash a minimum of 9 inbound queuing spaces shall be provided for each bay.
 - (iii) each queuing space shall be a minimum of 5.5 m long and 3.0 m wide. Queuing lanes shall provide sufficient space for turning and maneuvering.

136. **Parking Spaces and Loading Zones for Disabled Persons**

Design Standards

(a) Locations:

- (i) Parking spaces for disabled persons shall be located as close as possible to elevators, ramps, walkways, and building entrances. They shall also be located so that persons in wheelchairs can access the building.
- (ii) Parking shall be arranged in such a way that users of wheelchairs are not required to pass behind parked cars.
- (iii) For conditions requiring more than two parking spaces for disabled persons, no more than two stalls shall be placed adjacent to each other. If there are several accessible building entrances, a stall shall be located near each entrance.

(b) Design and Construction - Parking Spaces

- (i) Parking stalls shall have minimum width of 2.3 m and length of 5.8 m. Access aisles of width of 1.5 m shall be placed on both sides of the stall. Parallel parking stalls shall be at least 7.0 m in length.
- (ii) Each parking stall shall be clearly identified by painting the international symbol of accessibility. The symbol shall be in white on a blue background and has minimum size of 1.0 m by 1.0 m.
- (iii) The access aisle shall be marked with diagonal striping with strip spacing of 0.6 m.
- (iv) The access aisle shall lead to a curb cut to the adjacent sidewalk connecting to a building entrance. The curb cut shall have a minimum width of 0.92 m and shall have a desirable slope of no more than 1:12. A maximum slope of 1:8 may be used with the permission of the Development Authority.
- (v) Parking stalls and the cross-slopes (in the longitudinal direction of the walk) of the sidewalk at the vicinity of the curb cut to the access aisle shall have a firm, slip-resistant and level surface with a maximum slope of 1:10. The areas of slope shall be painted with a non-skid yellow paint.
- (vi) Each parking stall shall be marked with a wheelchair symbol sign with the message "Permit Required", with black letterings on silver/white background, and shall have minimum dimensions of 450 mm by 610 mm. The sign shall be mounted at a height of at least 1.2 m from the pavement or sidewalk to the bottom of the sign and be positioned so as to be easily seen by drivers who are attempting to park.

(c) Design and Construction - Loading Zones

- (i) Loading zone shall be made for side or rear loading/unloading operations.

- (ii) Vehicles with side operating platforms which are 0.76 m wide by 1.05 m long can discharge patrons at sidewalk level. An area of 1.5 m by 1.5 m is required beyond the platform to allow a person in a wheelchair to turn around and move in a new direction.
 - (iii) A minimum height clearance of 3.0 m shall be provided for van type transporters.
 - (iv) A 0.92 m curb cut is needed for transporters with rear-mounted wheelchair lift.
- (d) Number of Parking Stalls Required:

Parking for disabled person shall be included as part of and not in addition to, the applicable minimum parking requirement. The following number of parking stalls for disabled persons shall be provided:

| | |
|--------------------------------|---|
| Office | 0.02 spaces per 100 sq. m GFA with a minimum of one (1) space. |
| DELETED (BL 08/001) | |
| Industrial | None, except spaces for employees needing them. |
| Restaurant | 0.28 spaces per 100 sq. m GFA with a minimum of 1 space. |
| Retail | 0.087 space per 100 sq. m GFA, with a minimum of 1 space. |
| Residential | 1 stall/11-25 parking stalls required 2 stalls/26-50 parking stalls required 3 stalls/51-100 parking stalls required 1 additional stall/additional increment of 100 parking stalls required (BL 08/001) |

- 137. Reserve for future use
- 138. Reserve for future use
- 139. Reserve for future use

PART 7A - Rural Service Area Sign Provisions (BL 01/068)

140. Establishment of Rural Service Area Sign Provisions

The following sign provisions shall be as set forth in PART 7A of this Bylaw, shall apply with respect to the Rural Service Area and may be amended in the same manner as any other part or section of this Bylaw.

141. General Rural Service Area Sign Provisions

141.1 Definitions

Notwithstanding any provision in Section 8 of this Bylaw to the contrary, the following terms in Part 7A shall be defined as follows:

AREA OF SIGN means the total superficial area within the outer periphery of the said sign, and, in the case of a sign comprised of individual letters or symbols, shall be calculated as the area of a rectangle enclosing the letters or symbols. Frames and structural members not bearing advertising matter shall not be included in computation of surface area;

BILLBOARD SIGN means a sign supported by one or more uprights, braces or pylons, which stands independently of a building and may or may not contain advertising copy related to the development within the parcel upon which the billboard sign is located;

BYLAW ENFORCEMENT OFFICER means any Bylaw Officer appointed by the Regional Municipality of Wood Buffalo and includes a member of the Royal Canadian Mounted Police and/or a Special Constable;

CANOPY SIGN means a canopy or awning, which may be illuminated, and which projects from a structure or building and displays the building or proprietor's identification;

COMPREHENSIVE SIGN DESIGN PLAN means a coordinated signage design undertaken by one lot owner/developer or the owners/developers of two or more contiguous lots or on multiple tenant properties. Design coordination may include, but is not limited to, colour, area, shape, illumination, placement, and copy font size and style;

ELECTION SIGN means a sign connected with a municipal, school board, provincial or federal election or any election held pursuant to the Local Authorities Election Act, including, but not limited to, signs describing or promoting the election process or a candidate or party seeking election; **(BL 12/004)**

FASCIA SIGN means a sign, plain or illuminated, running parallel for its whole length to the face of the building to which it is attached, but in no case does its vertical dimension exceed 1.5 m;

FREESTANDING SIGN means a sign supported by one or more uprights, braces or pylons and which stands independently of a building and contains only advertising copy related to the development within the parcel upon which the freestanding sign is located;

MURAL means a graphic design, or artwork, painted directly on to a structure, which does not convey an advertising message and does not include a fascia sign or an identification logo;

PORTABLE SIGN means a sign with a total area on one face of no greater than 4.6 m² mounted on a frame or on a trailer, stand or similar support which together with the support can be relocated to another location, and may include a copy that can be changed manually through the use of detachable characters;

PROJECTING SIGN means a sign other than a canopy or awning sign which projects at right angles from a structure or a building face or wall. This does not include a sign attached to the ground;

ROOF SIGN means any sign erected upon, against or directly above a roof or on top of or above the parapet wall of a building;

SIGN means an **object** or device intended for the purpose of advertising or calling attention to any person, matter, or event;

SUBDIVISION DIRECTIONAL SIGN means a temporary sign for guiding or directing pedestrian or vehicular traffic to a new subdivision, new home areas or show homes, which may **incorporate** small banners and flags;

SUBDIVISION MARKETING SIGN means a temporary sign placed at the entrance to a new subdivision for the purpose of promoting vacant lots, new home areas or show homes, which may incorporate small banners or flags;

TEMPORARY SIGN means a sign which may or may not be portable in nature, and which is located on a parcel for a limited or specified period of time;

THIRD PARTY IDENTIFICATION SIGN means a sign that advertises goods, products, services or facilities, or directs persons to a different location from where the sign is located. Such a sign is not located on the parcel of the goods, products, services or facilities advertised;

UNDER-CANOPY SIGN means a sign, which is attached to the bottom face of a canopy;

WALL SIGN means a sign that is attached to or placed flat against the exterior wall or surface of any building, no portion of which projects more than 0.1 m from the wall and which does not project above the roof or parapet;

141.2 Sign Development Permit Application Requirements

In place of Section 22 of this Bylaw, a development permit application for a sign must be completed and shall be accompanied by the following:

- (a) The name(s), address(es) and telephone number(s) of the sign owner(s).
- (b) Evidence satisfactory to the Development Officer that the application is authorized by the registered owner(s) of the site. So the Development Officer can determine ownership, a copy of the current title for the land that is the subject of the application must accompany the application.

{Note: An application for a sign permit must be signed by the registered owner of the property on which the sign is to be located. In signing the application, the landowner accepts responsibility for the sign and gives to the Municipality the right to enter the property for any enforcement procedures that may be necessary under Part 3 of this Bylaw.}

- (c) The associated sign development permit fee.
- (d) Two copies of the site plan drawn to scale and showing:
 - (i) the scale of the plan;
 - (ii) the north arrow;
 - (iii) a municipal address and legal description of the lot or building on which the sign is to be erected, altered, relocated;
 - (iv) the location of the proposed sign on the lot or building;
 - (v) the distance from the sign to property lines, roadway intersections, traffic control devices and from access points to the property;
 - (vi) the distance from the sign to buildings and other signs on the property;
 - (vii) distances to aerial power lines from freestanding and roof signs;
- (e) Two copies of sign plans drawn to scale showing:
 - (i) the dimensions of the sign;
 - (ii) for a fascia sign, the amount of projection from the face of the building;
 - (iii) the method of attachment and character of the structure to which attachment will be made;
 - (iv) projection over a right-of-way or municipal property, where applicable;
 - (v) the height of the sign measured from grade to the underside of the sign.
- (f) Two copies of building elevations where the sign will be attached to a building.
- (g) Any other information as may reasonably be required by the Development Officer.
- (h) Comprehensive Sign Design Plan
 - (i) A Development Officer may require, or an owner/developer may request, a comprehensive sign design plan as part of a development permit for a commercial or industrial development in accordance with the following:
 - (A) proposed signs within the site shall be consistent with each other in terms of their design, suitable for the land use district within which they are or proposed to be located and compatible in terms of design with the existing or proposed buildings with which they are or proposed to be associated;
 - (B) the overall area of the signs governed by the comprehensive sign design plan shall not exceed the total combined area of that which would be allowed if each sign were being considered individually within the site;
 - (C) there would be a greater degree of visual harmony in the resulting signage as compared to what might be

achieved through the application of individual, specific sign regulations.

- (ii) Once a comprehensive sign design plan is approved, no sign governed by the comprehensive sign design plan shall be constructed or maintained in a manner contrary to the comprehensive sign design plan.
- (i) For the purposes of Part 7A, a multiple tenant sign refers to a single sign and requires one development permit.
- (j) The development permit application shall be considered to have been received by the Development Officer when the required fee as well as all of the information required pursuant to this subsection has been accepted by the Development Officer as being sufficient quantity and quality to enable evaluation of the application. If the fee and all the required information, as listed in this Bylaw, are not provided, the Development Officer shall not accept the application.
- (k) For the purposes of Section 26 of this Bylaw, all development permit applications for signs shall be decided by the Development Officer.
- (l) The Development Officer may modify, suspend or cancel a development permit:
 - (i) which has been obtained by fraud or misrepresentation, or by failure to disclose pertinent or correct information at the time of application;
 - (ii) which has been issued in error; or
 - (iii) when the development is not consistent with the development permit issued.
- (m) A development permit expires when the constructing and erecting of a sign is not completed within twelve months from the date of its issuance or such period specified in the development permit in a manner satisfactory to a Development Officer or in the case of portable signs, when the permit expires as indicated on the approval.
- (n) Upon application for an extension, a Development Officer may grant an extension of the effective period of a Development Permit only once.
- (o) When a development permit expires, a new application is required together with the required fee. Such application shall be dealt with as a first application and there is no obligation to approve an application on the same basis that a previous development permit had been issued.

141.3 Sign Development Permit Fees

- (a) A Development Permit fee, as amended by a resolution of Council from time to time, shall accompany each application for a sign development permit. The application fees for sign development permits are indicated in Appendix “B” of this Bylaw. (Note: an amendment to this Bylaw pursuant to Section 692 of the Act is not required should Council wish to alter the sign development permit fees.)
- (b) The fees described above allow for one review of plans or field inspection to the initial sign application. Where additional review of structural

drawings or field inspections, as may be determined by the Development Officer, is required to complete the final approval, an additional fee per inspection equal to the original permit fee may be charged.

- (c) Where a sign application has been approved or refused, no sign application fee shall be refunded. If, however, the application is withdrawn prior to approval or refusal by the Municipality, the Development Officer may refund to the applicant up to 50% of the fee paid.
- (d) Should any person erect a sign or commence work preparatory to erecting a sign without first obtaining a permit, such person shall, before issuance of the permit, be subject to and make payment of double the amount determined under Appendix "B", in addition to any penalty which may be imposed in respect to the contravention.

141.4 All signs shall require a development permit unless otherwise specified under this Bylaw.

141.5 Signs Not Requiring a Permit

Subject to any provisions under Sections 69 and 70 to the contrary, no permit is required for the following signs provided they comply with this Bylaw:

- (a) In all land use districts, a sign which is posted or exhibited inside a building.
- (b) A sign posted or exhibited in or on an operating motor vehicle or trailer unit if the motor vehicle or trailer unit is not temporarily or permanently parked solely for the purpose of displaying the sign.
- (c) Temporary advertisement not exceeding 2.0 m² relating to the sale of goods or livestock, the carrying out of building or similar work, announcement of any local event of a religious, educational, cultural, political, or similar character provided that all such temporary advertisements shall be removed by the advertiser within fifteen (15) days of the completion of the event or works to which such signs relate.
- (d) A statutory or official notice of a function of, or activity lawfully allowed to be undertaken by the Municipality.
- (e) A traffic or directional sign authorized by the Municipality or Alberta Transportation.
- (f) **DELETED (BL 12/004)**
- (g) Subject to Section 141(8), a temporary sign if the temporary sign:
 - (i) is limited to advertising a lawn sale, garage sale or other special event;
 - (ii) is located on private property or is to be situated within a roadway right-of-way or other public property authorized for such purposes by the Municipality;
 - (iii) is not larger than 0.55 m²; and
 - (iv) is removed from the parcel or roadway right-of-way or other public property authorized for such purposes by the Municipality within 72 hours of it being erected on the parcel.

- (h) Subject to Section 141(8), a temporary sign if the temporary sign:
 - (i) is limited to advertising the location of real estate for the purposes of public viewing together with the name/logo of the associated realtor(s)/real estate company(ies);
 - (ii) is not larger than 0.55 m²; and
 - (iii) is removed within 72 hours of it being erected.
- (i) Other temporary signs, not defined in Sections 141(5)(g) and (h), if all provisions and requirements of Section 149(5) are met.
- (j) A sign that is posted or exhibited solely for the identification of the land or building on which it is displayed including signs for professional, corporate or trade nameplates identifying the occupants, if the sign:
 - (i) does not exceed 1.0 m² in area; and
 - (ii) is posted only at each entrance from which access from a public roadway to the building is provided.
- (k) A sign that is posted or exhibited for sale, lease or rental of land or a building if the sign:
 - (i) is 3.0 m² or less in area; and
 - (ii) is posted only on each side of the building or land facing a different public roadway.
- (l) A sign of a building contractor relating to constructional work in progress on the land on which such signs are erected, provided that:
 - (i) such signs shall be removed within fourteen (14) days of the issuance of an occupancy permit; and
 - (ii) such signs shall be limited in size to a maximum of 4.0 m² and limited in number to one sign for each boundary of the parcel under construction which fronts onto a public road.
- (m) A subdivision marketing sign provided the sign:
 - (i) is wholly located within the subdivision being marketed;
 - (ii) is free-standing;
 - (iii) is not illuminated;
 - (iv) does not exceed 12 m² in sign area;
 - (v) does not exceed 5 m in sign height;
 - (vi) there are not more than two (2) subdivision marketing signs per site; and,
 - (vii) the sign is removed within 14 days after the completion of sale of all the lots in the subdivision, or within 14 days after the sale of all condominium units, or within 14 days after the construction of a new rental unit complex is completed. (Note: If required, a real estate sign may replace a subdivision marketing sign 14 days after the construction of a new rental unit complex is complete.)
- (n) A subdivision directional sign provided the sign:
 - (i) is located at the nearest road intersection to the subdivision being marketed and/or on a public utility lot or major road authorized for such signs by the Municipality, provided approval of the

landowner of the property on which the sign is to be placed is obtained (in the case of private land), and the siting, aesthetic quality and appearance criteria of this Bylaw (and any established pursuant to the authorization granted by the Municipality) are satisfied;

- (A) is free-standing;
- (B) does not exceed 3 m² in sign area;
- (C) does not exceed 3 m in sign height;
- (D) is not located on any median, traffic control device or within 30 m from any major road intersection; and,
- (E) the sign is removed within 14 days after the completion of sale of all the lots in the subdivision, or within 14 days after the sale of all condominium units, or within 14 days after the construction of a new rental unit complex is completed.

141.6 Non-Conforming Signs

- (a) If a development permit for a sign has been issued on or before the day on which this Bylaw comes into force in the Municipality and amending Bylaw No. 01/068 would make the sign in respect of which the permit was issued a non-conforming use, the development permit continues in effect in spite of it coming into force of Amending Bylaw No. 01/068.
- (b) A non-conforming sign may be continued but if that use is discontinued for a period of six (6) consecutive months or more, any future sign use must conform with the provisions of Amending Bylaw No. 01/068.
- (c) A non-conforming sign may not be enlarged, altered, added to, and no structural alterations may be made to it or in it,
 - (i) except to make it a conforming sign;
 - (ii) for routine maintenance of the sign if the Municipality considers it necessary; or
 - (iii) in accordance with a bylaw that provides minor variance powers to the development authority for the purposes of this Section.
- (d) If a non-conforming sign is damaged or destroyed to the extent of more than 75 % of the value of the sign, the sign may not be repaired or rebuilt except in accordance with the provisions of Amending Bylaw No. 01/068.
- (e) Portable signs for which a sign development permit has been issued prior to the passage of Amending Bylaw No. 01/068 shall remain valid until expiry of the permits. These signs shall bear the required stickers in order to remain valid.
- (f) Portable signs in existence before the passage of amending Bylaw No. 01/068, for which no sign development permits have been issued shall be removed within 30 days of the passage of amending Bylaw No. 01/068.

141.7 Development Permit Appeals Related to Signs

Appeals from decisions on development permits concerning signs, as with any other development permit appeals, shall be subject to the development permit appeal provisions of this Bylaw and the Municipal Government Act.

141.8 A permit for a sign may be issued if:

- (a) the sign, with the exception of billboard signs and third party identification signs, as provided for in Sections 143 and 144 of this Bylaw, only advertises or draws attention to goods or services sold or provided on the parcel on which the sign is located; or
- (b) the sign is an announcement for a community event and will be removed within 72 hours of that event, if so required by the Development Officer; or
- (c) the sign is for the identification of a neighbourhood and is to be placed at the major entry points of the neighbourhood; or
- (d) the sign is for the identification of subdivisions (or portions thereof), land use districts or layouts of a geographic location; and

the sign is specifically permitted by this Bylaw and complies with this Part of the Bylaw in all respects.

141.9 The Development Officer may require an engineer-approved plan prior to the issuance of a permit for a sign to ensure the safe design and placement of a sign, awning or canopy.

141.10 Quality, aesthetic character and finishing of sign construction shall be to the satisfaction of the Development Officer.

141.11 No person shall erect or place a sign so that it would be considered, in the opinion of the Development Authority, to be a traffic hazard or obstruct the vision of vehicular traffic.

141.12 The maximum area of any sign under Part 7A shall be 18.5 m².

141.13 Except as otherwise specified in this Bylaw, all signs shall adhere to the building height requirements stipulated in the land use district in which the sign is located and there shall be strict adherence to the Fort McMurray Airport Vicinity Protection Area Regulations.

141.14 Where, in the opinion of the Development Officer, a proposed sign on a commercial or industrial property might be objectionable to a resident in any adjacent residential land use district, the Development Officer may impose such other regulations as they feel would protect the interests of residents including but not limited to periodic checks of the light being directed by a lighted sign as well as controlling the hours that lighted signs remain lighted.

141.15 Flashing, animated or interiorly illuminated signs shall not be permitted in any land use district where, in the opinion of the Development Officer, they might:

- (a) affect residents in adjacent housing or residential land use districts, or
- (b) interfere with or obstruct a motor vehicle driver's vision or interpretation of oncoming traffic signs or traffic signal lights.

141.16 Notwithstanding Section 141(15), no person shall exhibit or place an illuminated sign that permits or provides for:

- (a) A current interrupting or flashing device unless there is a continuous source of concealed illumination on the translucent portions of the sign.
- (b) A flashing beacon of a type that is the same or similar to those used by emergency vehicles.
- (c) A flashing device, animator or revolving beacon within 50.0 m of the intersection of two or more public roadways.
- (d) A device described in Section 141.16(c) that would be directly visible from any residential building within a distance of 50.0 m of the sign.

141.17 The area around sign structures shall be kept clean and free of overgrown vegetation and free from refuse material.

141.18 The Development Officer may require the removal of any sign, at the sole expense of owner/developer, which is or has become unsightly or is in such a state of disrepair as to constitute a hazard.

141.19 All applications for signs within 0.8 km of Highways #63, #69 and #881 shall be referred to Alberta Transportation for their review and consideration and all of their requirements/regulations will be strictly adhered to by the Development Officer.

141.20 The Development Officer may require an encroachment agreement in the case of any permanent sign such as a freestanding sign, awning sign, canopy or under-canopy sign, projecting sign, roof sign, fascia sign or wall sign currently within or, due to unique on-site circumstances, required to be within property owned/under the control of the Municipality, including rights-of-way.

141.21 Non-Compliance/Contravention and Enforcement

- (a) The Development Officer and/or the Bylaw Enforcement Officer is empowered to enforce Part 7A, and may order any person:
 - (i) to discontinue or refrain from proceeding with any work or doing anything that is in contravention of Part 7A;
 - (ii) to carry out any work or do anything to bring a sign into conformity with Part 7A; or
 - (iii) to repair, alter or remove any sign, as provided by Part 7A.
- (b) If after the issue of an Order under Section 141.21(a) above, the steps required to be taken by the Order are not carried out within the time specified in the Order, the Development Officer and/or Bylaw Enforcement Officer may, without further notice, cause any sign which is the subject of such an Order pursuant to this Section, to be removed and impounded. The Development Officer shall release any impounded signs upon payment to the Municipality of an impounded fee of \$150.00 plus a storage fee of \$5.00 per day for the length of time that the signs remain impounded. Upon the expiry of thirty (30) days, the impounded sign becomes the property of the Municipality, and shall be treated as lost or unclaimed property pursuant to Section 610 of the Municipal Government Act. Redemption of a sign following impoundment shall not be deemed to be an admission by a sign owner that the sign contravened any provision of Part 7A or any other relevant provision of this Bylaw.

- (c) Any person who:
- (i) contravenes or fails to comply with any provision of Part 7A or any other relevant provision of this Bylaw or any permit issued hereunder;
 - (ii) causes or suffers or permits any act or thing to be done in contravention of, or in violation of, any provision of Part 7A or any other relevant provision of this Bylaw;
 - (iii) neglects or refrains from doing anything required to be done by any provision of Part 7A or any other relevant provision of this Bylaw; or,
 - (iv) obstructs or hinders any person in the performance of his duties under any provision of Part 7A or any other relevant provision of this Bylaw,
- is guilty of an offence and is liable to a penalty under the provisions of the General Penalties Bylaw of the Municipality.
- (d) Violation Ticket
- (i) A Bylaw Enforcement Officer is hereby authorized and empowered to issue a Violation Ticket to any person who the Bylaw Enforcement Officer has reasonable and probable grounds to believe has contravened Part 7A or any other relevant provision of this Bylaw.
 - (ii) A Violation Ticket may be issued to such person, under the provisions of the General Penalties Bylaw of the Municipality.
 - (iii) Where a breach of Part 7A or any other relevant provision of this Bylaw continues for more than one day, a Bylaw Enforcement Officer may issue one Violation Ticket for each day that the offence continues.
 - (iv) Where a Violation Ticket is issued pursuant to this Section, the person to whom the Violation Ticket is issued may, in lieu of being prosecuted for the offence, pay to the Municipality's Treasurer the penalty specified in the Violation Ticket. Payment of a Violation Ticket does not relieve a person from complying with the provisions of Part 7A or any other relevant provision of this Bylaw.

142. Awning and Canopy Signs (Illustration #1 & 2)

- 142.1 Subject to Section 142(2), awning or canopy signs may be allowed in all land use districts excepting the CR - District, SH - District, HG - District, HR - District, SE - District and any other residential land use district in any hamlet.
- 142.2 In the CR - District, SH - District, HG - District, HR - District, SE - District and any other residential land use district in any hamlet, awnings or canopies shall not be attached to or be constructed so as to be considered a part of any sign other than a house or multiple-household dwelling name sign.
- 142.3 The awning or canopy sign shall have a clearance of not less than 3.0 m between the bottom of the canopy or awning and the sidewalk, walkway or ground level.

- 142.4 Where the front portion of a building extends or is allowed to extend out to the front property line, the canopy or awning sign shall not project more than 2.0 m over the sidewalk and in no case shall any support pillar/pole forming part of the awning or canopy sign project beyond the front property line.
- 142.5 Notwithstanding Sections 142.3 and 142.4, no canopy sign shall be permitted where, in the opinion of the Development Officer, the canopy or awning obstructs the free movement or access to pedestrians, vehicles or repairs to overhead utility lines.
- 142.6 The print or lettering of awnings and canopies in all land use districts shall be restricted to identification of the building name or the proprietor's identification.

143. Billboard Signs (Illustration #3)

- 143.1 A development permit for a billboard may be approved by the Development Officer in the A-District, HC-District, BI-District and the C4-District who shall take into consideration the following aspects in ensuring the proper design, character, location and construction of billboard signs: **(BL 04/016)**
- (a) Billboard signs must be compatible with the general architectural lines and forms of adjacent development as well as the nature and function Highways #63, #69, #881 and Airport Road. **(BL 04/016)**
 - (b) All billboard signs must be of high quality construction.
 - (c) Given the importance of the image created by such signs, the amount of advertising copy thereupon should be kept to an absolute minimum and be of high quality, especially where located next to Highways #63, #69, #881 and Airport Road. **(BL 04/016)**
 - (d) All billboard signs must be positioned so that they do not severely obstruct the horizon line when viewed from vehicular traffic traveling past them from any direction.
- 143.2 A billboard may only contain poster panels or bulletins up to 3.0 m by 6.0 m in size.
- 143.3 The advertisement copy may be posted, glued, painted or otherwise fastened to the billboard in order to permit periodic replacement.
- 143.4 A billboard facing, including border and trim but excluding the base, apron, supports or other structural members shall not exceed 18.5 m² in area.
- 143.5 The maximum size of a billboard referred to in Section 143.4 applies to each facing of a billboard structure and facings may be placed back-to-back or in a V-shaped configuration.
- 143.6 A billboard sign shall not be located within a minimum distance of 150.0 m from any other billboard sign on the same side of the road.
- 143.7 Notwithstanding Section 143.6, a billboard sign shall not be located within a minimum distance of 30.5 m from another permanent sign.
- 143.8 A billboard sign shall not project within 5.0 m from the property line.
- 143.9 No part of any billboard sign shall be more than 9.1 m or less than 3.0 m above grade.
- 143.10 A billboard shall be located a minimum of 150 m from an intersection.
- 143.11 The Development Officer shall ensure that a billboard located at the intersection of any roadway with another public roadway is setback an appropriate distance for the purposes of safe and efficient movement of traffic.

- 143.12 Billboard facings may be illuminated by a constant source of light only, and shall not be lit by a flashing, animated or intermittent light source.
- 143.13 Notwithstanding Section 143.1, in the case of community-oriented or public service-type billboards, the Municipality may authorize the placement of such billboards on public roadways within any land use district having regard for the provisions of Section 143.

144. Fascia/Wall Signs and Murals (Illustration #4 & #6)

- 144.1 Wall and fascia signs may be allowed in all land use districts, excepting the A-District, CR - District, SH - District, HG - District, HR - District, SE - District and any other residential land use district in any hamlet, wherein it may be permissible to have one non-illuminated fascia sign or nameplate to identify a home business in accordance with Section 70 of this Bylaw. **(BL 06/023)**

Fascia Signs: (Illustration #4)

- 144.2 One fascia sign only will be permitted to indicate the name and nature of the occupancy for each occupant within the development. The sign shall not exceed a height of 1.5 m and a horizontal dimension greater than the length of the bay, which the proprietor's sign identifies. The fascia sign shall not exceed 25% of the building face or bay, which the sign identifies.
- 144.3 Subject to the provisions of Part 7A, fascia signs in land use districts other than residential land use districts are permitted and do not require a development permit provided that the sign:
- (a) is placed below any second storey windowsill or any third storey windowsill, or at the roofline of a building with more than three storeys;
 - (b) in the absence of any second and third storey windows, the sign may be placed to the roofline;
 - (c) on a single storey building or a building with no windows, the sign may be placed to the roofline, provided that the sign does not exceed 30.0 m²;
 - (d) does not extend more than 0.3 m perpendicularly from the supporting wall;
 - (e) has a minimum clearance height of 2.7 m from the bottom of the sign to the finished grade unless the sign projects more than 0.15 m and is placed over a lane, loading area, or parking lot, in which case the minimum vertical clearance must be 4.4 m; and,
 - (f) may be illuminated but shall not be a flashing sign except for a fascia sign attached to a movie theatre or any such entertainment facility.
- 144.4 Notwithstanding Section 144.2, developments which are considered by the Development Authority to be double fronting may apply for a fascia sign permit for the second fronting building face.
- 144.5 Notwithstanding Section 144.2, in developments containing more than two storeys, fascia signs shall only be permitted on the building face below the third storey offices and bays.

Wall Signs: (Illustration #6)

- 144.6 A wall sign in a commercial or industrial land use district shall not exceed an area of more than 35% of the wall to which it is attached.

144.7 Only one wall sign shall be allowed per building face and the advertising copy thereof/thereupon shall be limited to business identification (ie: logo and/or business name) only. The wall sign provided for herein may be a multiple-tenant sign but the advertising copy thereof/thereupon shall still be limited to business identification (ie: logo and/or business name) only.

144.8 A wall sign shall not extend beyond the limits of the wall to which it is attached.

144.9 Notwithstanding Sections 144.2 and 144.5, fascia and wall signs for a commercial or industrial building containing more than one bay shall maintain the same character and size of sign throughout the building face and from bay to bay.

Murals: (Illustration #6)

144.10 Notwithstanding Sections 144.5, a mural, not to be used to advertise the business within the building upon which the mural is painted or any other business, may encompass 100% of the wall to which it is painted provided that the mural complies with Section 56 of this Bylaw.

145. Freestanding Signs (Illustration #5)

145.1 Freestanding signs may be allowed in the A-District, CR - District, SH - District, HG - District, HR - District, SE - District and any other residential land use district in any hamlet under the following special provisions: **(BL 06/023)**

- (a) one identification freestanding sign may be allowed to identify the name of multi-household complex, manufactured home community or a multi-parcel country residential subdivision, and which does not:
 - (i) exceed 3.0 m² in area; or
 - (ii) project within 0.6 m from the property line; or
 - (iii) exceed 3.5 m in height.
- (b) Freestanding signs identifying the name of the community, neighbourhood or subdivision shall blend in with the architecture or development theme of the surrounding area.
- (c) A neighbourhood identification sign shall not contain an advertisement in any form but may contain the name or logo of the company or companies, which developed the neighbourhood.

145.2 Within all other land use districts, the following shall apply:

- (a) One freestanding sign may be allowed per parcel and where a parcel has in excess of 90.0 m of frontage, one additional freestanding sign may be erected for each additional 90.0 m, or portion thereof, of road frontage abutting the developed portion of the said parcel.
- (b) Where a parcel is considered to be double fronting by the Development Authority, each frontage may have a freestanding sign provided that the signs are no closer than 90.0 m apart.
- (c) Subject to Section 145.2(d), the maximum height of all freestanding signs shall not exceed 9.1 m above grade.
- (d) In the case of a freestanding sign on a parcel adjacent to Highways #63, #69 and #881, and within 50.0 m of the edge of the right-of-way, no part of

any freestanding sign shall be more than 9.1 m or less than 3.0 m above the grade of Highways #63, #69 and #881.

- (e) No sign permit shall be issued for any freestanding signs unless the area of the sign is less than 7.5 m² for the first 20.0 m of lineal frontage of the parcel upon which it is located, plus 1.0 m² for each additional 10.0 m of lineal frontage, up to a maximum of 14.0 m².
- (f) The freestanding sign shall not project within 2.0 m of overhead utility lines.
- (g) Freestanding signs may rotate at a number of revolutions per minute or consist of a "readograph" electronic message display system as determined by the Development Authority, who shall consider relevant traffic safety variables and legislation.

146. Projecting Signs (Illustration #6)

146.1 In all land use districts excepting the CR - District, SH - District, HG – District, HR - District, SE - District and any other residential land use district in any hamlet, a projecting sign may be permitted by the Development Authority in accordance with the following:

- (a) For any building located less than 6.0 m from the property line, not more than one projecting sign, 2.3 m² or less in area, shall be erected.
- (b) No part of an illuminated sign shall:
 - (i) extend more than 1.0 m above the top of the vertical face of the wall to which it is attached;
 - (ii) extend more than 2.5 m from the face of the building; or
 - (iii) be less than 3.0 m above ground or sidewalk grade.
- (c) The space between the sign and supporting wall shall not be more than 0.6 m.
- (d) There shall be only one projecting sign for each business frontage, provided that if a business frontage shall exceed 15.0 m, a further projecting sign be permitted for each additional 15.0 m or portion thereof.
- (e) Subject to Section 146.1(a), the permitted area of the sign shall be related to the amount of projection from the face of the building, as follows:

| Amount of Projection | Maximum Area of Sign |
|----------------------|----------------------|
| 2.5 m | 2.3 m ² |
| 2.1 m | 2.6 m ² |
| 1.8 m | 3.2 m ² |
| 1.5 m | 4.5 m ² |
| 1.2 m | 5.6 m ² |
| 1.0 m or less | 7.0 m ² |

Note: The area of the sign shall be computed exclusive of supports and structural members provided that such supports and structural members are

free of advertising and are so constructed that they do not form part of the advertisement;

147. Roof Signs (Illustrations #7 & #8)

- 147.1 Roof signs may be allowed in all land use districts except the CR - District, SH - District, HG - District, HR - District, SE - District and any other residential land use district in any hamlet.
- 147.2 No roof sign shall exceed a height of 4.0 m as measured from the top of the roof sign to the top of the roofline or parapet.
- 147.3 No roof sign shall exceed 4.0 m² in area.
- 147.4 No portion of a sign shall overhang the roof on which it is located.
- 147.5 No supporting structures shall be visible to the public unless finished in an aesthetically pleasing manner to the discretion of the Development Officer.

148. Third Party Identification Signs

- 148.1 Third party identification signs may be allowed in the HC – District, C-4 District and BI – District subject to the provisions below.
- 148.2 Third party identification signs must be freestanding signs and meet the provisions of Section 145 above, and:
 - (a) no third party identification sign is to be located within 100.0 m of any other third party identification sign; and,
 - (b) the third party identification sign must be within 250.0 m of the business, organization or activity to which the sign refers.
- 148.3 The Development Officer shall require that a copy of the title for the property on which the third party identification sign is to be located accompanies the development permit application as well as evidence, in a form satisfactory to the Development Officer, that the owner of the property on which the third party identification sign is to be located has authorized its placement.

149. Temporary and Portable Signs (Illustration #9)

- 149.1 Intent
 - (a) Temporary and portable signs are intended to cater to on-site advertising of a temporary nature. They are not intended to be used as permanent advertisement for a business.
- 149.2 Temporary and portable signs may be approved in all land use districts excepting the CR - District, SH - District, HR - District, SE - District and any other residential land use district in any hamlet in accordance with the following provisions.
- 149.3 Subject to Section 149.7(d), The Development Officer may allow one temporary or portable sign (not both) per parcel announcing a special event, sale, relocation of a business, new business, or the future proposed development of a building or structure, or other function.
- 149.4 The area of the advertising surface of a temporary or portable sign referred to in Section 149.2 shall be at the discretion of the Development Officer but in no case shall it exceed 9.2 m² with no more than 4.6 m² on one side.

- 149.5 Temporary and portable signs must be wholly located within property boundaries and be set back a minimum of 3.0 m from a road.
- 149.6 A permit granted for a sign under Section 149 shall specify the period of time during which the sign is permitted to be exhibited.
- 149.7 No person shall:
- (a) locate a temporary or portable sign so that it causes a traffic hazard, or conflicts with parking, loading, or walkway areas;
 - (b) in any land use district, locate a temporary or portable sign within the sight triangles indicated in Figure 58.2 of this Bylaw;
 - (c) locate a temporary or portable sign within roadway rights-of-way or on public property, except where such roadway rights-of-way or other public property has been authorized for such purposes by the Municipality;
 - (d) locate a sign within 25.0 m of another temporary or portable sign on the same frontage of the same parcel. Where a parcel is considered to be double fronting by the Development Officer, each frontage may have one temporary or portable sign (not both), provided that the signs are not closer than 25.0 m apart;
 - (e) erect or place on a parcel a temporary or portable sign if it has a flashing device, animator or flashing beacon attached to or operating in connection with it;
 - (f) subject to Section 149.6, exhibit a temporary or portable sign that is higher than 2.5 m above grade level; or,
 - (g) post or exhibit a temporary or portable sign in or on a vehicle of any type, including tractor-trailer units, if it is temporarily or permanently parked solely for the purpose of displaying the sign.
- 149.8 A development permit is required for inflatable, temporary signs and may be issued subject to the requirements and provisions of this Bylaw and, in addition, according the following:
- (a) such signs shall be affixed securely;
 - (b) such signs shall be a minimum of 10.0 m from utility lines and road rights-of-way;
 - (c) the size, height and siting of such signs shall be at the discretion of the Development Officer in accordance with Section 56 of this Bylaw.
- 149.9 A community-oriented and/or public service-type cloth sign proposed to cross a public roadway may be authorized by the Development Officer provided the sign is to be located at least 6.5 m above the public roadway.

150. RURAL AREA SIGN PROVISIONS (BL 12/004)

- 150.1 An election sign is a permitted use in all land use districts and no development permit is required, provided the sign complies with the Land Use Bylaw.
- 150.2 Election Signs shall only be displayed or placed between:
- (a) 12:00 noon on nomination day and 72 hours after the close of polls on election day for municipal and school board elections; or,

- (b) 12:00 noon on the date the election is called and 72 hours after the close of polls on election day for provincial and federal elections.

150.3 **DELETED (BL 15/021)**

150.4 **DELETED (BL 13/018, BL 15/021)**

150.5 Where an Election Sign:

- (a) **DELETED (BL 15/021)**
- (b) poses, in the opinion of the Chief Administrative Officer or his delegate, a risk to public safety;
- (c) has material structure damage; or
- (d) has been vandalized,

the Municipality may give notice to a person responsible for the sign directing the person to remove or repair the sign.

150.6 Notwithstanding subsection (5) the Municipality may:

- (a) **DELETED (BL 15/021)**
- (b) where, regardless of location, the Election Sign poses, in the opinion of the Chief Administrative Officer or his delegate, an immediate and substantial public safety risk,

immediately proceed to remove the sign without notice.

150.7 Upon notice from the Municipality that an Election Sign poses a public safety risk, is structurally damaged, has been vandalized, or is otherwise not in compliance with this Bylaw, a person responsible for the sign shall repair or remove the sign as directed, failing which, the Municipality may, without limitation to any other remedy, proceed to remove and dispose of the sign.

150.8 Each candidate, must, prior to placing any election sign, provide the Municipality with the name and contact information of the person responsible for his or her election signs.

150.9 All election signs shall comply with the requirements of any relevant federal or provincial legislation and any other relevant municipal bylaws.

(BL 12/004)

151. **Reserve for future use**

152. **Reserve for future use**

153. **Reserve for future use**

154. **Reserve for future use**

PART 7B - Urban Area Sign Provisions

155. Establishment of Urban Service Area Sign Provisions

The following sign provisions shall be as set forth in PART 7B of this Bylaw, shall apply with respect to the Urban Service Area and may be amended in the same manner as any other part or section of this Bylaw.

156. General Urban Service Area Sign Provisions

156.1 Purpose

The purpose of Part 7B is to encourage the effective use of permanent, portable and temporary signs as a means of communication and advertising in a manner that reduces the negative effects of signs on safety and aesthetics. To meet these objectives, Part 7B contains regulations that can be equitably applied to individual districts and enforced.

156.2 Definitions

Notwithstanding any provision in Section 8 of this Bylaw to the contrary, the following terms in Part 7B shall be defined as follows:

AREA OF SIGN means the total superficial area within the outer periphery of the said sign, and, in the case of a sign comprised of individual letters or symbols, shall be calculated as the area of a rectangle enclosing the letters or symbols. Frames and structural members not bearing advertising matter shall not be included in computation of the surface area;

ABANDONED SIGN means any sign which no longer correctly identifies a business or the products and services offered on the premises where the sign is located, is no longer readable, or is no longer relevant;

A-BOARD SIGN means a self-supporting two sided A-shaped sign which is set upon, but not attached to, the ground and has no external supporting structure;

A-FRAME means any exposed structure mounted above a roof line for the express purpose of supporting a sign;

ANIMATED SIGN means a sign with action or motion, flashing, colour changes requiring electrical energy, electronic or manufactured sources, but not including wind actuated elements such as flags or banners. This definition also includes public service signs, signs with time and temperature displays, or mechanically rotating signs;

AWNING means a projection supported solely from the building, constructed with fabric or plastic skin stretched over a frame used for shelter from the weather and supported by the exterior wall of a building, and may be designed to be collapsible, retractable or capable of being folded against the wall of the supporting business;

AWNING SIGN means a sign, which is incorporated as part of the fabric of an awning;

BALLOON SIGN means a sign which is an inflated, three-dimensional device which incorporates a message and is anchored or affixed to a site or building;

BANNER SIGN means a sign constructed of non-rigid cloth, plastic or other fabric which is attached at all four corners to a pole, building or other supporting structure and is intended to be of a temporary nature but does not include flags;

BILLBOARD SIGN means a sign supported by one or more uprights, braces or pylons, which stands independently of a building and may or may not contain advertising copy related to the development within the parcel upon which the billboard sign is located;

BYLAW ENFORCEMENT OFFICER means any Bylaw Officer appointed by the Regional Municipality of Wood Buffalo and includes a member of the Royal Canadian Mounted Police and/or a Special Constable;

CANOPY means a solid non-retractable, projection which extends from the wall of a building for the purpose of affording protection from the weather and includes a structure commonly known as a theatre marquee, but does not include normal architectural features such as lintels, sills, moldings, architraves and pediments;

CANOPY SIGN means a sign attached to or constructed in or on a face of a canopy;

CARRIAGEWAY means that portion of a public roadway intended to carry vehicular traffic. Typically, in urban areas, the carriageway is defined by parallel curb lines;

CHANGEABLE COPY COMPONENT means a portion of a sign on which the copy can be changed automatically, and may include an electric message unit, or manually through the use of attachable letters, numbers or symbols;

CLEARANCE means the vertical distance between the lowest part of a sign and the finished grade;

COMMUNITY NOTICE BOARD means a structure erected by the Municipality for the purpose of posting of temporary notices of community interest;

COMPREHENSIVE SIGN DESIGN PLAN means a coordinated signage design undertaken by one lot owner/developer or the owners/developers of two or more contiguous lots or on multiple tenant properties. Design co-ordination may include, but is not limited to, colour, area, shape, illumination, placement, and copy font size and style;

CONSTRUCTION SITE IDENTIFICATION SIGN means a temporary sign for **providing** information or advertising related to the construction project only, and erected by an individual or firm on the premises undergoing construction;

COPY means the message on the sign face including, but not limited to, words, numbers, logos, **symbols**, and decorations;

COPY AREA means the entire area, which encloses the limits of the message, contained on the sign but excludes the main support structure. For multi or double-faced signs, copy area is **the** area of one face;

CURB EXTENSION means that line which extends from curb return to curb return along the same roadway;

CURB LINE means the line at the face of the nearest curb and in the absence of a curb, the line shall be established by Public Works and Engineering;

CURB RETURN means that point where a curved curb reverts back to the linear curb of the principle carriageway;

DIRECTIONAL SIGN means an on premise incidental sign designed to guide or direct pedestrian or vehicular traffic;

ELECTION SIGN means a sign connected with a municipal, school board, provincial or federal election or any election held pursuant to the Local Authorities Election Act, including, but not limited to, signs describing or promoting the election process or a candidate or party seeking election; (**BL 12/004**)

ENTERTAINMENT FACILITY means a facility where the primary function of the facility is the provision of entertainment to the public, either exclusively or in combination with other activities and may, without restricting the generality of the foregoing, include a movie theatre, live theatre, night club, cocktail lounge, arena or sports complex;

FASCIA SIGN means a sign, or individual letters, attached, marked, painted or inscribed on, and parallel to, the face of a building wall but does not include a third party sign, canopy sign, an awning sign, a projecting sign or on site incidental signs;

FLAG means any fabric containing distinctive colours, patterns, symbols or stylised letters hung from a flagpole with mechanisms for raising and lowering the flag;

FREESTANDING SIGN means a sign supported by one or more uprights, braces or pylons and which stands independently of a building and contains only advertising copy related to the development within the parcel upon which the freestanding sign is located;

FRONTAGE means the entire length of the street facing property line of a lot;

GRADE means the finished ground surface directly beneath a sign;

HEIGHT means the vertical distance measured from the highest point on a sign to grade;

IDENTIFICATION SIGN means any sign, which contains no advertising but is limited to the name address and number of a building, institution or person;

ILLUMINATION means the lighting of any sign by artificial means including internal, direct, indirect or reflected;

INCIDENTAL SIGN: means a sign that has purpose secondary to the use of the site on which it is located, such as no parking, entrance, loading only, hours of operation and other similar devices for guidance. This would include ATM, poster and lottery signs;

INTERSECTION means the area within the connection (defined as that point where the curb return ends) of the portion of two or more public roadways intended for the use of vehicular traffic;

LOGO means a readily identifiable symbolic representation used exclusively by an individual company or person to simplify product or business recognition and which contains no additional advertising message;

MANSARD ROOF means a roof with a steep lower slope and a flatter upper portion;

MESSAGE means any image, graphic, picture, logo, symbol, wording, representation or letters used, or intended to be used, directly for advertising or for calling attention to any business, product, service, person, matter, object, or event;

MAINTENANCE means the cleaning, painting, repair or replacement of any defective parts of a sign without altering the basic structure or design of the sign. This includes changing the message or copy on a sign within the same sign structure due to a change or use or business name;

MULTI-FACED SIGN means a sign with three (3) or more sign faces;

MULTIPLE TENANT SIGN means a sign containing copy for two or more occupants or tenants located on a site;

MURAL means a graphic design, or artwork, painted directly on to a structure, which does not convey an advertising message and does not include a fascia sign or an identification logo;

NON-PROFIT ORGANIZATION means:

- (a) a society, credit union or co-operative established under a law of Canada or Alberta;
- (b) a corporation that is prohibited from paying dividends to its members and distributing
- (c) the assets to its members on winding-up; or
- (d) any other entity established under a law of Canada or Alberta for a purpose other than to make a profit.

OFFICIAL SIGN means any sign, notice, placard or bulletin required to be displayed pursuant to the provisions of federal, provincial, or municipal legislation;

PERMANENT SIGN means a sign that cannot be readily relocated and is securely affixed directly or indirectly to a site or building;

PORTABLE SIGN means a temporary sign mounted on a frame or on a trailer, stand or similar support, which together with the support can be relocated to another location, to provide short term promotional advertising using manual changeable copy but excludes A-Board signs;

POSTER BOARD SIGN means an incidental poster size advertising sign, which is normally mounted on a building wall or within freestanding structure, to provide short-term promotional advertising copy in the form of pasted papers or plastic panels;

PRIVATE SALE SIGN means a temporary sign advertising a private sale of personal property and is restricted to private house sales, garage sales, and rummage sales;

PROJECTING SIGN means a sign other than a canopy or awning sign which projects at right angles from a structure or a building face or wall. This does not include a sign attached to the ground;

PROPOSED DEVELOPMENT INFORMATION SIGN means an official sign illustrating the relevant land use district(s) referred to on the sign for the purpose of a Land Use Bylaw amendment, subdivision appeal etc.;

REAL ESTATE SALE SIGN means a temporary sign advertising real estate for sale, rent or lease;

REAL ESTATE DIRECTIONAL SIGN means an A-Board sign used by a realtor to direct vehicles and pedestrians to an Open House or Show Home;

RIGHT-OF-WAY means a public road within the Municipality's care and control and includes:

- (a) a public road that is a statutory road allowance,
- (b) a public road created by a dedication,
- (c) a public road created by a subdivision plan or survey plan, and
- (d) a public road created by easement or other similar agreement allowing public traffic;

ROOF SIGN means any sign erected upon, against or directly above a roof or on top of or above the parapet wall of a building, which is wholly supported by the said building;

ROTATING SIGN means a sign, or portion thereof, which moves three hundred and sixty degrees in a revolving or rotating manner and is propelled by an electrical or mechanical device;

RUNNING LIGHTS means a row of lights electronically controlled to create the appearance of motion or chasing action, which is designed to accentuate the sign copy;

SCINTILLATING LIGHTS means a group of lights electronically controlled to blink on and off at random so as to give the effect of twinkling lights;

SIGN means an object or device intended for the purpose of advertising or calling attention to any person, matter, or event;

SIGN FACE means the surface contained within the perimeter of the sign on which copy is, or may be, placed;

SIGN OWNER means either or all of the following:

- (a) the sign company or individual who owns the sign,
- (b) the owner of the business that is advertised on the sign, or
- (c) the registered owner(s) of the property on which the sign is placed or any person authorized to act on the registered owner(s) behalf;

SIGN STRUCTURE means any structure, which supports a sign, including materials used to conceal or improve the appearance of the structural parts;

SUBDIVISION DIRECTIONAL SIGN means a temporary sign for guiding or directing pedestrian or vehicular traffic to a new subdivision, new home areas or show homes, which may incorporate small banners and flags;

SUBDIVISION ENTRANCE FEATURE SIGN means a permanent sign indicating the name of a subdivision, or a portion of the subdivision on which it is placed;

SUBDIVISION MARKETING SIGN means a temporary sign placed at the entrance to a new subdivision for the purpose of promoting vacant lots, new home areas or show homes, which may incorporate small banners or flags;

TEMPORARY SIGN means a sign which is not in a permanently installed or affixed position, intended to advertise community or civic projects, construction projects, real

estate or goods for sale or lease or other special or promotional events on a short term basis;

THIRD PARTY IDENTIFICATION SIGN means a sign that advertises goods, products, services or facilities, or directs persons to a different location from where the sign is located. Such a sign is not located on the parcel of the goods, products, services or facilities advertised;

TRANSIT SHELTER/TRANSIT BENCH SIGN means a sign displayed on a transit shelter or a transit bench for the purpose of advertising pursuant to an agreement with the Municipality;

UNDER AWNING/CANOPY SIGN means a sign which is suspended from and is entirely under a canopy or awning;

WALL SIGN means a sign that is attached to or placed flat against the exterior wall or surface of any building, no portion of which projects more than 0.1 m from the wall and which does not project above the roof or parapet;

WINDOW SIGN means a sign which is painted on, attached to or installed on or inside a window that faces the outside and is intended to be seen from the outside of the building.

156.3 Sign Development Permit Application Requirements

In place of Section 22 of this Bylaw, a development permit application for a sign must be completed and shall be accompanied by the following:

- (a) The name(s), address(es) and telephone number(s) of the sign owner(s).
- (b) Evidence satisfactory to the Development Officer that the application is authorized by the registered owner(s) of the site. So the Development Officer can determine ownership, a copy of the current title for the land that is the subject of the application must accompany the application.

{Note: An application for a sign permit must be signed by the registered owner of the property on which the sign is to be located. In signing the application, the landowner accepts responsibility for the sign and gives to the Municipality the right to enter the property for any enforcement procedures that may be necessary under Part 3 of this Bylaw.}

- (c) The associated sign development permit fee.
- (d) Two copies of the site plan drawn to scale and showing:
 - (i) the scale of the plan;
 - (ii) the North arrow;
 - (iii) a municipal address and legal description of the lot or building on which the sign is to be erected, altered, relocated;
 - (iv) the location of the proposed sign on the lot or building;
 - (v) the distance from the sign to property lines, roadway intersections, traffic control devices and from access points to the property;
 - (vi) the distance from the sign to buildings and other signs on the property;
 - (vii) distances to aerial power lines from freestanding and roof signs;

- (e) Two copies of sign plans drawn to scale showing:
 - (i) the dimensions of the signs;
 - (ii) for a fascia sign, the amount of projection from the face of the building;
 - (iii) the method of attachment and character of the structure to which attachment will be made;
 - (iv) projection over a right-of-way or municipal property, where applicable;
 - (v) the height of the sign measured from grade to the underside of the sign.
- (f) Two copies of buildings elevations where the sign will be attached to a building.
- (g) Any other information as may reasonably be required by the Development Officer.
- (h) Comprehensive Sign Design Plan
 - (i) A Development Officer may require, or an owner/developer may request, a comprehensive sign design plan as part of a development permit for a commercial or industrial development in accordance with the following:
 - (A) proposed signs within the site shall be consistent with each other in terms of their design, suitable for the land use district within which they are or proposed to be located and compatible in terms of design with the existing or proposed buildings with which they are or proposed to be associated;
 - (B) the overall area of the signs governed by the comprehensive sign design plan shall not exceed the total combined area of that which would be allowed if each sign were being considered individually within the site;
 - (C) there would be a greater degree of visual harmony in the resulting signage as compared to what might be achieved through the application of individual, specific sign regulations.
 - (ii) Once a comprehensive sign design plan is approved, no sign governed by the comprehensive sign design plan shall be constructed or maintained in a manner contrary to the comprehensive sign design plan.
- (i) For the purposes of Part 7B, a multiple tenant sign refers to a single sign and requires one development permit.
- (j) The development permit application shall be considered to have been received by the Development Officer when the required fee as well as all of the information required pursuant to this subsection has been accepted by the Development Officer as being sufficient quantity and quality to enable evaluation of the application. If the fee and all the required information, as

listed in this Bylaw, are not provided, the Development Officer shall not accept the application.

- (k) For the purposes of Section 26 of this Bylaw, all development permit applications for signs shall be decided by the Development Officer.
- (l) The Development Officer may modify, suspend or cancel a development permit:
 - (i) which has been obtained by fraud or misrepresentation, or by failure to disclose pertinent or correct information at the time of application;
 - (ii) which has been issued in error; or
 - (iii) when the development is not consistent with the development permit issued.
- (m) A development permit expires when the constructing and erecting of a sign is not completed within twelve months from the date of its issuance or such period specified in the development permit in a manner satisfactory to a Development Officer or in the case of portable signs, when the permit expires as indicated on the approval for the portable sign marker.
- (n) Upon application for an extension, a Development Officer may grant an extension of the effective period of a development permit only once.
- (o) When a development permit expires, a new application is required together with the required fee. Such application shall be dealt with as a first application and there is no obligation to approve an application on the same basis that a previous development permit had been issued.

156.4 Sign Development Permit Fees

- (a) A Development Permit fee, as amended by a resolution of Council from time to time, shall accompany each application for a sign development permit. The application fees for sign development permits are indicated in Appendix "B" of this Bylaw. (Note: an amendment to this Bylaw pursuant to Section 692 of the Act is not required should Council wish to alter the sign development permit fees.)
- (b) The fees described above allow for one review of plans or field inspection to the initial sign application. Where additional review of structural drawings or field inspections, as may be determined by the Development Officer, is required to complete the final approval, an additional fee per inspection equal to the original permit fee may be charged.
- (c) Where a sign application has been approved or refused, no sign application fee shall be refunded. If, however, the application is withdrawn prior to approval or refusal by the Municipality, the Development Officer may refund to the applicant up to 50% of the fee paid.
- (d) Should any person erect a sign or commence work preparatory to erecting a sign without first obtaining a permit, such person shall, before issuance of the permit, be subject to and make payment of double the amount determined under Appendix "C", in addition to any penalty which may be imposed in respect to the contravention.

- 156.5 Except as otherwise provided for in Part 7B, no person shall develop, construct, erect, paint, enlarge, relocate or structurally alter any sign on any property, other than for general maintenance, without first obtaining the permission of the Development Officer through the issuance of a development permit.
- 156.6 Signs that require a development permit shall be deemed to be a discretionary use at the Development Officer level in all land use districts unless otherwise stated in Part 7B. (Note: The Development Officer has been granted the authority by Regional Council to approve signs in DC - Direct Control Districts.)
- 156.7 No development permit is required for the following sign types provided they comply with Part 7B and other relevant provisions of this Bylaw:
- (a) A-Board Signs
 - (b) Construction Site Identification Signs
 - (c) Incidental Signs
 - (d) Election Signs
 - (e) Portable Signs located over an approved marker
 - (f) Real Estate Sale Signs
 - (g) Real Estate Directional Signs
 - (h) Subdivision Directional Signs
 - (i) Subdivision Marketing Signs
 - (j) Subdivision Entrance Feature Signs
 - (k) Display of flags representing a country, a Canadian province or territory, and a Canadian municipality
 - (l) Posters in approved Poster Board Sign holders
 - (m) Community Notice Boards
 - (n) Posters and signs approved for Transit shelter/transit bench signs and bus signs
 - (o) Official signs
 - (p) Fascia/Wall Signs and Murals
 - (q) Private Sale Signs
 - (r) Religious symbols provided they do not exceed 0.4 m² in sign area and are not illuminated
 - (s) The name and/or address of a building when it is sculptured or formed out of the fabric of the building face and is not illuminated
 - (t) Street numbers or letters displayed on a building where the total copy area does not exceed 1.0 m²
 - (u) Signs located inside a building and not intended to be viewed from the outside a non-illuminated fascia or free-standing sign located on the site of a residential dwelling unit which states only the name of the building or the persons occupying the building, or both, provided that the sign area does not exceed 0.2 m²
 - (v) Replacement of existing panel(s) within a free standing or fascia sign provided:
 - (i) the sign otherwise conforms to these regulations and has a valid Development Permit; and
 - (ii) the additional panel(s) do not alter the existing sign structure;

- (iii) the sign conforms to any applicable comprehensive sign design plan.

156.8 Non-Conforming Signs

- (a) If a development permit for a sign has been issued on or before the day on which this Bylaw comes into force in the Municipality and Amending Bylaw No. 01/068 would make the sign in respect of which the permit was issued a non-conforming use, the development permit continues in effect in spite of the coming into force of Amending Bylaw No. 01/068.
- (b) A non-conforming sign may be continued but if that use is discontinued for a period of six (6) consecutive months or more, any future sign use must conform with the provisions of Amending Bylaw No. 01/068.
- (c) A non-conforming sign may not be enlarged, altered, added to, and no structural alterations may be made to it or in it,
 - (i) except to make it a conforming sign;
 - (ii) for routine maintenance of the sign if the Municipality considers it necessary; or
 - (iii) in accordance with a bylaw that provides minor variance powers to the development authority for the purposes of this Section.
- (d) If a non-conforming sign is damaged or destroyed to the extent of more than 75 % of the value of the sign, the sign may not be repaired or rebuilt except in accordance with the provisions of Amending Bylaw No. 01/068.
- (e) Portable signs for which a sign development permit has been issued prior to the passage of Amending Bylaw No. 01/068 shall remain valid until expiry of the permits. These signs shall bear the required stickers in order to remain valid.
- (f) Portable signs in existence before the passage of Amending Bylaw No. 01/068, for which no sign development permits have been issued shall be removed within 30 days of the passage of Amending Bylaw No. 01/068.

156.9 Development Permit Appeals Related to Signs

Appeals from decisions on development permits concerning signs, as with any other development permit appeals, shall be subject to the development permit appeal provisions of this Bylaw and the Municipal Government Act.

156.10 Non-Compliance/Contravention and Enforcement

- (a) The Development Officer and/or the Bylaw Enforcement Officer is empowered to enforce Part 7B, and may order any person:
 - (i) to discontinue or refrain from proceeding with any work or doing anything that is in contravention of Part 7B;
 - (ii) to carry out any work or do anything to bring a sign into conformity with Part 7B; or,
 - (iii) to repair, alter or remove any sign, as provided by Part 7B.
- (b) If after the issue of an Order under Section 156.10(a) above, the steps required to be taken by the Order are not carried out within the time specified in the Order, the Development Officer and/or Bylaw Enforcement

Officer may, without further notice, cause any sign which is the subject of such an Order pursuant to this Section, to be removed and impounded. The Development Officer shall release any impounded signs upon payment to the Municipality of an impounded fee of \$150.00 plus a storage fee of \$5.00 per day for the length of time that the signs remain impounded. Upon the expiry of thirty (30) days, the impounded sign becomes the property of the Municipality, and shall be treated as lost or unclaimed property pursuant to Section 610 of the Municipal Government Act. Redemption of a sign following impoundment shall not be deemed to be an admission by a sign owner that the sign contravened any provision of Part 7B or any other relevant provision of this Bylaw.

(c) Any person who:

- (i) contravenes or fails to comply with any provision of Part 7B or any other relevant provision of this Bylaw or any permit issued hereunder;
- (ii) causes or suffers or permits any act or thing to be done in contravention of, or in violation of, any provision of Part 7B or any other relevant provision of this Bylaw;
- (iii) neglects or refrains from doing anything required to be done by any provision of Part 7B or any other relevant provision of this Bylaw; or,
- (iv) obstructs or hinders any person in the performance of his duties under any provision of Part 7B or any other relevant provision of this Bylaw,

is guilty of an offence and is liable to a penalty under the provisions of the General Penalties Bylaw of the Municipality.

(d) Violation Ticket

- (i) A Bylaw Enforcement Officer is hereby authorized and empowered to issue a Violation Ticket to any person who the Bylaw Enforcement Officer has reasonable and probable grounds to believe has contravened Part 7B or any other relevant provision of this Bylaw.
- (ii) A Violation Ticket may be issued to such person, under the provisions of the General Penalties Bylaw of the Municipality.
- (iii) Where a breach of Part 7B or any other relevant provision of this Bylaw continues for more than one day, a Bylaw Enforcement Officer may issue one Violation Ticket for each day that the offence continues.
- (iv) Where a Violation Ticket is issued pursuant to this Section, the person to whom the Violation Ticket is issued may, in lieu of being prosecuted for the offence, pay to the Municipality's Treasurer the penalty specified in the Violation Ticket. Payment of a Violation Ticket does not relieve a person from complying with the provisions of Part 7B or any other relevant provision of this Bylaw.

156.11 Except as otherwise specified in this Bylaw, all signs shall adhere to the building height requirements stipulated in the land use district in which the sign is located and there shall be strict adherence to the Fort McMurray Airport Vicinity Protection Area Regulations.

156.12 The Development Officer may require the removal of any sign, at the sole expense of owner/developer, which is or has become unsightly or is in such a state of disrepair as to constitute a hazard.

156.13 All applications for signs within 0.8 km (0.5 miles) of Highways #63 and #69 shall be referred to Alberta Transportation for their review and consideration and all of their requirements/regulations will be strictly adhered to by the Development Officer.

156.14 Safety Provisions

- (a) No sign shall be erected, operated, used or maintained if the sign obstructs or interferes with:
 - (i) the orderly and safe movement of vehicular or pedestrian traffic;
 - (ii) the sight lines required by vehicular or pedestrian traffic by this or any other bylaw;
 - (iii) the visibility or interpretation of any traffic signal, sign or device;
 - (iv) displays lights that may be mistaken for the flashing lights customarily associated with police, fire, or ambulance or other emergency vehicles, or customarily associated with danger;
 - (v) makes use of the words STOP, LOOK and DANGER, or any other words, symbols or characters which may interfere with, mislead or confuse traffic; or,
 - (vi) emits or causes to be emitted any sound, smoke or vapour.
- (b) No sign structure shall:
 - (i) block any portion of an exterior staircase, fire escape, fire tower or balcony serving as a horizontal exit; or
 - (ii) interfere with:
 - (A) any opening for a standpipe, required light, ventilation or exit from the premises;
 - (B) the free use of any window above the ground floor; or,
 - (C) free passage on the roof.
- (c) All signs shall maintain the required distance from overhead power lines as prescribed in the Electrical Protection Act of Alberta.
- (d) All signs and advertising structures shall be kept in a safe, clean and tidy condition, and may be required to be renovated or removed if not properly maintained.

156.15 Locational, Structural and Appearance Provisions

- (a) Except as provided for in Part 7B, all signs shall be placed on private property and no sign or sign support structure shall be located on, or project over, a public right-of-way.
- (b) Except for an official sign, a portable sign on an approved marker and/or as otherwise provided for in Part 7B, no sign shall be located on public

property without the prior consent of the appropriate public body and must not be:

- (i) within 30.5 m from any intersection of two arterial roadways;
 - (ii) on any traffic control signal, sign or device; or,
 - (iii) on any median.
- (c) No projecting, canopy or awning sign shall be placed over a street where the street is less than 10.0 m wide.
- (d) Any sign, which projects more than 0.15 m over a lane, loading area or parking lot, shall maintain a minimal vertical clearance of 4.4 m.
- (e) Subject to Section 181, no sign shall be placed in a parking or loading area or reduce the number of parking stalls and loading area required by this Bylaw.
- (f) No person shall place a motor vehicle, recreational vehicle, boat or a trailer unit on a site, other than on their own residential lot or an approved sales facility, where the purpose for locating the motor vehicle, recreational vehicle, boat or trailer unit on the site is to display a sign or to advertise the motor vehicle, recreational vehicle, boat or trailer unit for sale.
- (g) All roof, canopy and projecting signs, or any combination of these signs, shall be constructed so that the structural support elements of the sign(s) are concealed or designed to be an integral part of the sign design and no angle iron bracing, guide wires or similar support elements are visible from a public right-of-way.
- (h) All signs shall be securely built, constructed and erected according to the Alberta Safety Codes Act and the regulations of this Bylaw.
- (i) Except for banners, flags, permitted temporary and portable signs, and window signs conforming in all respects with the requirements of Part 7B and any other relevant provisions of this Bylaw, all signs shall be constructed of permanent materials and shall be permanently attached to the ground, a building, or another structure by direct attachment to rigid wall, frame, or structure.
- (j) All support structures shall be structurally sound and shall be concealed or form an integral part of the sign design.
- (k) A Development Officer may require sign to be enhanced with landscaping or architectural features to improve aesthetics.
- (l) Signs and awnings should be located with careful consideration of the building design and facade and adjacent signs. Consistency in the type and size of fascia signage used shall be encouraged.
- (m) The message(s) conveyed by signage shall not be overstated but shall be direct; shall contain a limited number of styles and colours and use subdued or muted background colours.

156.16 Illumination Provisions

- (a) An electrically illuminated sign shall conform to the Alberta Safety Codes Act.

- (b) Except as otherwise provided for in Part 7B or elsewhere in this Bylaw, no flashing, intermittent, scintillating or running lights, or lights used to produce animation shall be permitted.
- (c) No animated signs or signs with flashing, scintillating or running lights shall be placed such that they cause variations in light intensity on any surrounding residential premises.
- (d) The use of spot or reflector lights directed at oncoming traffic is prohibited on any sign.
- (e) While in operation, not more than one third of the light source of an animated, scintillating or running lights component of a sign shall be turned off or dimmed at any time.
- (f) The addition of running or scintillating lights, or animation to an existing sign requires a development permit.
- (g) Illumination of signs shall be permitted only in commercial, industrial or institutional land use districts but may be considered in other districts at the discretion of the Development Officer.
- (h) Notwithstanding Section 156.16(g), where, in the opinion of the Development Officer, a proposed sign on a commercial, industrial or institutional property might be objectionable to residents in any adjacent residential land use district, the Development Officer may impose such other regulations to protect the interests of residents including but not limited to periodic checks of the light being directed by a lighted sign as well as controlling the hours that lighted signs remain lighted.

156.17 Changeable Copy Provisions

- (a) The use of changeable copy, including both electronic and manual changeable copy, shall only be permitted on fascia, canopy, freestanding, temporary, portable and window signs.
- (b) The changeable copy component of identification signs shall not exceed 50 percent of the sign area.
- (c) Entertainment facility and spectator sports establishment signs may use the entire area of the sign for changeable copy.

156.18 Sign Owner/Developer Responsibilities

- (a) The Development Officer may require an encroachment agreement in the case of any permanent sign such as a freestanding sign, awning sign, canopy or under-canopy sign, projecting sign, roof sign, fascia sign or wall sign currently within or, due to unique on-site circumstances, required to be within property owned/under the control of the Municipality, including rights-of-way.
- (b) Whenever any permanent sign is installed or erected either wholly or partly over property owned/under the control of the Municipality, including rights-of-way, the owner may be required, as a condition of development approval, to obtain and at all times maintain in full force and effect a policy of liability insurance covering bodily injury and/or property damage for claims arising out of the ownership of such sign in an amount satisfactory to the Municipality for so long as the sign or any portion thereof remains

over property owned/under the control of the Municipality, including rights-of-way. When liability insurance is required, the Municipality shall be named as co-insured on any such insurance policy. Also, an endorsement in the form satisfactory to the Municipality shall form part of such insurance policy. The owner shall provide the Municipality with a certified copy of such an insurance policy and any renewal thereof. When liability insurance is required and the owner does not obtain or maintain such insurance or allows such insurance to lapse without renewal thereof, the permit issued for such sign shall be deemed to be revoked and the owner shall forthwith remove, take down, or demolish the sign.

- (c) In addition to the maintenance of the insurance required by Section 156(18)(b), every owner of a sign which is installed or erected over public property shall enter into an agreement with the Municipality in the form satisfactory to the Municipality to indemnify against and to save the Municipality harmless from any and all liability resulting from injury to person or damage to the property which results from the presence, collapse or failure of the sign.
- (d) No sign shall be erected which promotes intolerance, hatred or ridicule of any race, religion or other segment of society.
- (e) A sign shall be removed when it is abandoned or upon expiry of the sign development permit.
- (f) Where a tenant panel is removed from a sign, the owner shall install a blank panel until such time as a new tenant panel is installed.
- (g) Section 156(18)(e) shall also apply in the case of sign markers for portable signs.
- (h) All signs shall comply with the requirements of any relevant federal or provincial legislation and any other relevant municipal bylaws.

156.19 Sign Co-ordination for Multiple Occupancy Sites

- (a) Individual business identification signs for separate businesses or outlets placed on the facade of a single building shall be similar in terms of size, construction materials and placement.
- (b) Where sign guidelines (included as part of an approved urban design plan) and/or a Comprehensive Sign Design Plan (included as part of an approved development permit) exist, any signs placed on the building shall conform with those guidelines.
- (c) Where a panel is removed from a multiple-tenant sign, the owner shall install a blank panel until such time as a new tenant panel is installed.
- (d) The copy on an individual business identification pane on a freestanding sign shall be limited to the name of the business and/or its logo.
- (e) Where more than one business is identified on the same freestanding sign, the business identification panels shall be of similar character.

157. **Permanent Sign Provisions**

Sections 158 through 170 that follow constitute the permanent sign provisions of this Part.

158. **Awning and Canopy Signs (Illustrations #10 & #11)**

1. Subject to the provisions of Part 7B, awning and canopy signs are permitted in all multi-family residential districts provided that they refer to on-site building name and address identification only.
2. Subject to the provisions of Part 7B, awning and canopy signs are discretionary in all land use districts, except residential districts, provided that the sign:
 - (a) is not suspended from, or be supported by, the supporting structure in any way that poses a hazard to pedestrians;
 - (b) does not project above or below the upper and lower edges of a canopy;
 - (c) has a minimum vertical clearance height of 2.7 m from finished grade to the lowest point on the sign be maintained unless the sign projects over a lane, loading area, or parking lot, in which case the minimum vertical clearance shall be 4.4 m;
 - (d) does not project beyond the outer edges of the building unless the business extends along two or more frontages, in which case the sign may wrap around the building and extend along the entire length of the combined frontages; and,
 - (e) does not project over a public right-of-way without a written agreement with the municipality with regard to liability waivers, indemnity and insurance, as per Section 156.18.
3. Notwithstanding Section 158.2 above, awning and canopy signs may be permitted in the R4 District in association with approved ground floor commercial development.
4. Where more than one business premises fronts a street under a single awning or canopy, not more than one awning sign or canopy sign shall be permitted per business.

159. Billboard Signs

- 159.1 All billboards within the Urban Service Area existing at the time of the passage of Amending Bylaw No. 01/068 shall be allowed to continue and any alteration to these billboards shall require approval from Alberta Transportation.

160. Fascia/Wall Signs and Murals (Illustrations #4 & 6)

Fascia:

- 160.1 Subject to the provisions of Part 7B, in all multi-family residential districts fascia signs are permitted and do not require a development permit provided the sign:
- (a) is used only for on-site building name, address, and vacancy information;
 - (b) does not exceed 2.0 m² in sign area; and,
 - (c) does not advertise a home office or home occupation.
- 160.2 Subject to the provisions of Part 7B, when fascia/wall signs and murals are associated with a non-residential use provided for in any residential district, such signs shall be as determined by the Development Officer who shall consider the relevant provisions of Section 160 as well as the nature of the residential development on the subject site itself and on adjacent sites.

- 160.3 Subject to the provisions of Part 7B, fascia signs in land use districts other than residential land use districts are permitted and do not require a development permit provided that the sign:
- (a) is placed below any second storey windowsill or any third storey windowsill, or at the roofline of a building with more than three storeys;
 - (b) in the absence of any second and third storey windows, the sign may be placed to the roofline;
 - (c) on a single storey building or a building with no windows, the sign may be placed to the roofline, provided that the sign does not exceed 30.0 m²;
 - (d) does not extend more than 0.3 m perpendicularly from the supporting wall;
 - (e) has a minimum clearance height of 2.7 m from the bottom of the sign to the finished grade unless the sign projects more than 0.15 m and is placed over a lane, loading area, or parking lot, in which case the minimum vertical clearance must be 4.4 m; and,
 - (f) may be illuminated but shall not be a flashing sign except for a fascia sign attached to a movie theatre or any such entertainment facility.
- 160.4 Notwithstanding Section 160.3, fascia signs shall be allowed in the R4 District in association with approved ground floor commercial development.
- 160.5 In addition to above, fascia signs which are company logos, or an identification sign formed of individual letters, shall be allowed above the first floor provided only one such sign is located on an exterior wall of a building and the sign is used to identify the principal tenant of the building.
- 160.6 Where a building is divided into units, some or all with individual frontages, and where individual fascia signs are proposed for the individual frontages, the sign area of an individual fascia sign is limited to the equivalent of 25 percent or the exterior area of the individual unit;
- 160.7 Fascia signs may be placed on the exterior front, side or rear of a building.
- 160.8 A sign located on the side of a mechanical or elevator penthouse above a roof-line shall, for the purposes of Part 7B, be considered to be a fascia sign.

Wall Signs:

- 160.9 A wall sign in a commercial or industrial land use district shall not exceed an area of more than 35% of the wall to which it is attached.
- 160.10 Only one wall sign shall be allowed per building face and the advertising copy thereof/thereupon shall be limited to business identification (ie: logo and/or business name) only. The wall sign provided for herein may be a multiple-tenant sign but the advertising copy thereof/thereupon shall still be limited to business identification (ie: logo and/or business name) only.
- 160.11 A wall sign shall not extend beyond the limits of the wall to which it is attached.

Murals:

- 160.12 Notwithstanding Section 160.9, a mural, is not to be used to advertise the business within the building upon which the mural is painted or any other business, may encompass 100% of the wall to which it is painted provided that the mural complies with Section 56 of this Bylaw.

161. Flags (Illustration #12)

- 161.1 Subject to the provisions of Part 7B, flags are permitted in all commercial and industrial districts, the DC District and in the R4 District in association with approved commercial developments and do not require a development permit provided the flag:
- (a) does not project within 0.6 m of the nearest curb line;
 - (b) has a minimum clearance of 2.7 m above grade unless the sign projects over a lane, loading area, or parking lot, in which case, there must a vertical clearance of 4.4 metres; and,
 - (c) if attached to the facade of a building wall, does not exceed the top of the first or second story parapet wall, or the roofline of a building.
- 161.2 The location of a flag, including the supporting system, shall be entirely on private property and shall not interfere with fire escapes, vehicular and pedestrian traffic, utilities, or municipal public works.
- 161.3 Only one flag is permitted per business premise, except that where the premise is located on a site that has a minimum frontage of 30.0 m, up to four flags may be permitted.
- 161.4 A flag may project over a street provided that the encroachment does not exceed 25 percent of the municipal sidewalk immediately in front of the business premises or property.
- 161.5 Unless otherwise determined by municipal or senior government protocol in the case of a flag associated with a public, institutional or government building, facility or place, a flag:
- (a) shall not exceed a maximum size of 18 m² (ie: 3.0 m by 6.0 m);
 - (b) may be wholly supported by a freestanding support to a maximum height of 12.2 m above grade; and
 - (c) may be mounted on a roof to a maximum height from the top of the roof of 3.0 m, including the support system.

162. Freestanding Signs (Illustration #13)

- 162.1 Subject to the provisions of Part 7B, freestanding signs are permitted for apartment and multi-family dwellings, provided they be a maximum of 1.1 sq. m in area and a maximum height from grade of 1.5 m.
- 162.2 Subject to the provisions of Part 7B, freestanding signs are discretionary in all commercial, industrial, UE, PR, PS Districts, in the DC District and in the R4 District in association with approved commercial developments and in association with churches in any land use district provided that:
- (a) the minimum site frontage is 15.0 m;
 - (b) no more than one (1) sign is allowed per site, except:
 - (i) if a parcel abuts more than one public roadway (except a lane or alley), the site may be allowed one additional freestanding sign for each additional abutting roadway, to a maximum of three (3) freestanding signs per site; or

- (ii) if a site frontage is greater than 45.0 m, one additional freestanding sign may be permitted for each 30.0 m in excess of the first 45.0 m of frontage abutting the parcel, to a maximum of three (3) freestanding signs per site;
 - (c) the sign does not exceed the maximum height allowed for the district or 10.7 m whichever is less;
 - (d) the sign area is calculated on the basis of 0.3 m² for each lineal metre of street frontage, to a maximum of 23.0 m². When a freestanding sign has more than one sign face, the sign area maximum of 23.0 m² applies to each sign face. In no case shall the sign area of a sign face exceed 23.0 m².
- 162.3 Where the support(s) of a freestanding sign are an integral part of the sign, the area of the support(s) shall be included in the maximum allowable sign area.
- 162.4 In districts where the available development setback is less than 3.0 m, a freestanding sign may be constructed to the property line, as long as no portion of the sign or its supports extend beyond/over any property line.
- 162.5 With the exception of 162(4), the support(s) of a freestanding sign shall not be located within 3.0 m of any property line or 5.0 m of a curb line of a public roadway, whichever is greater, and the sign face shall not be located within 1.0 m of any property line.
- 162.6 The support(s) of a freestanding sign shall not be located within the corner visibility triangle being 7.5 m of the intersecting extensions of the property lines.
- 162.7 All freestanding signs requiring power shall be connected to an underground electrical source. All light fixtures, switches and wiring shall be weather-proofed unless a permanent rigid sealed structure is provided which ensures that the electrical installation is kept dry at all times. All wiring and conduits shall be placed within building walls, located underground, or concealed from view.

163. Incidental Signs (Illustration #14)

- 163.1 An incidental sign is a permitted use in all districts, except residential districts and does not require a development permit, provided the sign:
- (a) is a freestanding in an approved poster board holder or fascia only;
 - (b) does not exceed 1.1 m² in sign area;
 - (c) does not exceed 1.5 m in sign height;
 - (d) is wholly located within the property line of the site; and,
 - (e) does not interfere or be confused with official signs.

164. Poster Board Holders (Illustration #15)

- 164.1 Poster board sign holders are permitted in all commercial, industrial Districts, in the DC District and in the R4 District in association with approved commercial developments provided that:
- (a) does not exceed 0.8 m² in sign area per side;
 - (b) does not exceed 1.2 m in height;
 - (c) is not placed so that it extends beyond the property line;
 - (d) does not impede or obstruct the view of pedestrians or street traffic;
 - (e) Poster board signs are limited to two per business.

165. Projecting Signs (Illustration #16)

165.1 Subject to the provisions of Part 7B, projecting signs are a permitted use in all commercial and industrial land use districts, in the DC District and in the R4 District in association with approved commercial developments provided the sign:

- (a) does not exceed 4.5 m² in sign area;
- (b) is attached to the structure to which it refers;
- (c) on a one-storey building, does not extend above a roofline or parapet, with the exception of a projecting sign for an entertainment facility such as a movie theatre;
- (d) on a two or more storey building, does not extend more than 1.0 m above the floor level of the second storey, but not higher than a windowsill on the second storey;
- (e) has a minimum clearance height of 2.7 m unless the sign projects over a parking lot, in which case, a vertical clearance of 4.4 m is required;
- (f) maintains a maximum separation distance of 0.3 m between the sign and the structure to which it is attached is maintained;
- (g) is not supported by an A-frame;
- (h) does not project over public property unless the municipality agrees in writing as per Section 156.18, in which case, the sign may not project more than 1.0 m over public property and within 0.9 m of a public right-of-way used for the passage of motor vehicles; and,
- (i) may be illuminated but shall not be a flashing sign except for a projecting sign attached to a movie theatre or any such entertainment facility.

165.2 Except for corner signs, the sign shall be placed at right angles to the wall or face to which it is attached.

165.3 There shall be only one projecting sign for each business frontage, provided that if a business frontage shall exceed 15.0 m, a further projecting sign be permitted for each additional 15.0 m or portion thereof.

166. Roof Signs (Illustrations #2, #7, & #8)

166.1 Subject to the provisions of Part 7B, roof signs are permitted in industrial districts and may be approved in a DC District provided the sign:

- (a) is architecturally integrated with the building on which it is located, with other signs and buildings on the property, and with other signs and buildings on any property abutting the property on which it is located;
- (b) does not exceed a height of 4.0 m measured from the top of the sign to the top of the roofline or parapet;
- (c) does not exceed 4.0 m² in area;
- (d) does not overhang a building; and,
- (e) does not have changeable copy.

166.2 No more than one roof sign shall be allowed per building except where the sign(s) are architecturally integrated into a mansard roof.

166.3 A sign located on the side of a mechanical or elevator penthouse above a roofline shall, for the purposes of this Bylaw, be considered to be a fascia sign and be limited to advertising business identification (ie: logo/business name) only.

167. Subdivision Entrance Feature Signs (Illustration # 17)

167.1 Subject to the provisions of Part 7B, subdivision entrance feature signs are permitted in all land use districts provided the sign:

- (a) is freestanding;
- (b) does not exceed a height of 3.0 m in sign height;
- (c) does not exceed 6.0 m² in area;
- (d) incorporates the name of the neighbourhood, subdivision or area; and,
- (e) is architecturally integrated with any architectural or design theme or style of the neighbourhood, subdivision or area at which it is located.

168. Third Party Identification Signs

168.1 Subject to the provisions of Part 7B, third party identification signs are permitted in all commercial and industrial land use districts, in the DC District and the R4 District in association with approved commercial developments provided the sign:

- (a) is a freestanding sign and complies with the freestanding sign provisions of Part 7B, except that:
 - (i) no third party identification sign is to be located within 100.0 m of any other third party identification sign; and,
 - (ii) the third party identification sign must be within 250.0 m of the business, organization or activity to which the sign refers.

168.2 The Development Officer shall require that a copy of the title for the property on which the third party identification sign is to be located accompanies the development permit application as well as evidence, in a form satisfactory to the Development Officer, that the owner of the property on which the third party identification sign is to be located has authorized its placement.

169. Under Awning /Canopy Signs (Illustration #18)

169.1 Subject to the provisions of Part 7B, under awning/canopy signs are permitted in all districts where an approved awning or canopy exists provided that the sign:

- (a) does not project beyond the front edge of the canopy/awning; and,
- (b) maintains the 2.7 m minimum vertical clearance required for canopy and awning signs from finished grade to the lowest point of the sign unless the sign projects over a parking lot, in which case, the minimum vertical clearance shall be 4.4 m;

169.2 Only one under canopy/awning sign may be permitted per entrance per business located behind the canopy/awning.

170. Window Signs (Illustration #19)

170.1 Subject to the provisions of Part 7B, permanent window signs are permitted in all commercial and industrial land use districts, in the DC District and the R4 District

in association with approved ground floor commercial development, provided the sign:

- (a) is placed in the interior of premises and shall be limited to windows located at the first and second storey of a building; and,
- (b) only identify the name of the business, including the professional designation are permitted above the first storey of a building.

170.2 The number of window signs is not restricted, provided that the total area of such signs does not exceed 25 percent of the window area.

171. **Reserved for future use**

172. **Reserved for future use**

173. **Reserved for future use**

174. **Reserved for future Use**

175. **Temporary and Portable Sign Provisions**

Sections 176 through 183 that follow constitute the temporary and portable sign provisions of this Part.

176. A-Board Signs (Illustration #20)

176.1 Up to six A-Board signs per organization are permitted as a temporary sign in rights-of-way, as per Section 183 of Part 7B and do not require a development permit.

176.2 An A-Board sign is a permitted use in all commercial and industrial land use districts, the DC District and the R4 District in association with approved commercial development and does not require a development permit provided the sign:

- (a) does not exceed 0.8 m² in sign area per side;
- (b) does not exceed 1.2 m in height;
- (c) is placed along the curb on the outside edge of the sidewalk and shall allow a minimum of 1.0 m width for pedestrian traffic;
- (d) is not placed so that it extends beyond the sidewalk edge;
- (e) is only placed on concrete sidewalks and not on grassed areas;
- (f) does not impede or obstruct the view of pedestrians or street traffic;
- (g) is only allowed on sidewalks during the hours when the business is open to the public; and,
- (h) A-Board signs are limited to one per business and are to be placed directly in front of the business subject to the requirement that an A-Board sign maintain a minimum separation distance of 10 m from any other A-Board sign.

176.3 A-Board signs shall be constructed of a rigid material such that a rigid and stable frame is created.

176.4 A real estate A-Board directional sign is a permitted use in all residential districts provided the signs are only used in conjunction with an Open House or Show Home by a realtor and are only displayed on the days that the property is open to the public and are subject to the provisions under Real Estate Directional Signs.

177. Balloon (Inflatable) Signs (Illustration #21)

177.1 Subject to the provisions of Part 7B, balloon signs are discretionary in all commercial, industrial, the PS and PR Districts and the DC District in association with approved commercial development provided that:

- (a) not more than one balloon sign is erected per premise at a time;
- (b) when located at grade, the sign must not project over a property line when inflated and be setback from any property line by an amount equal to the height of the display when inflated;
- (c) when located at grade, the balloon sign is not allowed within 3.0 m of any access/egress to/from a property or within 10.0 m of any intersection;
- (d) For sites where a balloon sign can only be accommodated in a parking stall, the balloon sign may be approved provided that the parking requirements of the site are met with the balloon in place.
- (e) when located on a roof, the balloon sign must not extend/project over the face of the building and must not exceed the maximum height allowed for the district;
- (f) the sign is not be displayed for more than 60 consecutive days on a premise, and that the premise remain free of a balloon sign for 30 consecutive days thereafter.

178. Banner Signs (Illustration #22)

178.1 Subject to the provisions of Part 7B, banner signs are discretionary in all commercial, industrial, the PS and PR Districts, the DC District and in the R4 District in association with approved commercial developments provided that:

- (a) no more than one banner sign per business premise be displayed at any one time; and,
- (b) the sign not be located at a premise for more than 60 consecutive days, and that the premise remain free of a banner sign for 30 consecutive days thereafter.

178.2 If attached to the exterior wall of a building, the banner sign shall:

- (a) have a maximum sign area equal to 25% of the surface area of the wall on which it is located; and,
- (b) does not extend either in whole, or in part, above the exterior wall.

178.3 If not attached to the exterior wall of a building, the banner sign shall have a minimum distance between grade and the bottom of the banner sign of 6.0 m.

178.4 A community-oriented and/or public service-type cloth sign proposed to cross a public roadway may be authorized by the Development Officer provided the sign is to be located at least 6.5 m above the public roadway.

179. Construction Site Identification Signs (Illustration #23)

179.1 A construction site identification sign is a permitted use in all land use districts and does not require a development permit provided the sign:

- (a) is a freestanding or fascia sign;
- (b) does not exceed 4.9 m in height;

- (c) does not exceed 11.9 m² in sign area;
- (d) is wholly located upon the site of the structure or land use to which it refers;
- (e) is located within 15.0 m of the main entrance of the construction site; and,
- (f) is removed within 14 days after an occupancy permit has been issued or 14 after construction is deemed complete.

179.2 Not more than one construction site identification sign is permitted per street frontage.

180. **Election Signs (BL 12/004)**

180.1 An election sign is a permitted use in all land use districts and no development permit is required, provided the sign complies with the Land Use Bylaw.

180.2 Election Signs shall only be displayed or placed between:

- (a) 12:00 noon on nomination day and 72 hours after the close of polls on election day for municipal and school board elections; or,
- (b) 12:00 noon on the date the election is called and 72 hours after the close of polls on election day for provincial and federal elections.

180.3 **DELETED (BL 15/021)**

180.4 **DELETED (BL 13/018, BL 15/021)**

180.5 Where an Election Sign:

- (a) **DELETED (BL 15/021)**
- (b) poses, in the opinion of the Chief Administrative Officer or his delegate, a risk to public safety;
- (c) has material structure damage; or
- (d) has been vandalized,
- (e) the Municipality may give notice to a person responsible for the sign directing the person to remove or repair the sign.

180.6 Notwithstanding subsection (5) the Municipality may:

- (a) **DELETED (BL 15/021)**
- (b) where, regardless of location, the Election Sign poses, in the opinion of the Chief Administrative Officer or his delegate, an immediate and substantial public safety risk, immediately proceed to remove the sign without notice.

180.7 Upon notice from the Municipality that an Election Sign poses a public safety risk, is structurally damaged, has been vandalized, or is otherwise not in compliance with this Bylaw, a person responsible for the sign shall repair or remove the sign as directed, failing which, the Municipality may, without limitation to any other remedy, proceed to remove and dispose of the sign.

180.8 Each candidate, must, prior to placing any election sign, provide the Municipality with the name and contact information of the person responsible for his or her election signs.

180.9 All election signs shall comply with the requirements of any relevant federal or provincial legislation and any other relevant municipal bylaws. **(BL 12/004)**

181. Portable Signs (Illustration #25)

181.1 Intent

- (a) Portable signs are intended to cater to on-site advertising of a temporary nature. They are not intended to be used as permanent advertisement for a business.
- (b) The sign owners, not the Municipality, shall decide who has the benefit of the message/copy on a portable sign on a site.
- (c) Only in the circumstance where a portable sign is used to advertise events, activities or provide related information on behalf of the Municipality or non-profit organizations may the sign be located on a site other than where the event or activity takes place.

181.2 Subject to the provisions of Part 7B, portable signs are permitted in all commercial, industrial, the PS and PR Districts, in the DC District and the R4 District in association with approved ground floor commercial development, and in association with churches in any land use district provided the sign:

- (a) does not exceed 4.6 m² in sign area;
- (b) does not exceed a height of 3.1 m;
- (c) is two sided only with copy on both sides of the sign and that the copy refers to a business, event, or land use located on the site;
- (d) has a legible message and if the message is interfered with, the permit holder must ensure that the message is promptly corrected;
- (e) has a uniform background colour;
- (f) does not use or employ red, green, or amber lights; and,
- (g) where a message on a portable sign relates to a specific event, the message shall be removed within seventy-two hours after the end of the event.

181.3 Portable signs shall only be permitted on a property if the signs are placed over an approved portable sign marker.

181.4 A development permit for a portable sign marker will be issued to the registered property owner. **(BL 03/056)**

181.5 For the purposes of determining the location and number of portable sign markers allowable on a property, the Development Officer shall:

- (a) ensure that the marker (and therefore the portable sign) is wholly located within the property boundaries;
- (b) refer the application to any internal/external department considered necessary including but not limited to the Streets and Engineering Department, the Fire Department and the RCMP to help ensure that the siting of portable sign markers does not affect public safety in any way whatsoever;
- (c) ensure that no portable sign marker is allowed within 3.0 m of any access/egress to/from a property or within 10.0 m of any intersection;
- (d) maintain a minimum separation distance of 25.0 m from another portable sign marker authorized under Part 7B; and,
- (e) maintain a minimum separation distance of 10 m from a permanent sign authorized under Part 7B;

- 181.6 Once a portable sign marker is approved, it shall be the responsibility of the landowner to place and permanently affix the marker(s) on site, weather permitting. A portable sign marker shall consist of an engraved metal plate, containing the permit information, securely attached to a concrete pad that is not less than 60 cm by 60 cm in size and not less than 5 cm in thickness. The concrete pad shall be placed in the approved location, shall be placed so it does not protrude above ground level, must not be able to be easily removed, and must be satisfactory to the Development Officer. **(BL 03/056)**
- 181.7 The Development Officer will keep a record/map the location of approved portable sign markers.
- 181.8 Subject to Section 156.18, a portable sign marker shall be valid for a period of up to five years from the date of approval and once a portable sign marker is approved and installed on site, no further development permit is required for any portable sign placed directly over or in contact with the approved portable sign marker for as long as the approval for the sign marker is valid. Only one portable sign will be permitted per marker.
- 181.9 For existing developed sites where a portable sign marker can only be accommodated in a parking stall, the portable sign marker may be approved provided that the parking requirements of the site are met, or a variance is granted.
- 181.10 Where a site does not have a setback area available for a portable sign location, the Development Officer may permit the support structure of the sign, but not the sign area, to encroach onto an adjacent road right-of-way to a maximum of 1.0 m provided that this would not affect the safety of vehicle or pedestrian or materially affect the use, enjoyment, or value of neighbouring properties.
- 181.11 New developments must be designed to accommodate portable sign markers outside of parking areas.
- 181.12 No electrical cord for a portable sign shall pass over a sidewalk, pedestrian walkway, roadway, driveway, aisle or parking space.
- 181.13 With the exception of portable signs, that have received approval from the Municipality, used to advertise events, activities or provide related information on behalf of the Municipality or non-profit organizations, any portable sign not located over a permanent marker is in contravention of Part 7B and shall be subject to enforcement procedures pursuant to Section 156.10.

182. Other Temporary Signs

182.1 Poster Board Signs

Poster board signs do not require a development permit if placed in an approved poster board holder.

182.2 Private Sale Signs

Private sale signs do not require a development permit provided the sign:

- (a) is limited to advertising a lawn sale, garage sale or other special event;
- (b) is located on private property or is to be situated within a roadway right-of-way or other public property authorized for such purposes by the Municipality;
- (c) is not larger than 0.55 m²; and,

- (d) is removed from the parcel or roadway right-of-way or other public property authorized for such purposes by the Municipality within 72 hours of it being erected on the parcel.

182.3 Proposed Development Information Signs

Proposed development information signs do not require a development permit but the Municipality shall place such signs on the property which is the subject of the proposed development sign, or on a property as close in proximity thereto as possible (which may require placement within a road right-of-way), so as to not affect the safety of vehicular or pedestrian traffic or materially affect the use, enjoyment, or value of adjacent properties.

182.4 Real Estate Sale and Real Estate Directional Signs

- (a) A real estate sale sign is a permitted use in all land use districts and does not require a development permit provided the sign is temporary and advertises only the site upon which the sign is located.
- (b) No more than one real estate sign shall be allowed per street frontage.
- (c) In all residential districts, real estate signs shall:
 - (i) not exceed 1.5 m² in sign area; and,
 - (ii) not exceed 2.0 m in height.
- (d) In all other districts, real estate signs shall:
 - (i) not exceed 3.0 m² m in sign area; and,
 - (ii) not exceed 3.1 m in height.
- (e) A real estate directional sale sign is a permitted use in all land use districts and does not require a development permit provided the sign is temporary and complies with the provisions of Section 183.

182.5 Subdivision/Builder Marketing Sign

- (a) A subdivision marketing sign is a permitted use in all districts when associated with the development of a subdivision and does not require a development permit provided the sign:
 - (i) is wholly located within the subdivision being marketed;
 - (ii) is free-standing;
 - (iii) is not illuminated;
 - (iv) does not exceed 12 m² in sign area;
 - (v) does not exceed 5 m in sign height;
 - (vi) there are not more than two (2) subdivision marketing signs per subdivision or any phase thereof; and,
 - (vii) the sign is removed within 14 days after the completion of sale of all the lots in the subdivision, or within 14 days after the sale of all condominium units, or within 14 days after the construction of a new rental unit complex is completed.

(Note: If required, a real estate sign may replace a subdivision marketing sign 14 days after the construction of a new rental unit complex is complete.)

182.6 Subdivision Directional Sign

- (a) A subdivision directional sign is a permitted use in all districts when associated with the development of a subdivision and does not require a development permit provided the sign:
 - (i) is a single sign located at the nearest road intersection to the subdivision being marketed and/or on a public utility lot or major road authorized for such signs by the Municipality, provided approval of the landowner of the property on which the sign is to be placed is obtained (in the case of private land), and the siting, aesthetic quality and appearance criteria of this Bylaw (and any established pursuant to the authorization granted by the Municipality) are satisfied;
 - (ii) is free-standing;
 - (iii) does not exceed 3 m² in sign area;
 - (iv) does not exceed 3 m in sign height;
 - (v) is not located on any median, traffic control device or within 30 m from any major road intersection; and,
 - (vi) the sign is removed within 14 days after the completion of sale of all the lots in the subdivision, or within 14 days after the sale of all condominium units, or within 14 days after the construction of a new rental unit complex is completed.
 - (vii) additional subdivision directional signs may be approved at the discretion of the Development Officer

183. Temporary Signs in Rights-of-Way

183.1 Only the following temporary signs are permitted within right-of-ways and do not require a development permit provided they comply with Sections 156 and 182:

- (a) subdivision directional sign;
- (b) **DELETED (BL 12/004);**
- (c) official signs required to be displayed pursuant to federal, provincial or municipal legislation;
- (d) portable signs or A-Board signs for non-profit organizations or municipal events or announcements with approval from the Development Officer;
- (e) signs which are displayed by or on behalf of the Municipality, or on behalf of a department, a commission, a board, a committee or an official of the Municipality, and are restricted to:
 - (i) traffic control devices,
 - (ii) signs located on or in a transit shelter or a transit bench pursuant to the terms and conditions of an advertising agreement entered into by the Municipality and an advertising corporation, and
 - (iii) signs regarding construction, operation or maintenance of:
 - (A) a public utility owned or operated by the Municipality,
 - (B) a public utility operated by a person who has entered into a franchise agreement with the Municipality, or
 - (C) road or street maintenance;

183.2 Where a temporary sign is a private sale sign, a sign for non-profit organization, or a real estate directional sign, the sign shall:

- (a) only be placed on the right-of-way if the temporary sign complies with the provisions of Part 7B;
- (b) not be located such that it requires removal of or inhibits the growth of trees, shrubbery, or other landscaping;
- (c) have a legible message, and if the message is interfered with, the sign owner shall ensure that the message is corrected;
- (d) be located a minimum of:
 - (i) 1.0 m from any access,
 - (ii) 1.0 m from an intersection, and
 - (iii) 0.3 m from that portion of the public roadway intended for vehicular traffic.
- (e) not be located on:
 - (i) a public roadway,
 - (ii) a median, namely, any part of a right-of-way not intended to be used by vehicular traffic, between two public roadways on which vehicular traffic flows in opposite directions, and includes traffic circles, cul-de-sacs, and concrete islands, and
 - (iii) a traffic control device, tree, light pole, fence, or any other structure than the temporary sign itself.
- (f) have a message which relates to a special event and:
 - (i) is restricted to the name of the organization benefiting from the advertising, the logo of the organization benefiting from the advertising, and brief information describing the event and/or giving directions to the event;
 - (ii) excludes any additional advertising including slogans, and
 - (iii) is removed within twenty-four (24) hours after the end of the event, or removed immediately if the sign no longer fulfils its original purpose;
- (g) be a maximum of:
 - (i) 1.1 m² in size, and
 - (ii) 1.2 m in height;
- (h) be constructed as follows:
 - (i) made of sufficiently durable paper, cardboard, or other light materials to maintain its position and appearance for the period of display, or
 - (ii) made of metal or wood, provided that it collapses upon impact.

183.3 Temporary signs adjacent to Highways 63 & 69 require approval from Alberta Transportation.

Appendix “A”

Illustrations

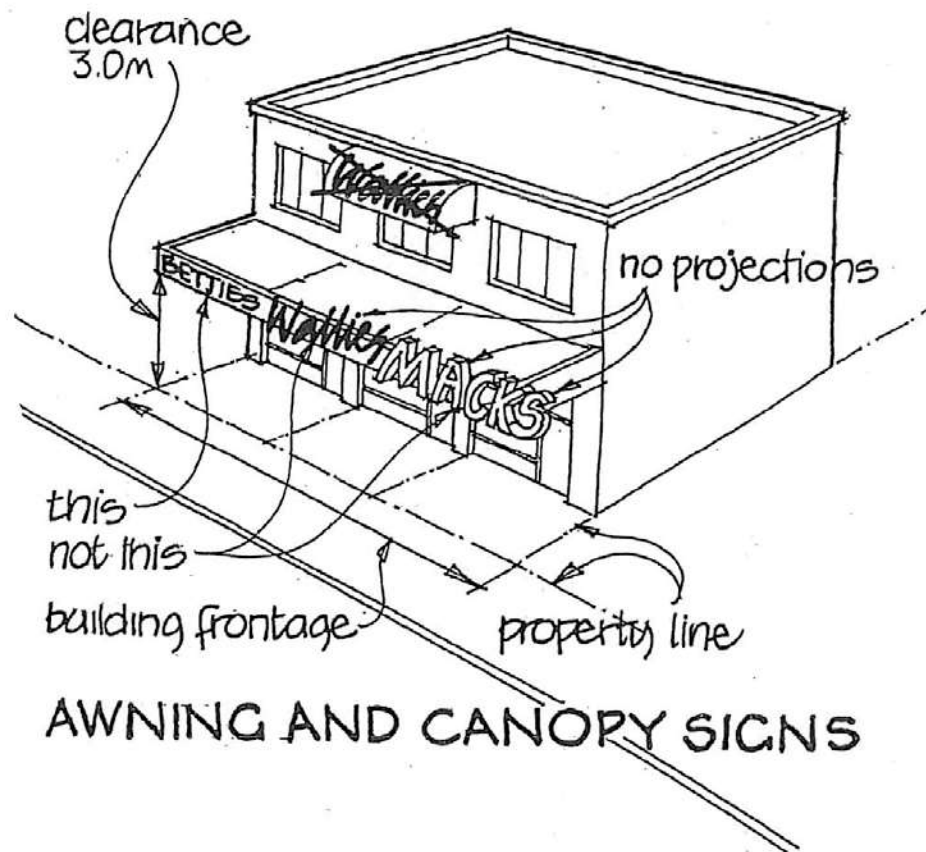


ILLUSTRATION 1

ROOF SIGN

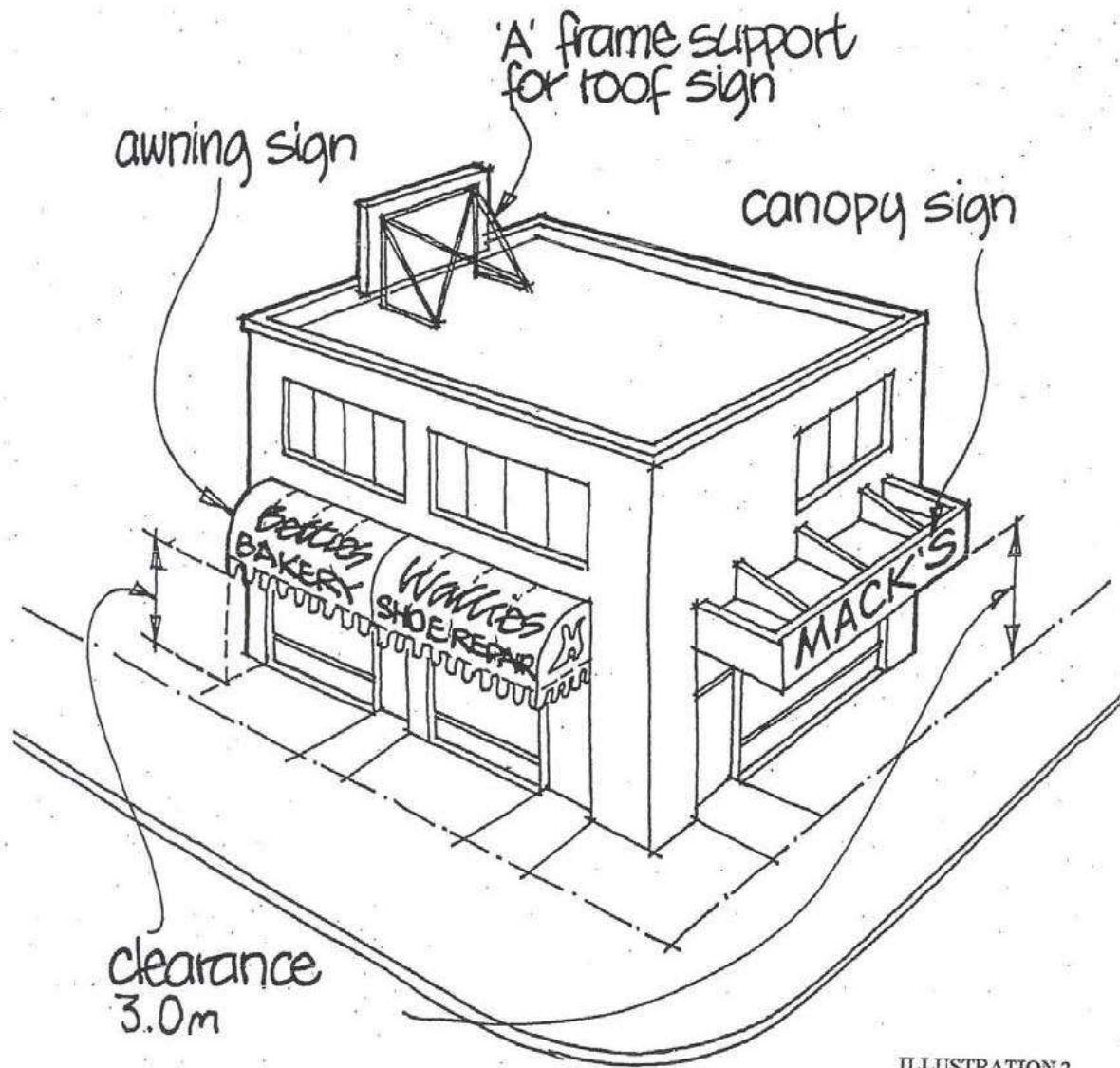
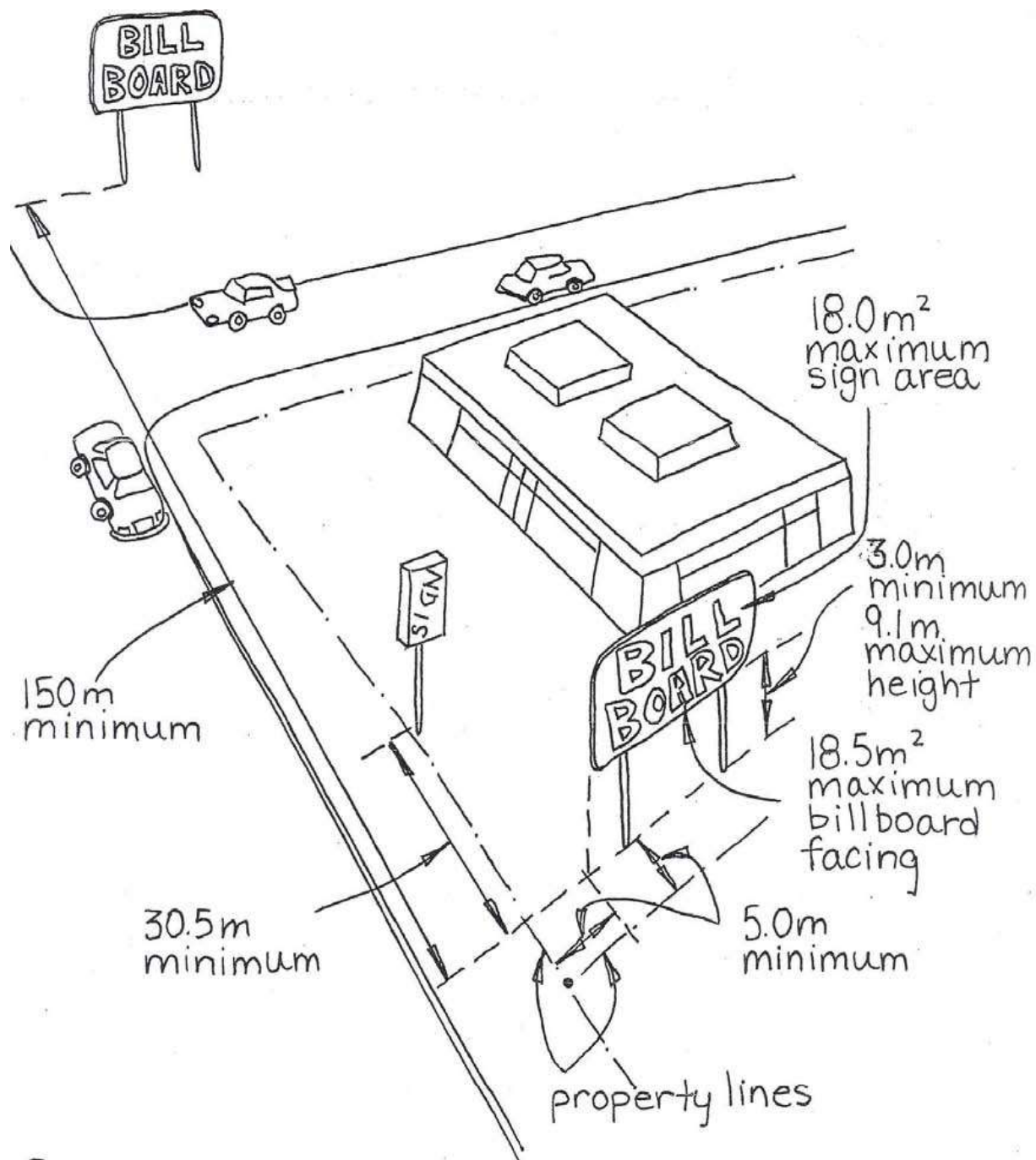


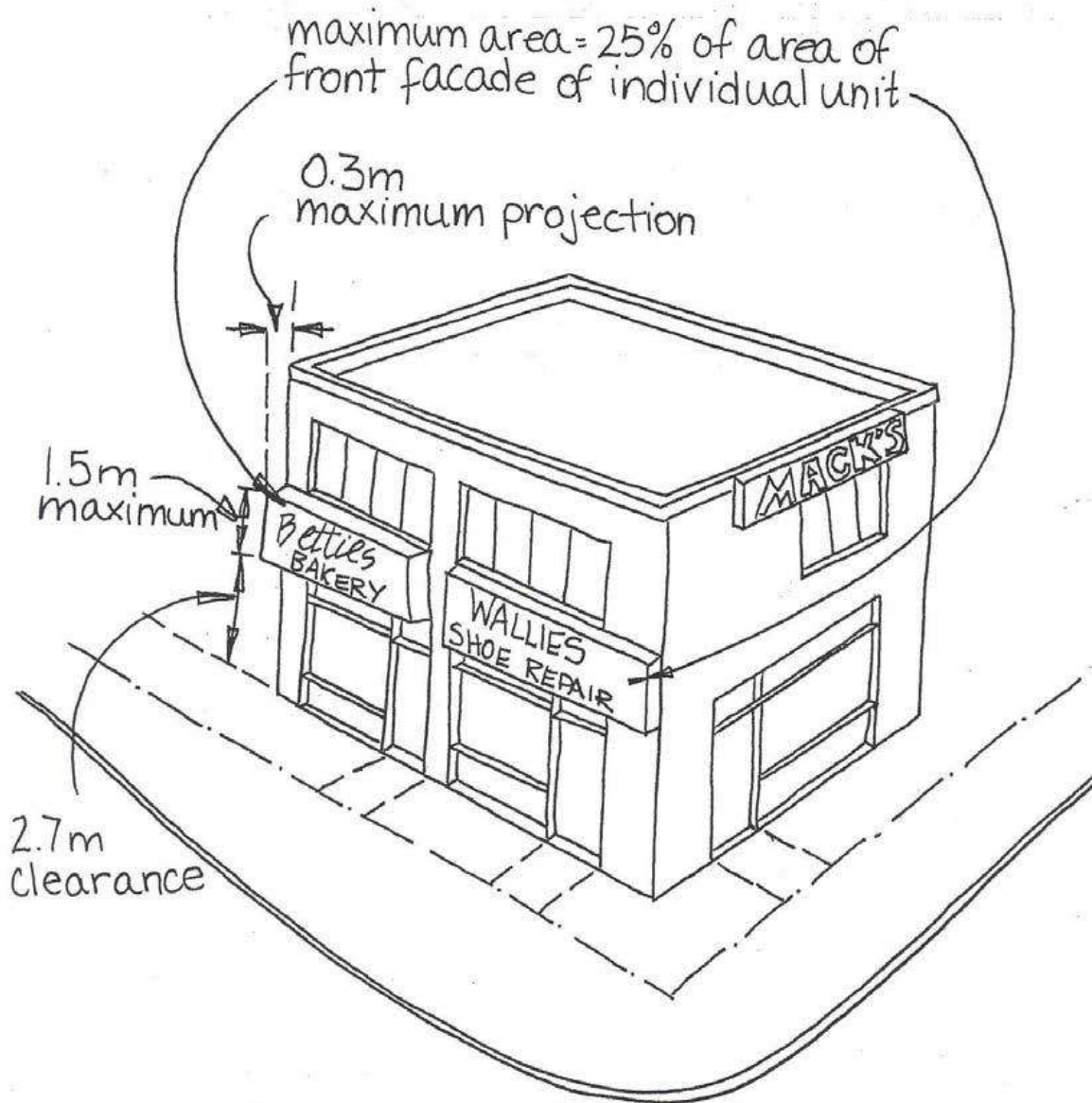
ILLUSTRATION 2

AWNING AND CANOPY SIGNS



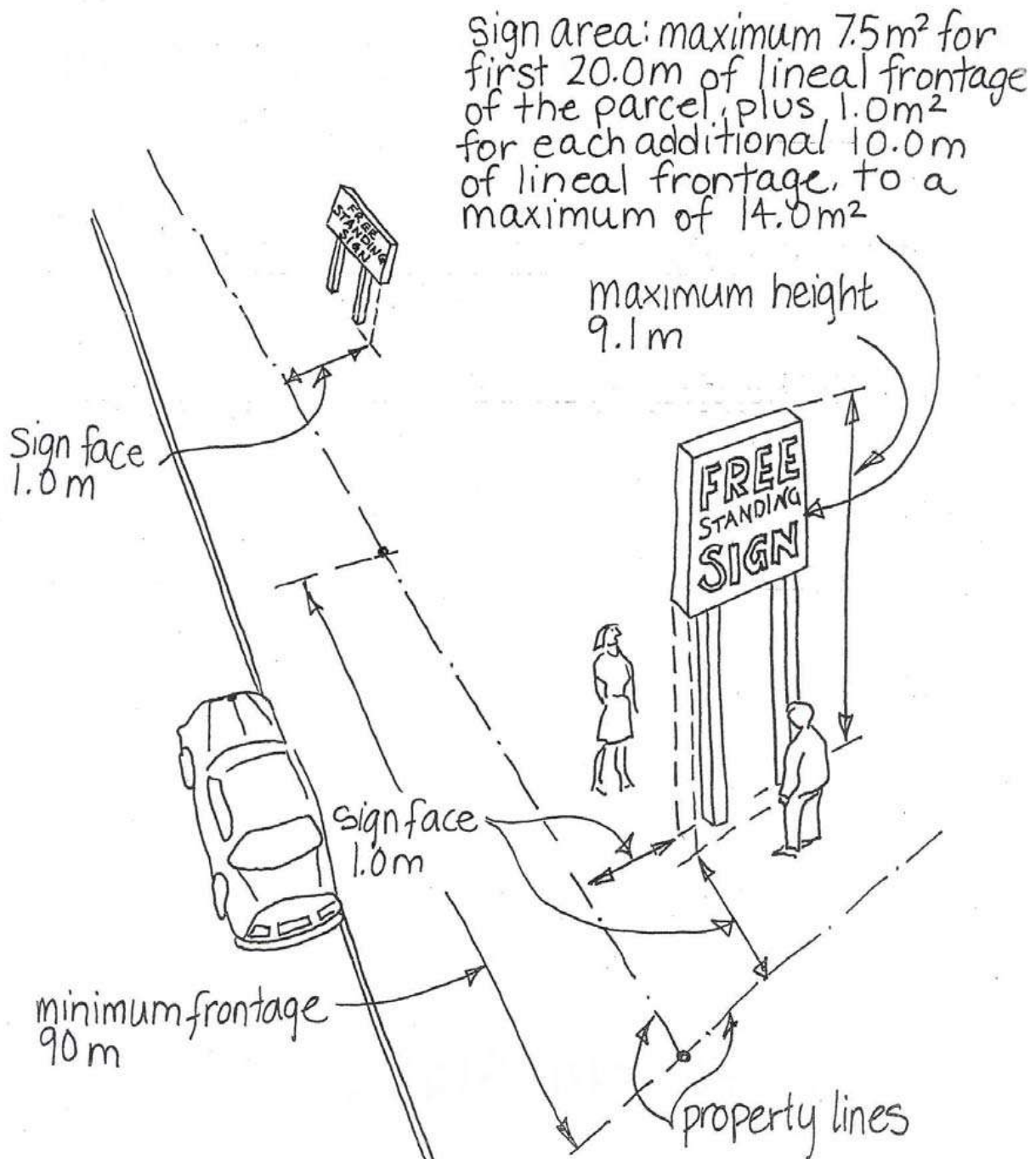
BILL BOARDS

ILLUSTRATION 3



FASCIA SIGNS

ILLUSTRATION 4



FREE STANDING SIGNS

ILLUSTRATION 5

PAINTED WALL SIGN

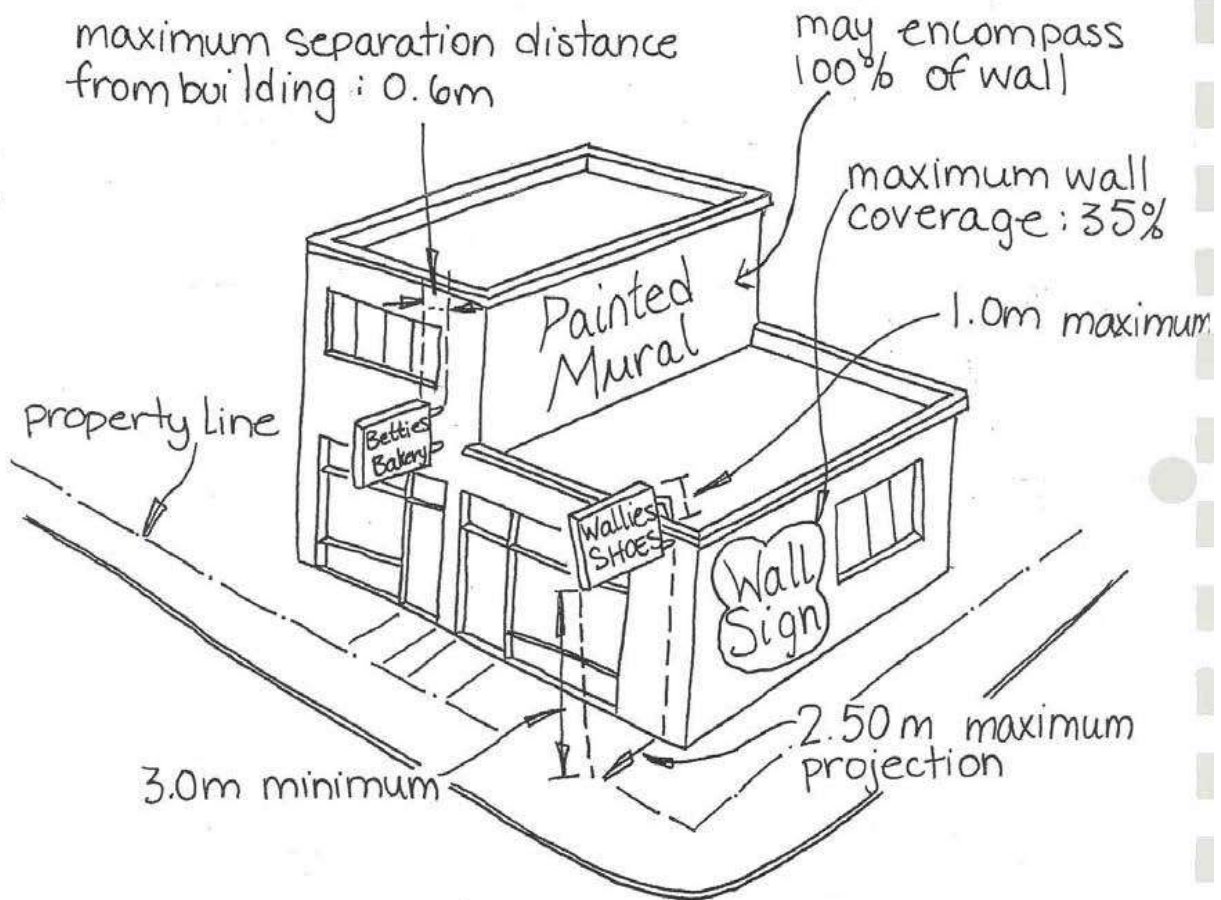
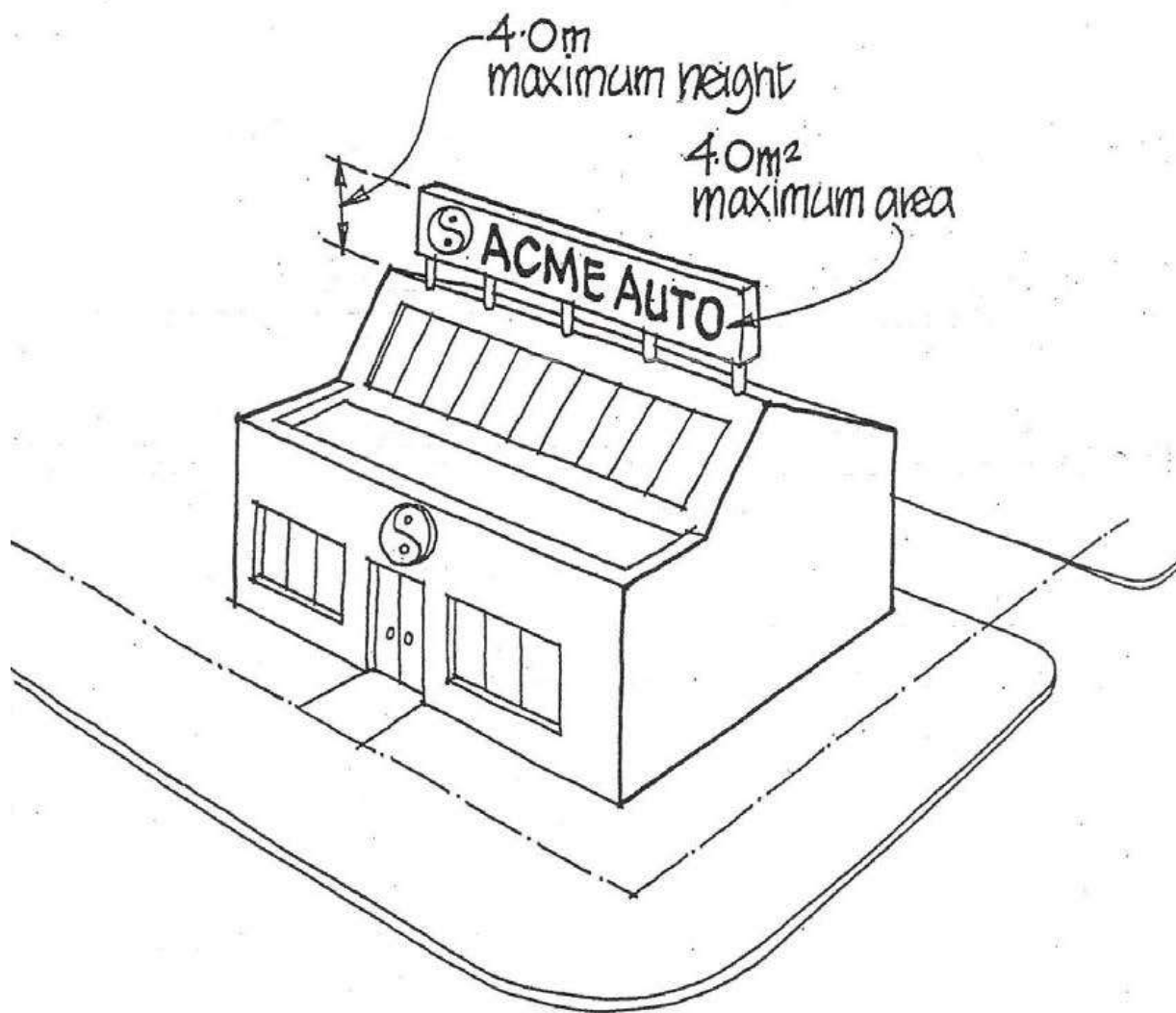


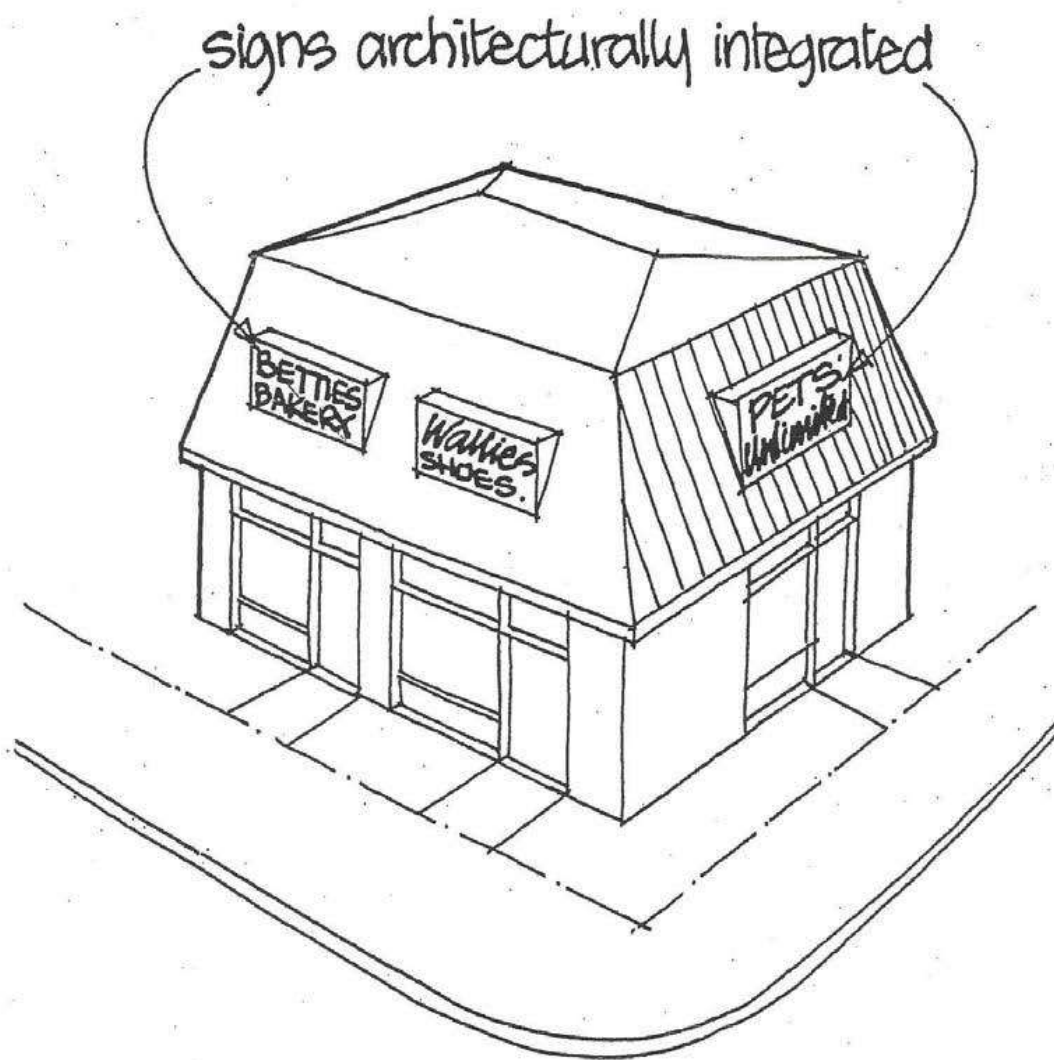
ILLUSTRATION 6

PROJECTING SIGNS



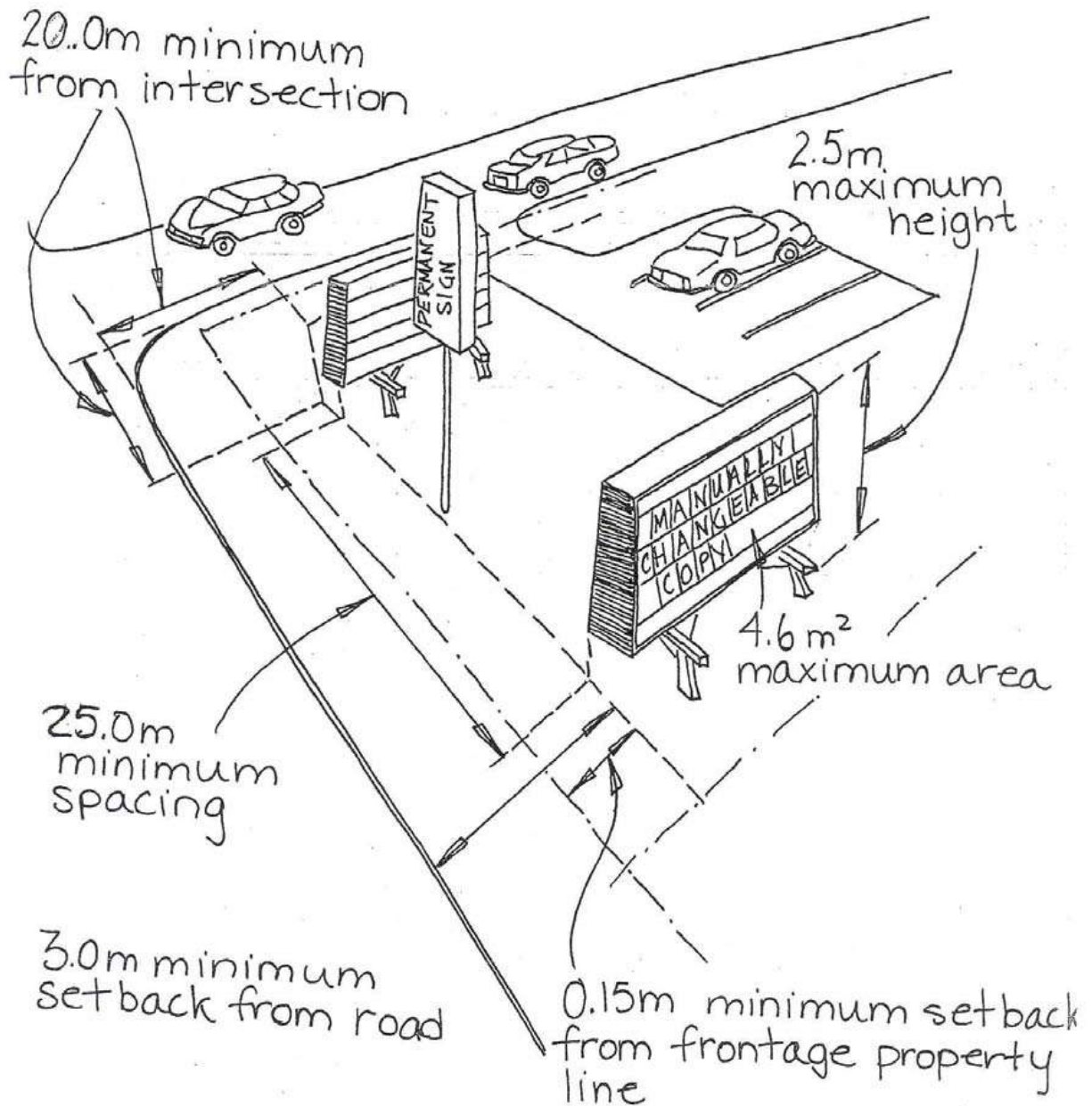
ROOF SIGNS

ILLUSTRATION 7



ROOF SIGNS · MANSARD

ILLUSTRATION 8



PORTABLE SIGNS

ILLUSTRATION 9

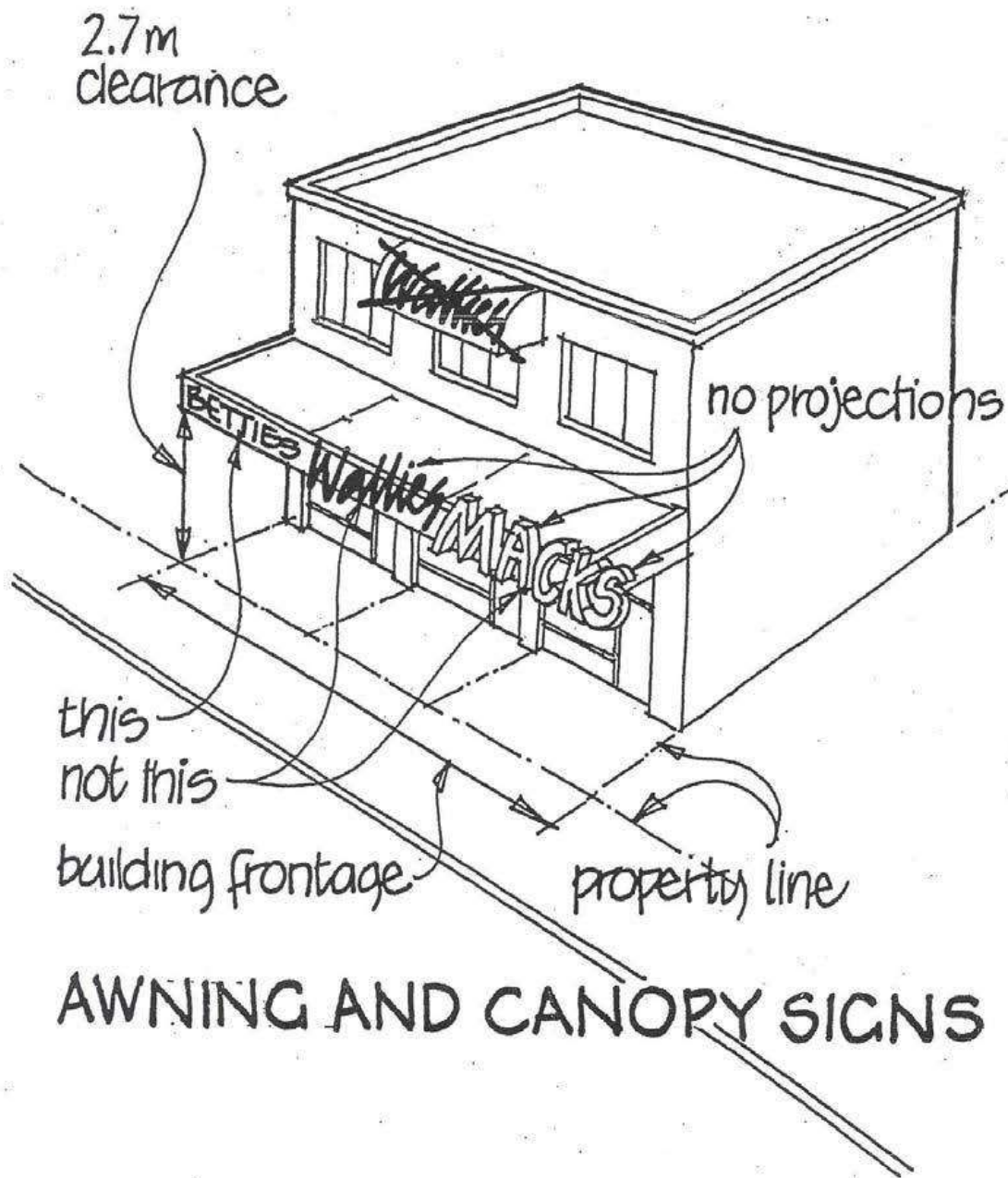
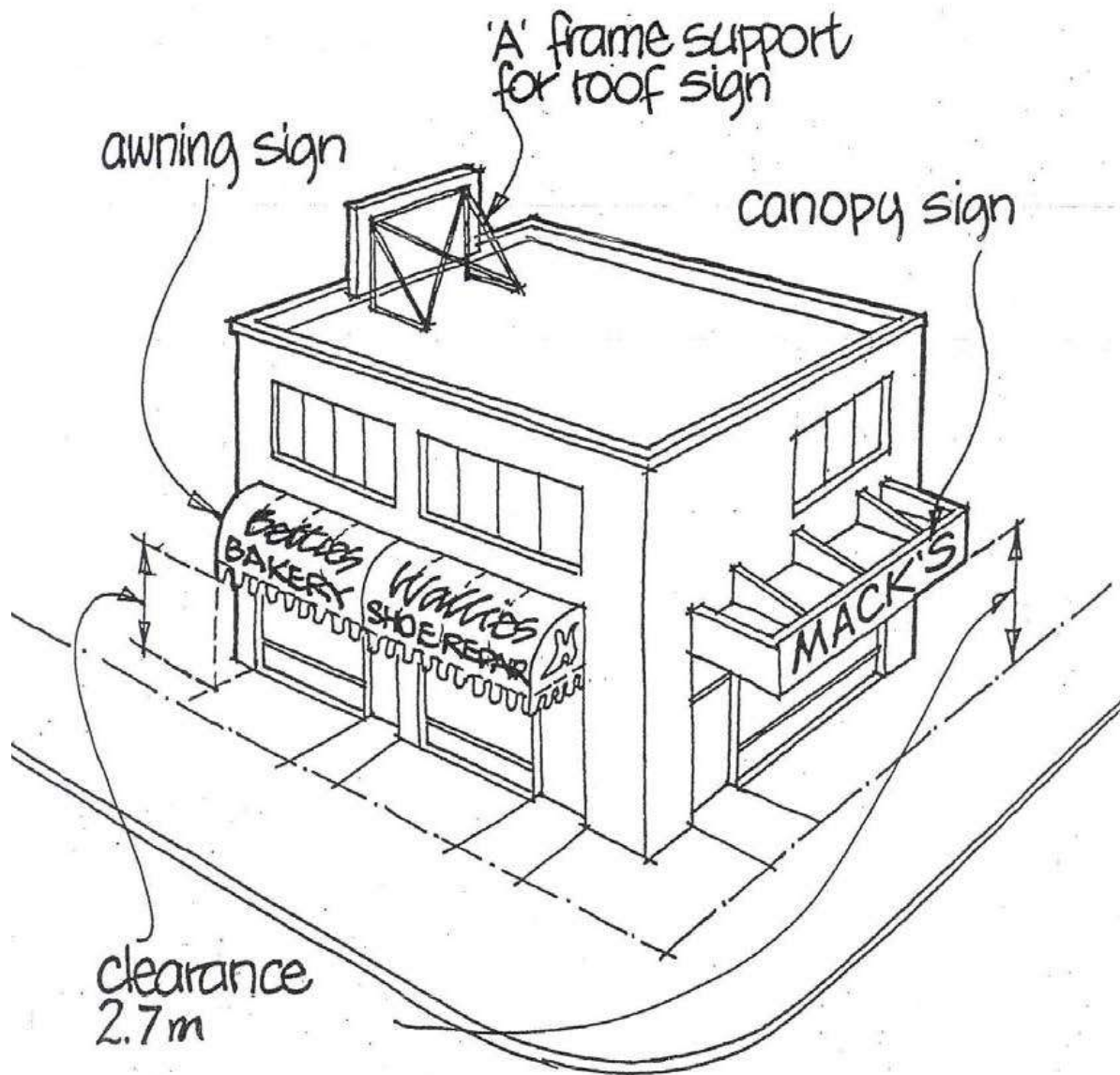


ILLUSTRATION 10

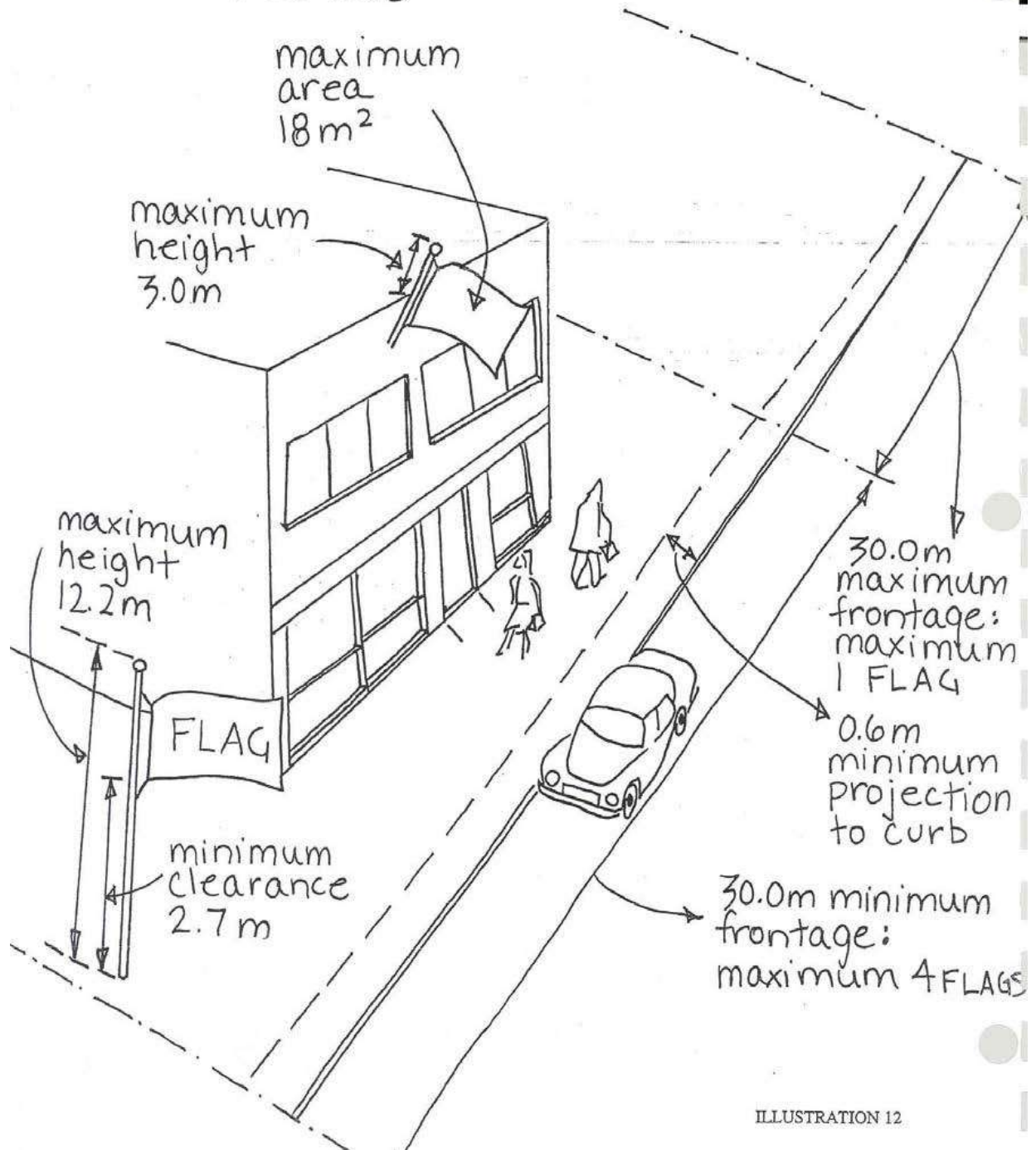
ROOF SIGN

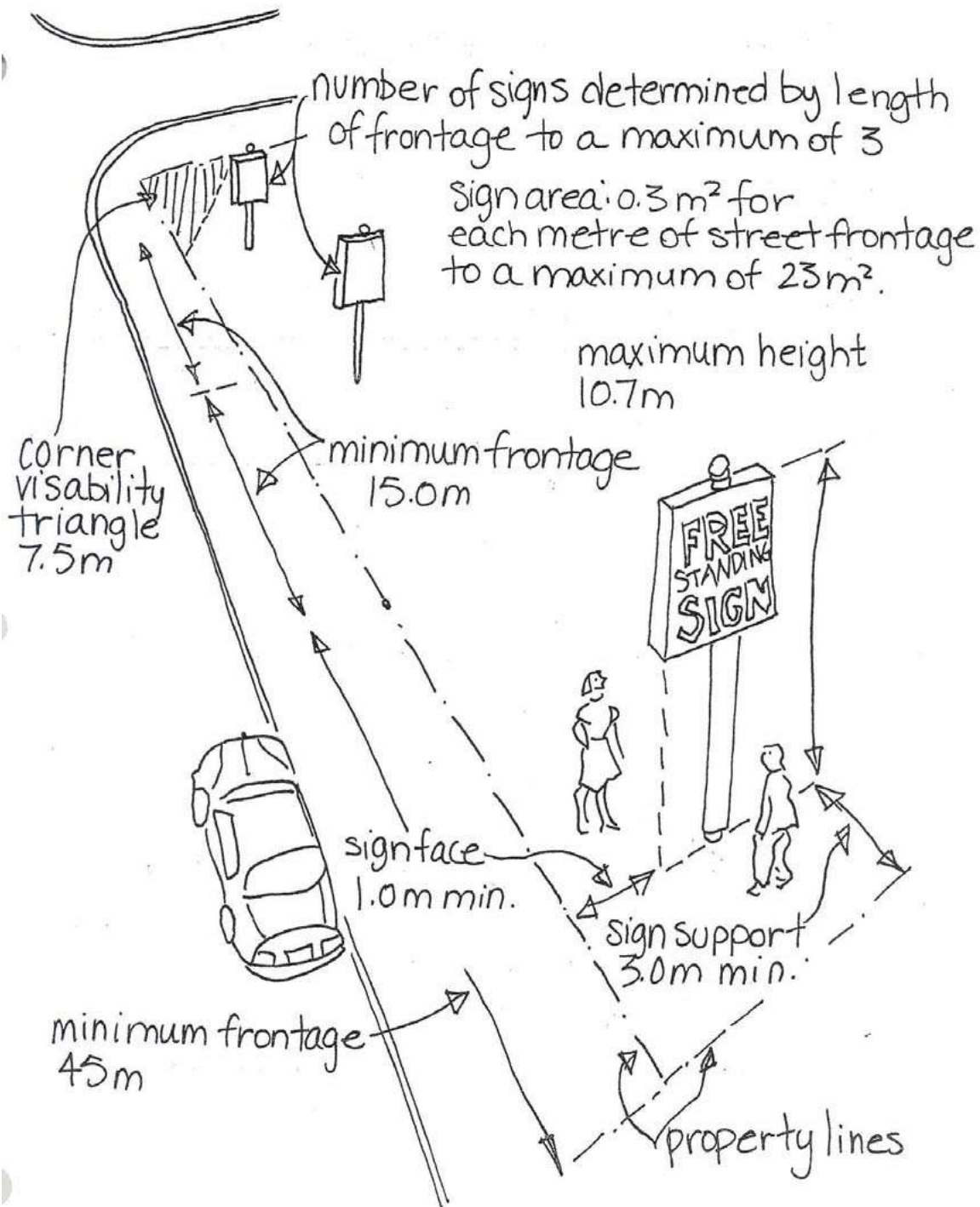


AWNING AND CANOPY SIGNS

ILLUSTRATION 11

FLAGS





FREE STANDING SIGNS

ILLUSTRATION 13

INCIDENTAL SIGNS

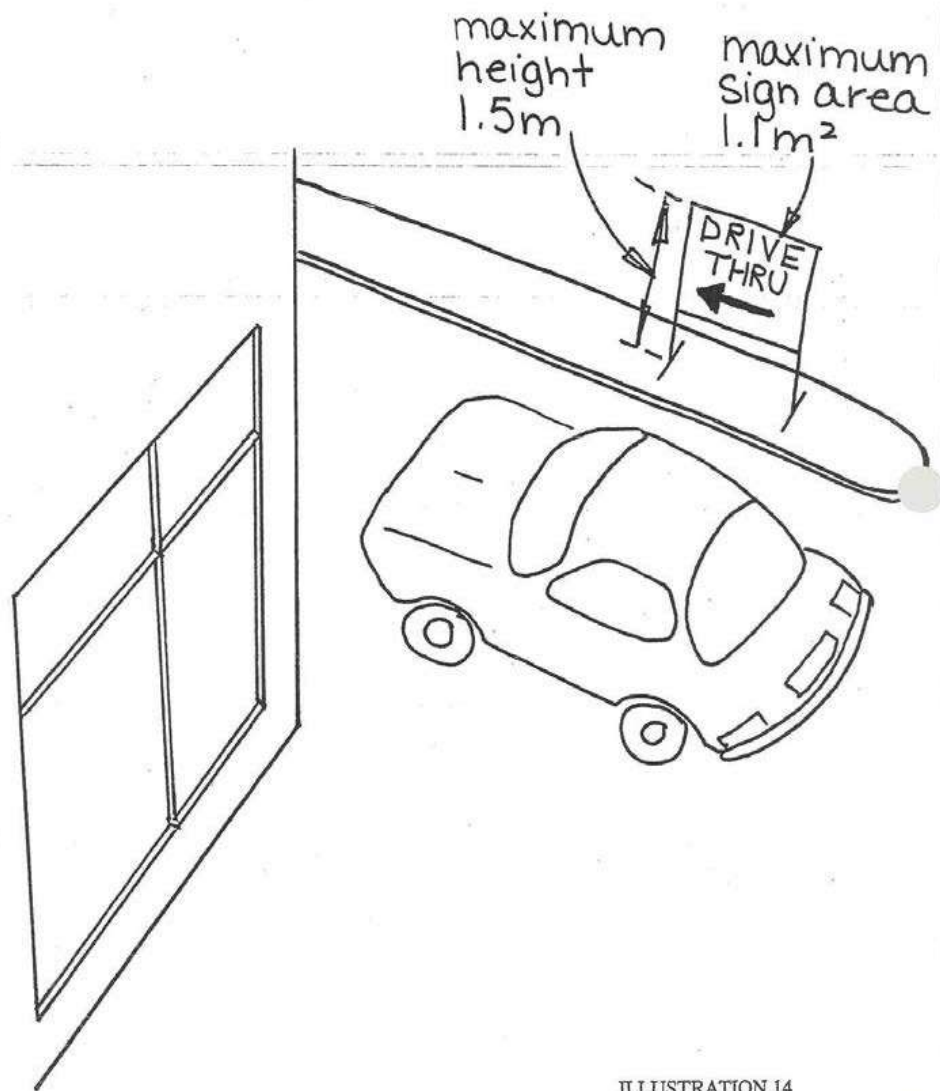


ILLUSTRATION 14

POSTER BOARD SIGN HOLDERS

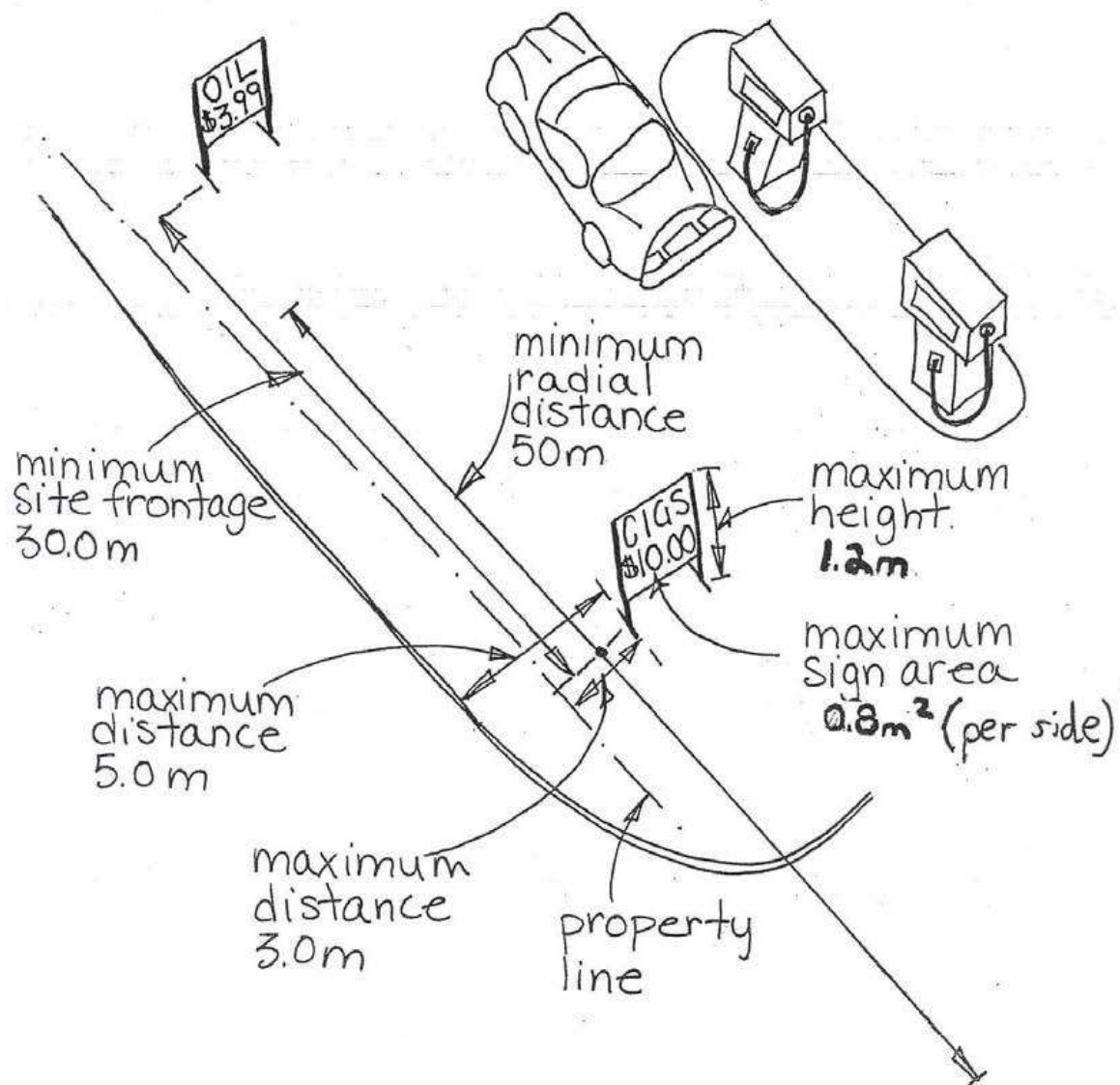
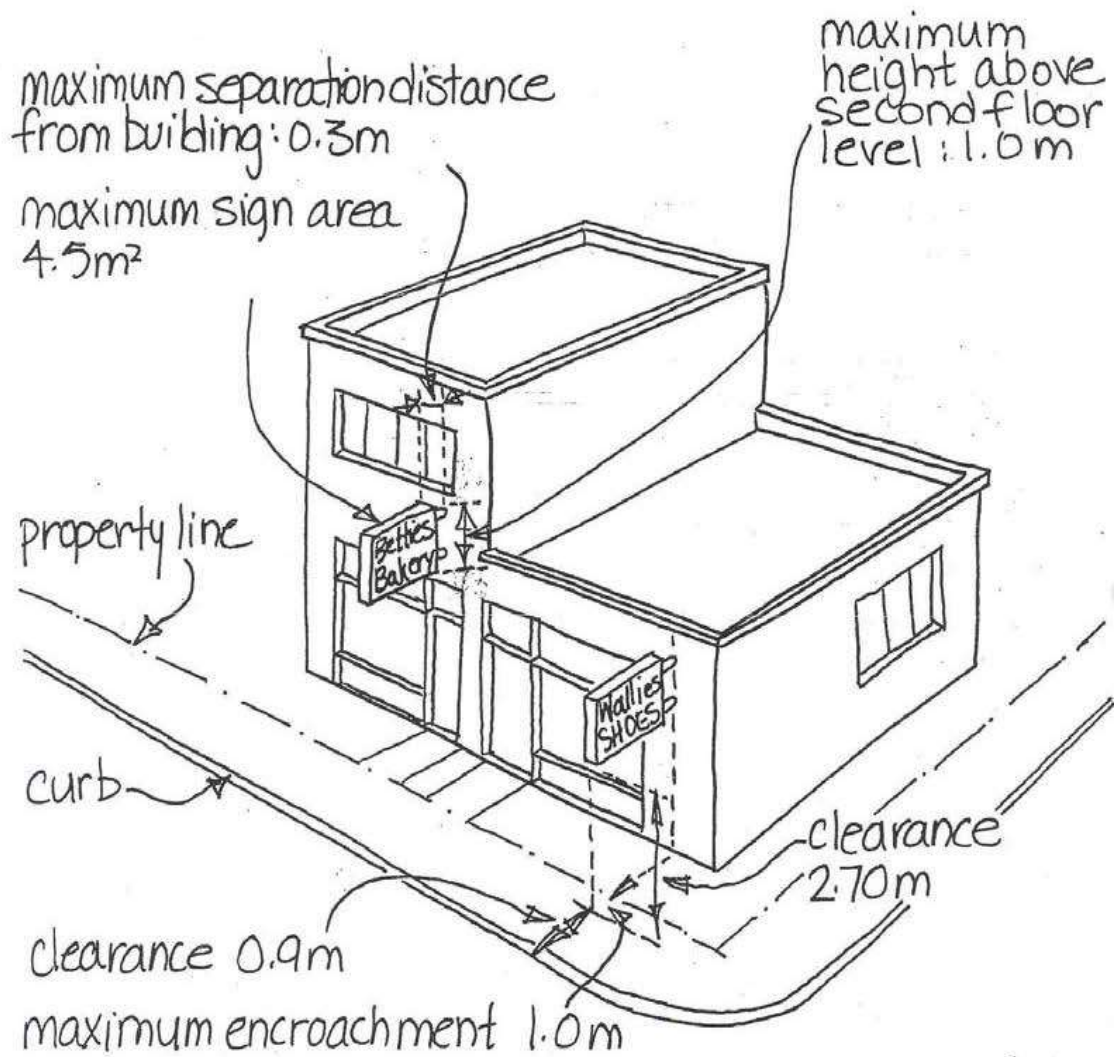
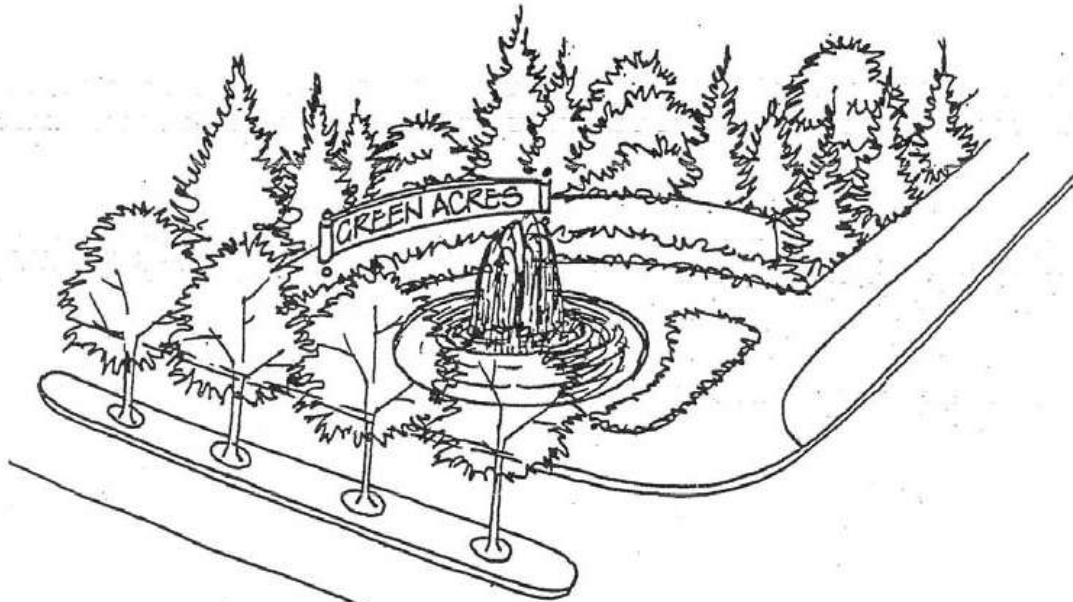


ILLUSTRATION 15



PROJECTING SIGNS

ILLUSTRATION 16



SUBDIVISION ENTRANCE FEATURE SIGN

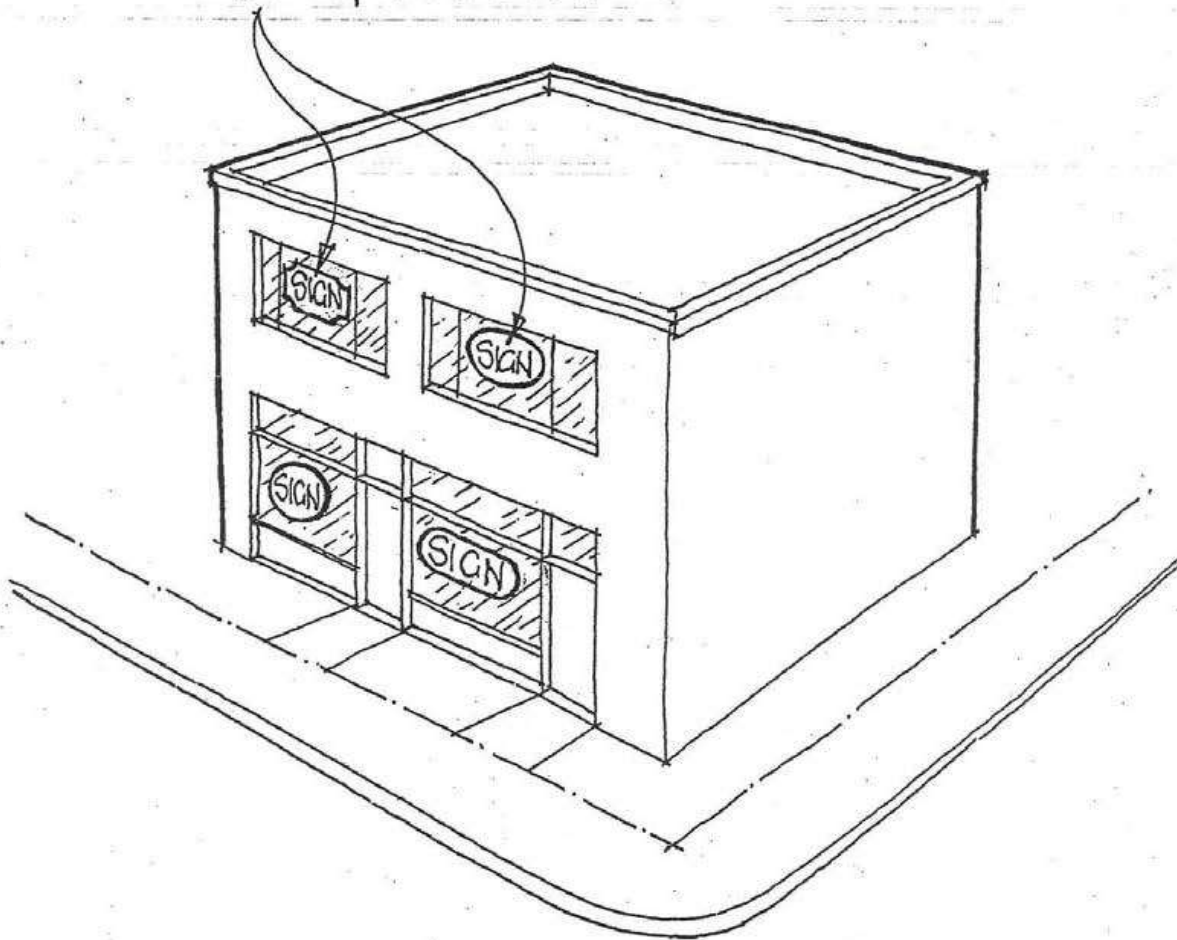
ILLUSTRATION 17

UNDER AWNING/CANOPY SIGNS



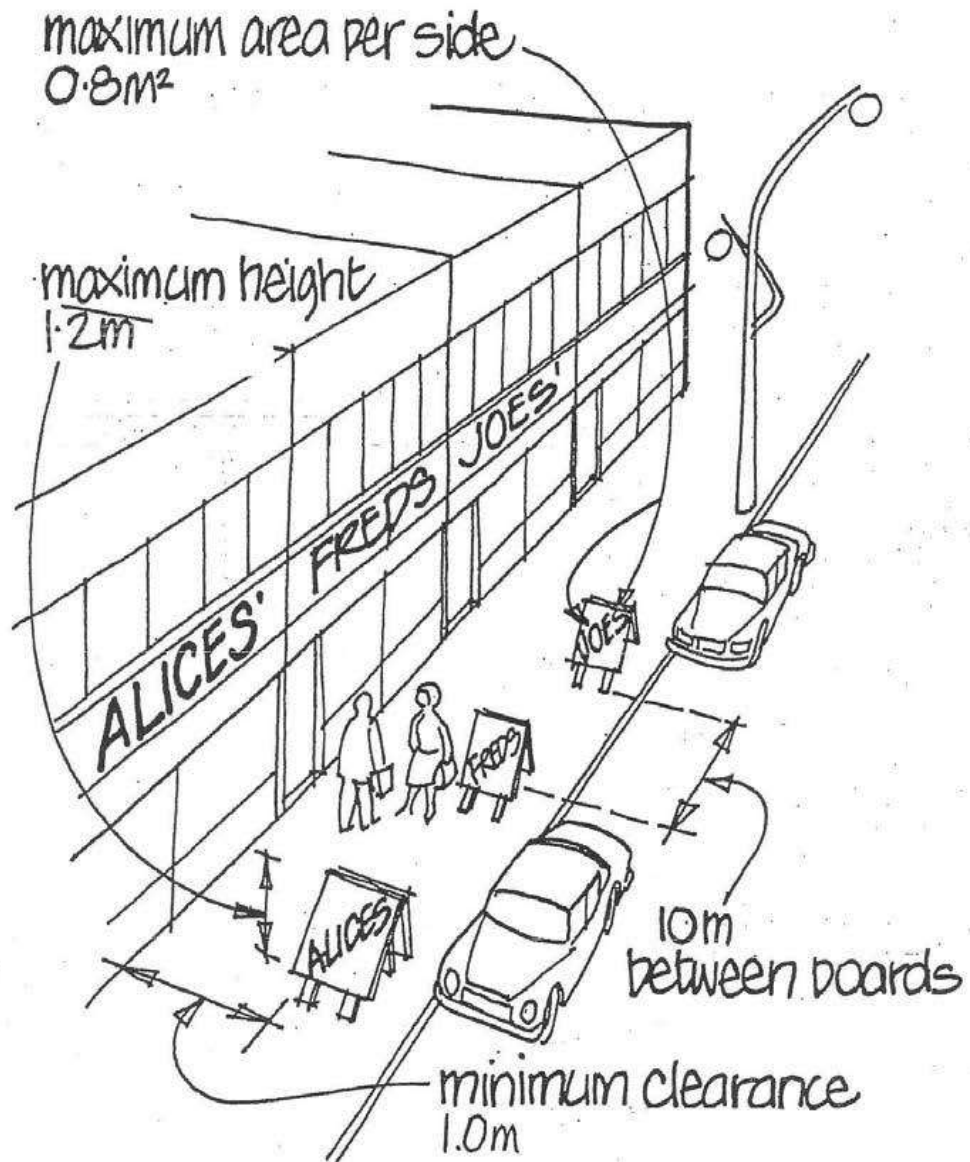
ILLUSTRATION 18

maximum area of sign
25% of window area



WINDOW SIGNS

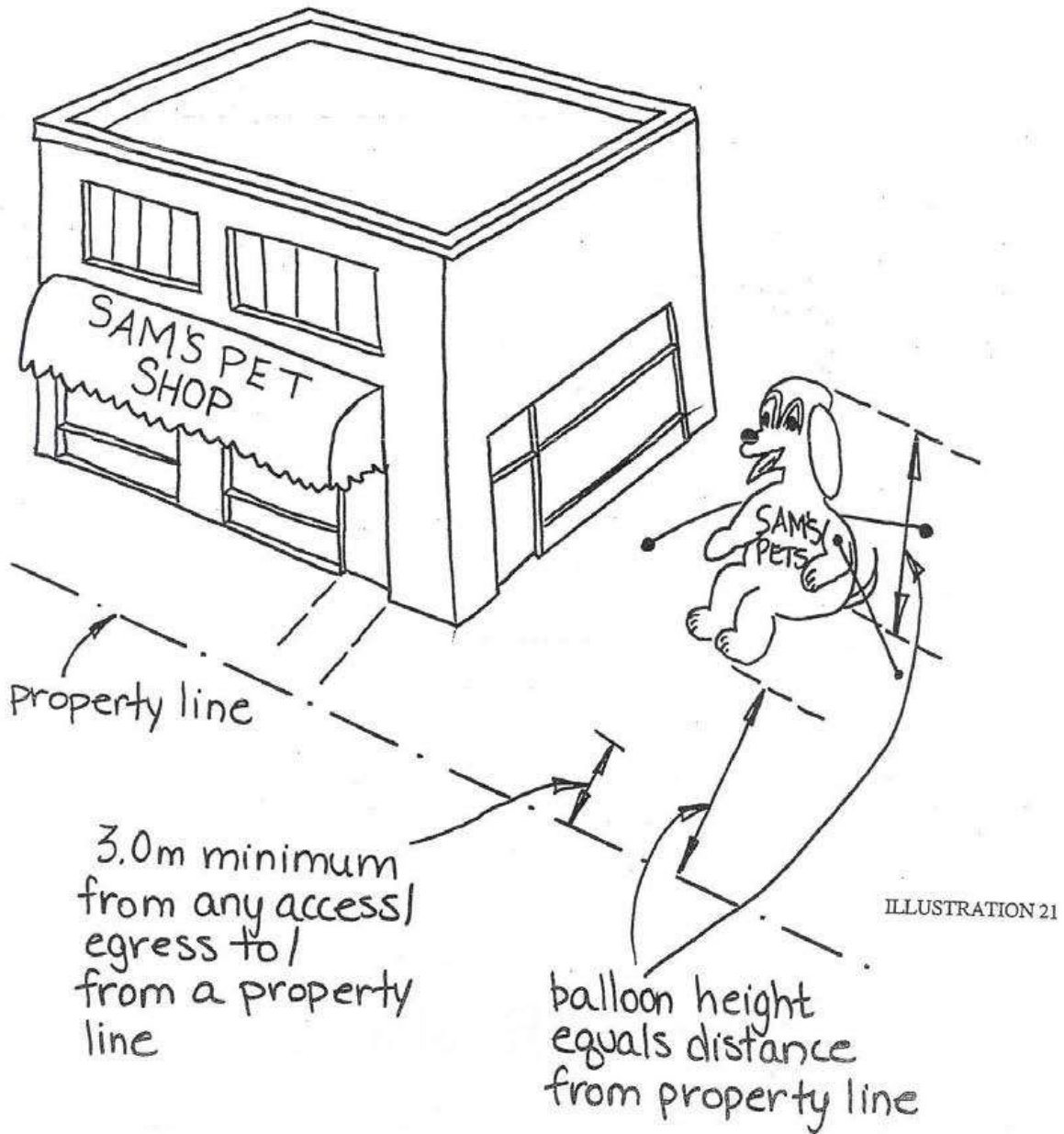
ILLUSTRATION 19



'A' BOARDS

ILLUSTRATION 20

BALLOON (INFLATABLE) SIGNS



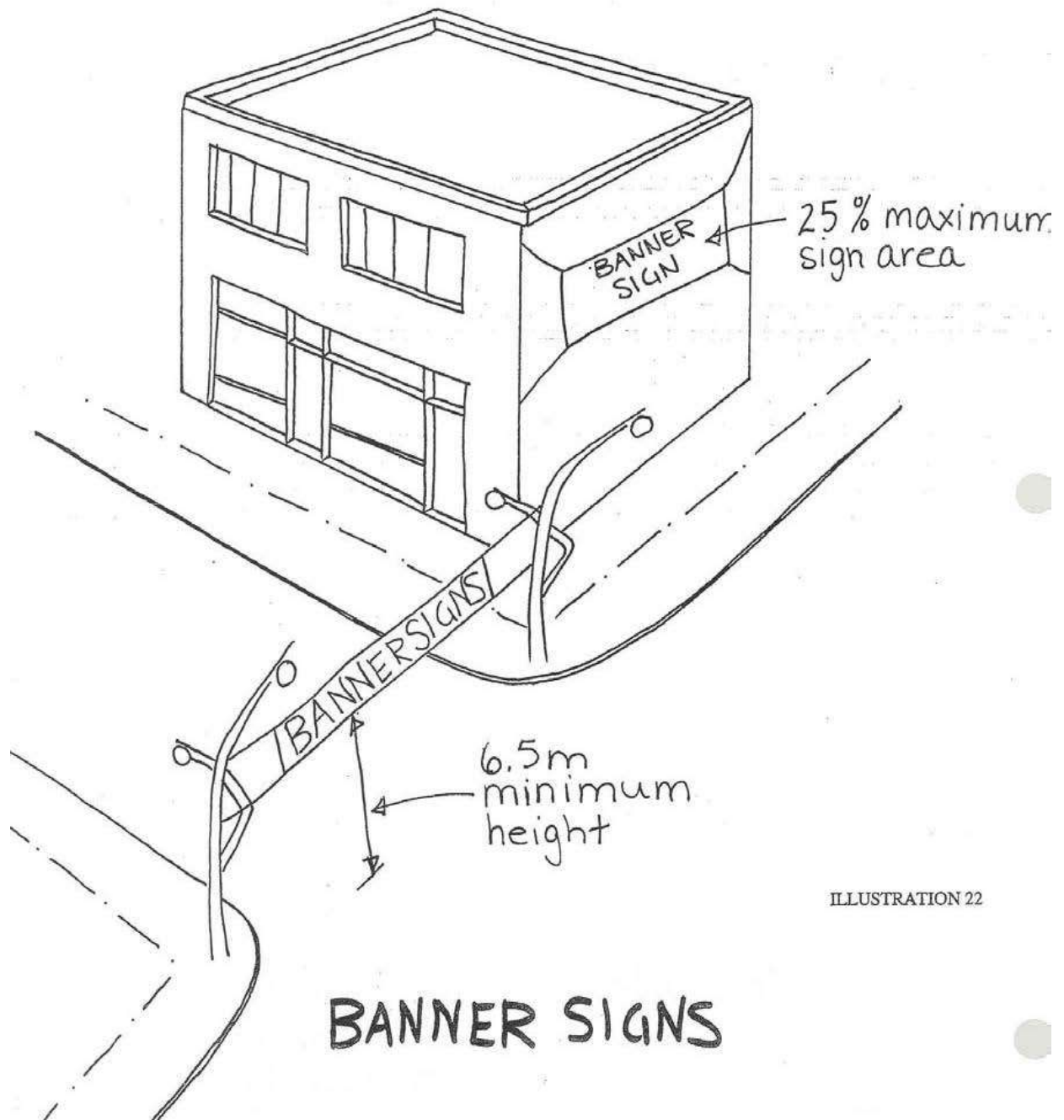
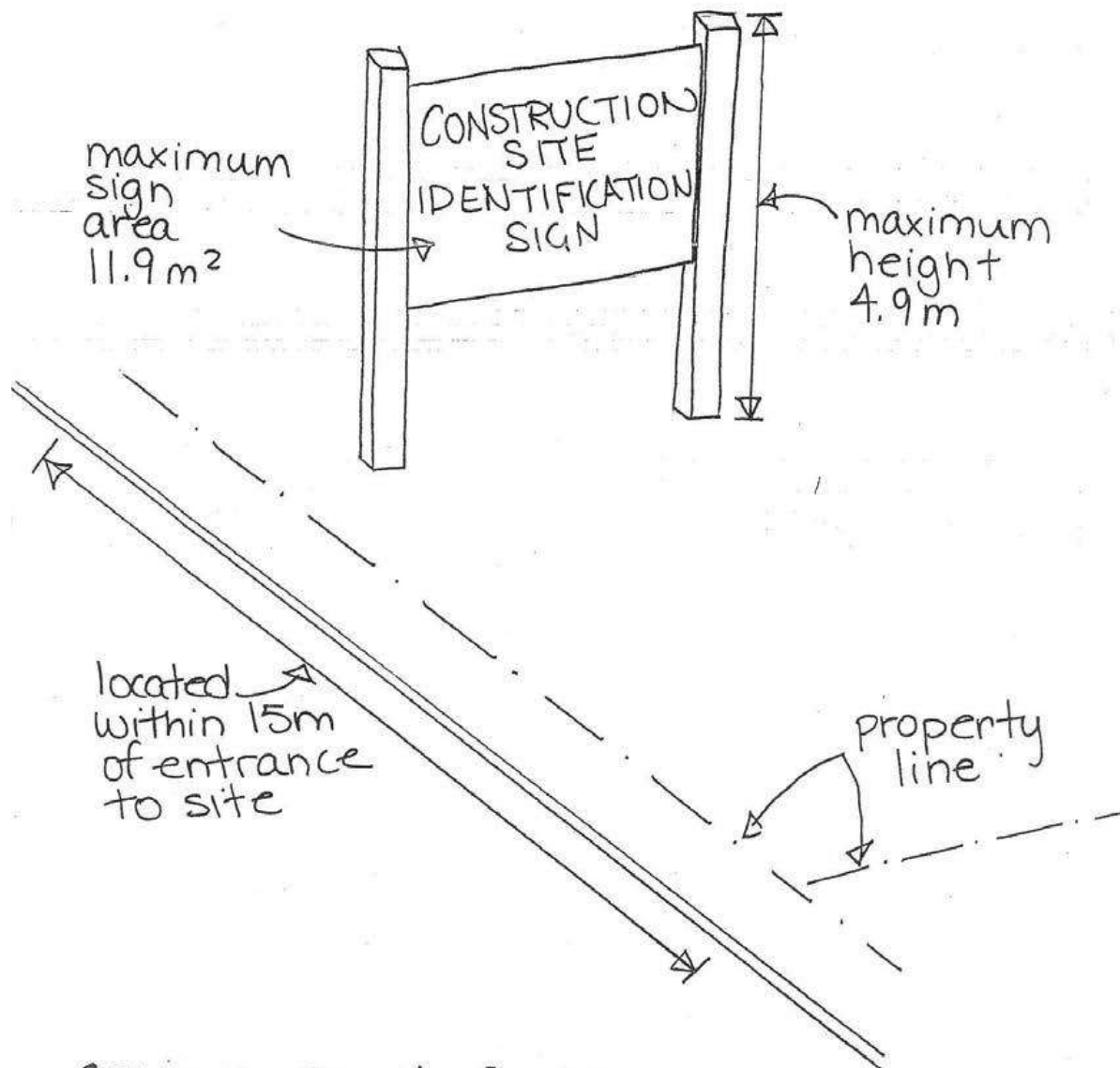


ILLUSTRATION 22



CONSTRUCTION SITE IDENTIFICATION SIGN

ILLUSTRATION 23

PORTABLE SIGNS

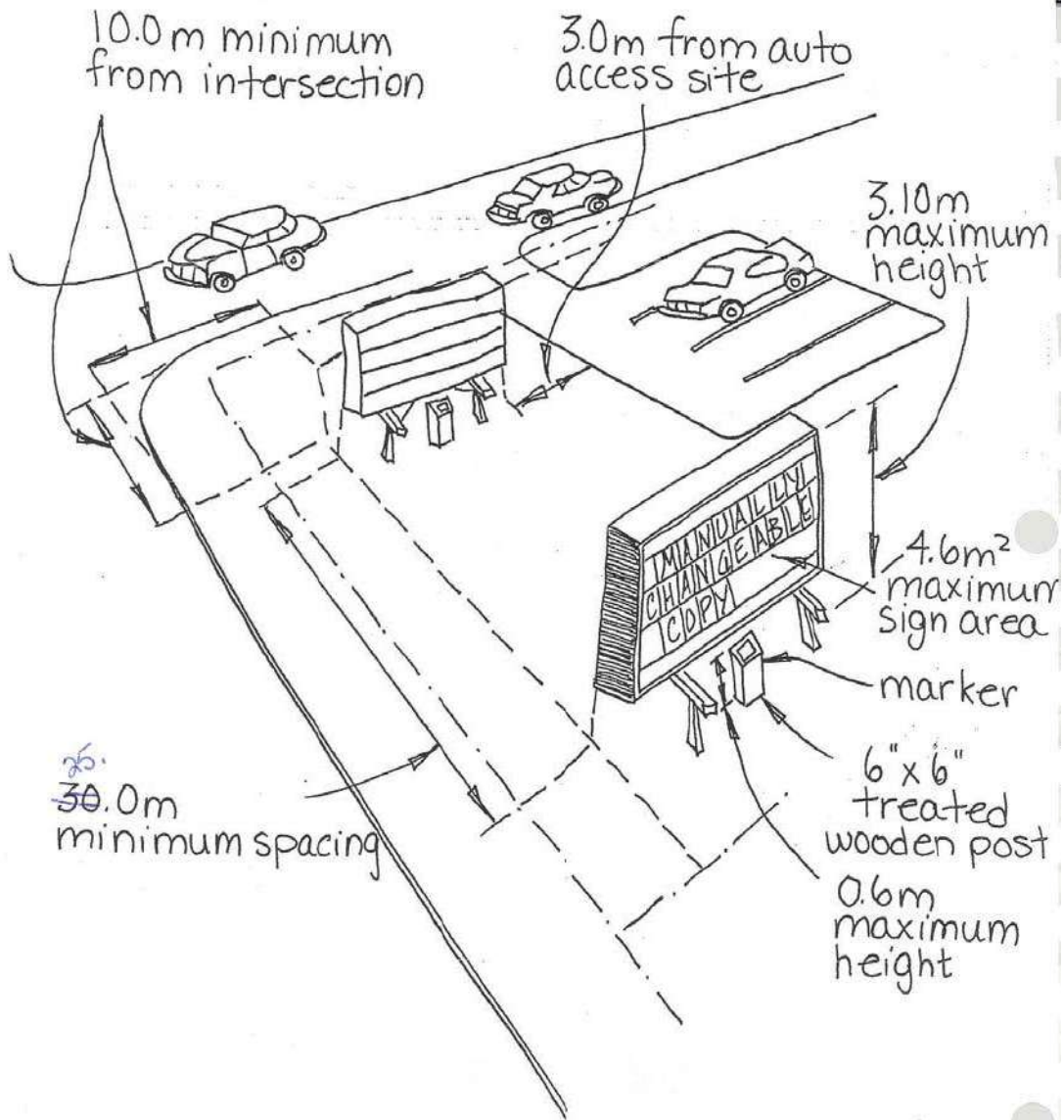


ILLUSTRATION 24

Appendix B – Sign Districts Chart: Rural Service Area (BL 06/023)

| Type of Sign | A | HR | CR | SH | HG | SE | HC | BI | UE | PR/P | C4 | RD | EP |
|--|---|----|----|----|----|----|----|----|----|------|----|----|----|
| | | | | | | | | | | | | | |
| Temporary Signs e.g. lawn sales, real estate | D | P | P | P | P | P | P | P | P | P | P | P | P |
| Land/Building Identification | D | P | P | P | P | P | P | P | P | P | P | P | P |
| Lease/Sale/Rental Signs | D | P | P | P | P | P | P | P | P | P | P | P | |
| Building Contractor Signs | D | P | P | P | P | P | P | P | P | P | P | P | |
| Subdivision Marketing and Directional Signs | | P | P | P | P | P | P | P | P | P | P | P | P |
| | | | | | | | | | | | | | |
| Awning/Canopy Signs | | | | | | | D | D | D | D | D | D | |
| Awning/Canopy Signs for Building Identification Only | | D | D | D | D | D | | | | | | | D |
| Billboards | D | | | | | | D | D | | | D | | |
| Fascia/Wall Signs | D | | | | | | D | D | D | D | D | D | |
| Freestanding Signs | D | | | | | | D | D | D | D | D | D | |
| Freestanding Signs for Building Identification Only | | D | D | D | D | D | | | | | | | D |
| Projecting Signs | | | | | | | D | D | D | D | D | D | |
| Roof Signs | | | | | | | D | D | D | D | D | D | |
| 3rd Party Identification Signs | | | | | | | D | D | | | D | | |
| Portable Signs | | | | | D | | D | D | D | D | D | D | D |
| Inflatable Signs | | | | | D | | D | D | D | D | D | D | |
| P-Permitted Use D- Discretionary Use | | | | | | | | | | | | | |

Appendix B – Signs District Chart Urban Service Area

| Type of Sign | Special Districts | | | | Residential | | | Commercial | | | | | Industrial |
|--|-------------------|----|----|----|-------------|---------------|--------------|------------|----|----|----|----|------------|
| | DC | EP | PR | PS | UE | Single Family | Multi-Family | C1 | C2 | C3 | C4 | C5 | BI |
| Temporary Signs in Right-Of-Ways | P | P | P | P | P | P | P | P | P | P | P | P | P |
| ‘A’ Board | P | | | | | | P-R4 | P | P | P | P | P | P |
| Balloon(inflatable) | D | | D | D | | | | D | D | D | D | D | D |
| Banner | D | | D | D | | | D-R4 | D | D | D | D | D | D |
| Construction Site Identification | P | P | P | P | P | P | P | P | P | P | P | P | P |
| Elections | P | P | P | P | P | P | P | P | P | P | P | P | P |
| Portable | P | | P | P | | | P-R4 | P | P | P | P | P | P |
| Posters in Approved Poster Board Holder | P | | P | P | | | P-R4 | P | P | P | P | P | P |
| Private Sale | P | | P | P | P | P | P | P | P | P | P | P | P |
| Proposed Development | P | P | P | P | P | P | P | P | P | P | P | P | P |
| Real Estate Sale and Real Estate Directional | P | P | P | P | P | P | P | P | P | P | P | P | P |
| Subdivision/Builder Marketing | P | | P | P | P | P | P | P | P | P | P | P | P |
| Subdivision Directional | P | P | P | P | P | P | P | P | P | P | P | P | P |
| Awnings/Canopy | D | | D | D | D | | P/D | D | D | D | D | D | D |
| Billboards* | | | | | | | | | | | | | |
| Fascia/Wall | P | | P | P | P | D | P/D | P | P | P | P | P | P |
| Flags | P | | | | | | P-R4 | P | P | P | P | P | P |
| Freestanding | D | | D | D | D | D | D-R4 | D | D | D | D | D | D |
| Incidental | P | | P | P | P | | | P | P | P | P | P | P |
| Poster Board Holders | D | | D | D | | | D-R4 | D | D | D | D | D | D |
| Projecting | P | | | | | | P-R4 | P | P | P | P | P | P |
| Roof | P | | | | | | | | | | | | P |
| Subdivision Entrance | P | P | P | P | P | P | P | P | P | P | P | P | P |
| 3rd Party Identification | P | | | | | | P-R4 | P | P | P | P | P | P |
| Under Awning/Canopy | P | | P | P | P | | P | P | P | P | P | P | P |
| Window | P | | | | | | P-R4 | P | P | P | P | P | P |
| P - Permitted Use Note: Signs adjacent to Highways 63 and 69 may require approval from Alberta Transportation D - Discretionary Use *Billboards existing at passage of Amending Bylaw No. 01/068 can continue. New: community-orientated only | | | | | | | | | | | | | |

Appendix C

Fees

Unless as prescribed immediately below, the fee for a sign development permit shall be:

1. \$60.00 for each sign, subject to the provisions of Section 6 of this Bylaw.
2. In the case of an application for a portable sign marker, the fee is \$150.00 per sign marker. The applicant is responsible for all costs associated with the installation and maintenance of the marker.
3. In the case of a comprehensive sign design permit application, the minimum fee is \$300.00. The fee for comprehensive sign designs involving more than 5 signs will be \$500.00.

184. **Reserved for future use**
185. **Reserved for future use**
186. **Reserved for future use**
187. **Reserved for future use**
188. **Reserved for future use**
189. **Reserved for future use**
190. **Reserved for future use**
191. **Reserved for future use**
192. **Reserved for future use**
193. **Reserved for future use**
194. **Reserved for future use**
195. **Reserved for future use**
196. **Reserved for future use**
197. **Reserved for future use**
198. **Reserved for future use**
199. **Reserved for future use**

PART 7C – Signs Regulations for City Centre

7C.1 General City Centre Signs Provisions

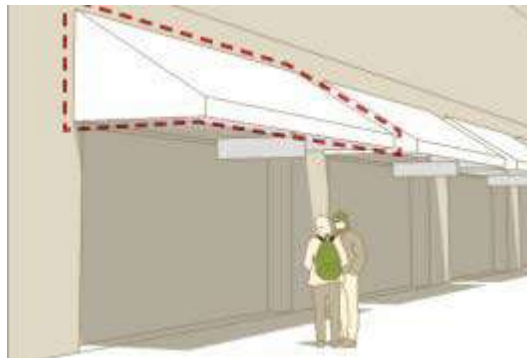
1. Application

- (a) The regulations contained in this Part 7C apply to the areas designated as the City Centre Special Area as shown on Appendix 1 – City Centre Districts and Corridors Map.
- (b) Unless specifically excluded or modified by this Part, the regulations in Part 7B of this Bylaw shall apply to the areas designated as the City Centre Special Area as shown on Appendix 1 – City Centre Districts and Corridors Map.
- (c) Where a discrepancy exists between Part 7B and Part 7C of this Bylaw, the provisions of Part 7C of this Bylaw shall prevail.

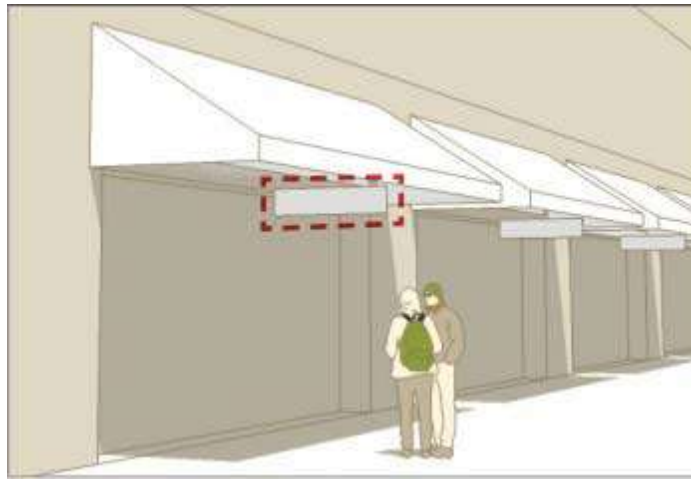
2. Definitions

- (a) In addition to the definitions in Section 156(2) of this Bylaw, in this Part, the following words shall have the following meanings, unless the context requires otherwise:

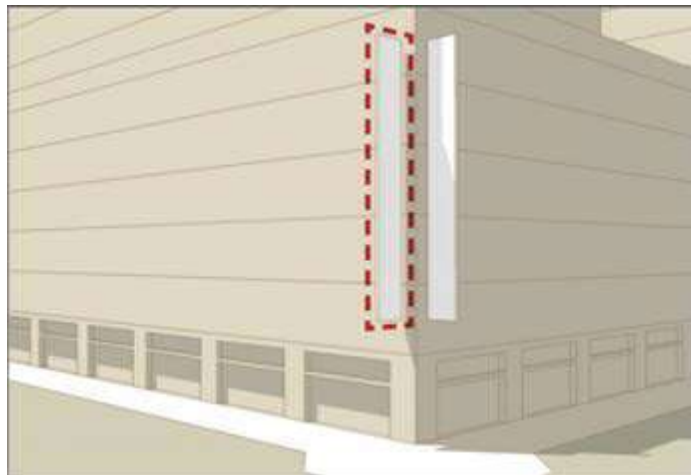
AWNING SIGN - means a Sign, which is incorporated as part of the fabric or plastic skin of Awning.



BLADE SIGN, HORIZONTAL - means a horizontal Sign extending generally perpendicular to the Building, often hanging from the Awning.



BLADE SIGN, VERTICAL - means a Sign extending out from the Building that runs parallel to the vertical axis of the Building.



BLADE ZONE means an area allocated for Vertical Blade Signs extending out from the Podium **portion** of a Building.

COMMERCIAL DEVELOPMENT - means development within the CBD1, BORE1, SCL1, **SCL2**, PRA1, PRA2, FRA1, and SR1 Districts, excluding any Residential uses within these Districts.

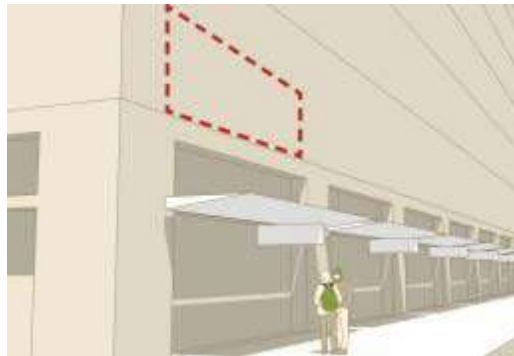
DEPTH - means the third dimension of a Sign that is not the Height or the Width, and generally refers to the thickness of the Sign.

DIGITAL SIGN - means any Sign that is remotely changed on or off Site and has a varying Message Duration. Digital Signs incorporate a technology or method allowing the Sign to change Copy without having to physically or mechanically replace the Sign Face or its components. Digital Signs include moving effects, Message Transition effects, and video images.

ELECTRONIC MOVING COPY - means Copy displayed utilizing electronic screens, televisions, computer video monitors, liquid crystal displays, light emitting diode displays, or any other similar electronic technology where the Copy displays moving images.

ELECTRONIC STATIC COPY - means Copy displayed utilizing electronic screens, televisions, computer video monitors, liquid crystal displays, light emitting diode displays, or any other similar electronic technology where the Copy is fixed for a set period of time.

FASCIA SIGN - means a Sign, plain or illuminated, running parallel for its whole length to the face of the Building to which is attached.

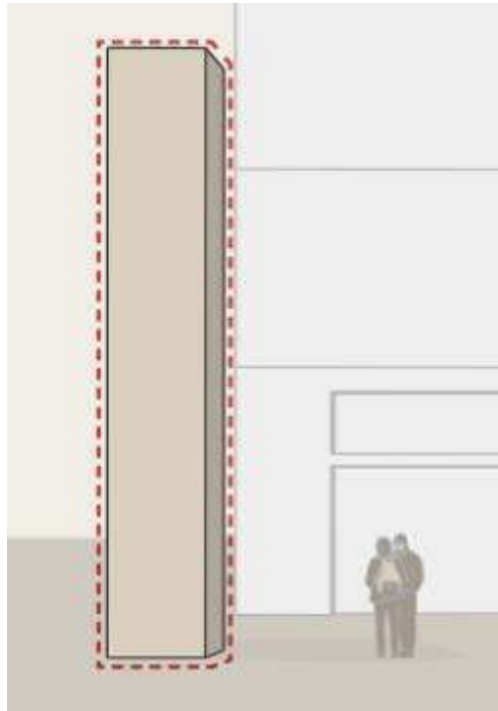


FIRST PARTY SIGN - means a Sign which identifies, advertises, promotes, or directs attention to the specific business, service, or activity on the Site on which the Sign is located, or identifies the name of the building. For example, City Dentist, Smith Shoes, Northern Law, Jones Building.

FIRST STOREY - means the Storey with the floor nearest to the average elevation of the surface of the ground where it meets the front wall of a Building.

FOOTPRINT - means the area of the ground surface that a sign covers, but does not include the sign foundation.

FREESTANDING SIGN - means a Sign supported by one or more uprights, braces or pylons and which stands independently of a Building and contains only Copy that identifies, advertises, promotes, or directs attention to the specific business, service, or activity on the Site on which the Sign is located.



GROUND PLANE ZONE - means, for the purpose of locating and allocating areas for Signs, the zone on the ground adjacent to a Building that is allocated for the location of signage.

INSTITUTIONAL DEVELOPMENT - means development within the PR-CC, PS-CC and RIVF Districts, excluding any Residential uses within these Districts.

INTERACTIVE COPY - means Copy which specifically changes so as to communicate directly with an observer.

MESSAGE DURATION - means the period of time that Copy is displayed on a Sign Face.

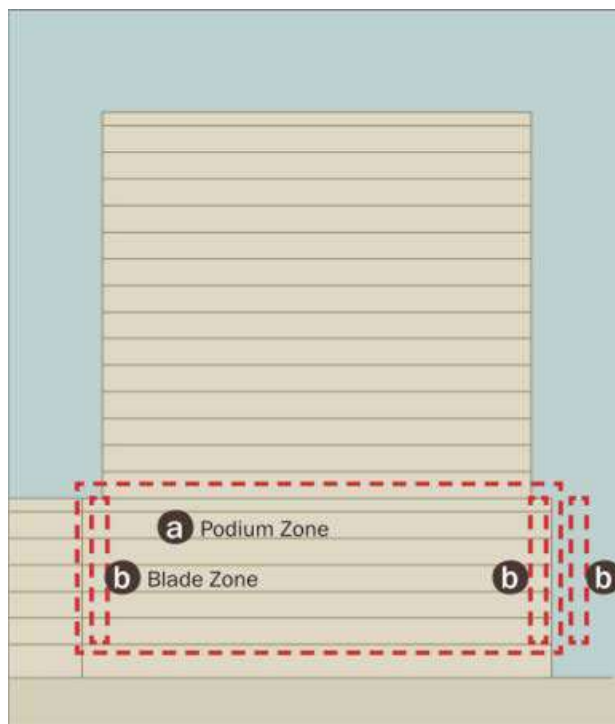
MESSAGE TRANSITION - means the period of time involved for each change of Copy displayed on a Sign Face.

NIT - means a unit of measurement of luminance, or the intensity of visible light, where one nit is equal to one candela per square meter. Nits are used to describe the brightness of computer displays, such as LCD and CRT monitors.

PROJECTION - means the distance that a Sign may extend from the vertical face of a Building.

PODIUM ZONE - means an area allocated for signage on the Podium of a Building. For the purpose of signage, the definition of the Podium Zone is the portion of any building between 4.5 metres and the top of the podium, or, for a single storey building, between 4.5

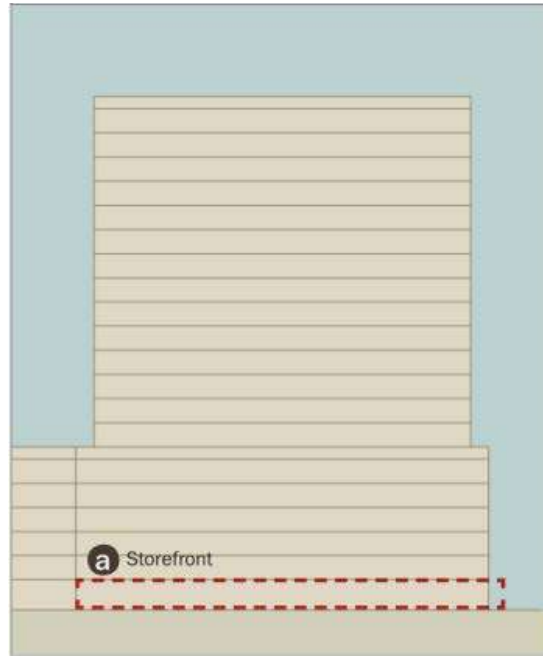
metres and the top of the building. For example, on a building that meets the maximum Podium height of six storeys or 20 metres, the Podium Zone would be the portion of the building between 4.5 metres and six storeys or 20 metres. For a single-storey building that meets the minimum building height requirement of 6 metres or two storeys, the Podium Zone would be the distance between 4.5 metres and 6 metres or the top of the second storeys.



SECOND PARTY SIGN - A sign which identifies, advertises, promotes, or directs attention to product or service sold or offered on the premises where the sign is located. For example, XYZ shoes available here, we sell ABC stereos, teeth whitening offered here.

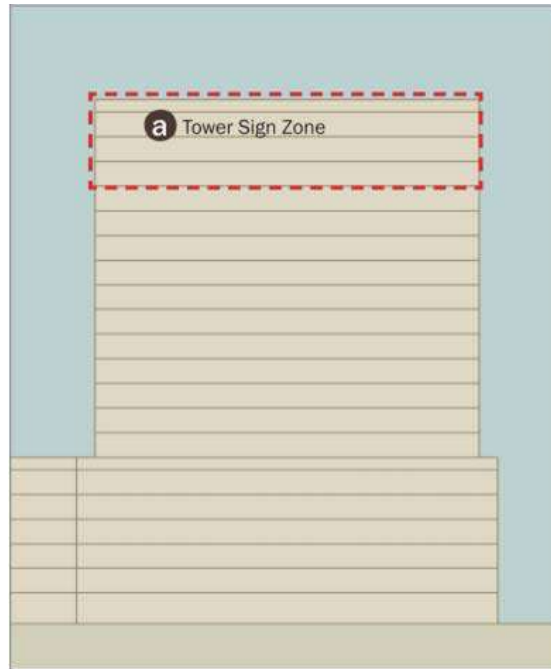
SIGN - means any structure, device, light or fixture, or any part thereof, used to identify, advertise or attract attention to any person, object, product, event, place, organization, institution, development, business, group, profession, enterprise or industry and is intended to be seen from on or off the Site.

STOREFRONT ZONE - means an area allocated for signage located on the Ground Floor adjacent to the Street, including the Ground Floor portion of the Podium. The Storefront Zone has a maximum height of 4.5 metres. Within the Porch/Stoop/Terrace frontage type, both the first and second Storey are within the Storefront Zone.

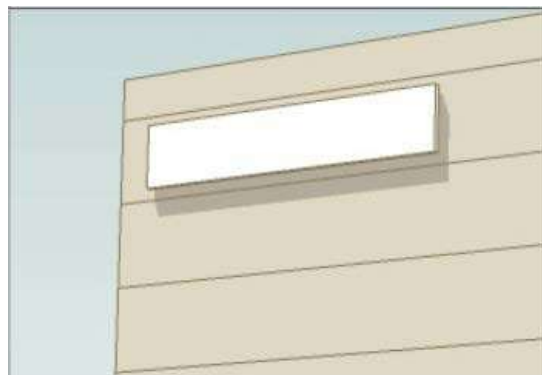


THIRD PARTY SIGN - means a Sign that advertises goods, products, services or facilities, or directs persons to a different location from where the Sign is located. Such a Sign is not located on the same parcel as the goods, products, services or facilities it advertises.

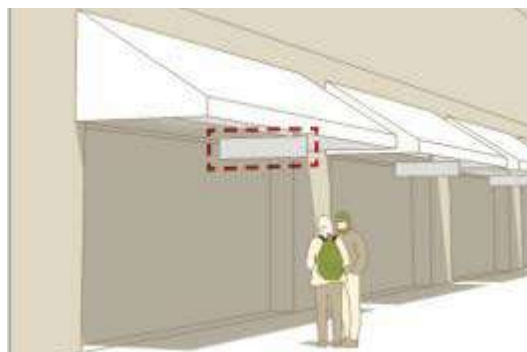
TOWER SIGN ZONE - means the area allocated for signage on a Tower.



TOWER TOP SIGN - means a Fascia Sign located within the top 25% of the Height of a Building Tower.

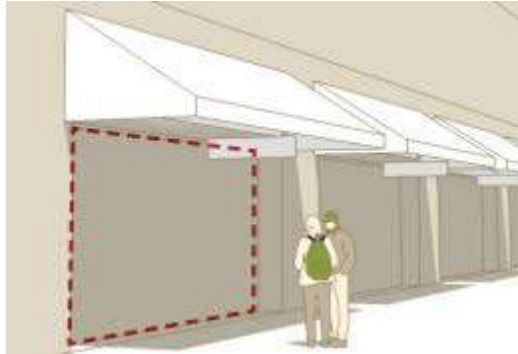


UNDER-CANOPY SIGN - means a Horizontal Blade Sign, which is attached to the bottom of a Canopy.



WIDTH - means the horizontal distance from one end of a Sign to the opposite end.

WINDOW SIGN - means a Sign which is painted on, attached to or installed on or inside a window that faces the outside and is intended to be seen from the outside of the Building.



3. **Design Review Panel**

- (a) Prior to rendering a decision on a Development Permit application for specific types of Signs located within the City Centre Special Area, the Development Officer shall refer such applications to the Design Review Panel for review. The Development Officer shall not render a decision prior to receiving the Design Review Panel's recommendations. The specific types of Signs requiring referral to the Design Review Panel are as follows:
 - (i) Tower Top Sign;
 - (ii) Sign located within the Tower Sign Zone;
 - (iii) Third Party Sign;
 - (iv) Signs that cover greater than 30% of the Podium Zone for Buildings on the MacDonald Avenue Corridor.
- (b) The Development Officer, in its discretion, may refer a Development Permit application to the Design Review Panel for any type of Sign that is considered to have a significant impact due to size, location, illumination, design or other factors.

4. **Sign Development Permit Application Requirements**

- (a) Except as specifically modified in this Section, a Development Permit application for a Sign under this Part shall be in accordance with Section 156(3) of this Bylaw.
- (b) In place of the requirements of Section 156(3)(e), a Development Permit application for a Sign shall be accompanied by one copy of Sign plans drawn to scale showing:
 - (i) the dimensions of the Sign including the Height, Width, Depth and Length;
 - (ii) the Projection from the face of the Building;
 - (iii) the method of attachment and character of the structure to which attachment will be made;
 - (iv) the Projection that encroaches over a Public Road or other municipal property, where applicable;

- (v) calculations of the Sign Area;
- (vi) the Height of the Sign measured from Grade to the underside of the Sign.

5. Signs Exempt from Development Permits

- (a) Section 156(7) of this Bylaw is replaced with the following:
 - (i) No development permit is required for the following sign types provided they comply with Part 7C and other relevant provisions of this Bylaw:
 - (A) A-Board Signs;
 - (B) Construction Site Identification Signs;
 - (C) Incidental Signs;
 - (D) Election Signs;
 - (E) Portable Signs located over an approved marker;
 - (F) Real Estate Sale Signs;
 - (G) Real Estate Directional Signs;
 - (H) Subdivision Directional Signs;
 - (I) Subdivision Marketing Signs;
 - (J) Subdivision Entrance Feature Signs;
 - (K) Display of Flags that are not commercial in nature;
 - (L) Posters in approved Poster Board Sign holders;
 - (M) Community Notice Boards;
 - (N) Posters and Signs approved for Transit Shelter/Transit Bench Signs and bus Signs;
 - (O) Official Signs;
 - (P) Murals;
 - (Q) Private Sale Signs;
 - (R) Religious symbols provided they are not illuminated;
 - (S) Non-illuminated Signs that designate the name and address of a building;
 - (T) Signs located inside a Building and not intended to be viewed from the outside;
 - (U) A non-illuminated Fascia or Free-standing Sign located on the Site of a residential dwelling unit which states only the name of the Building or the persons occupying the Building, or both, provided that the Sign area does not exceed 0.2 m²;
 - (V) Window Signs occupying less than 20% of a window area;
 - (W) Change of copy in a changeable copy sign; and
 - (X) Replacement of existing panel(s) within a Free Standing or Facia Sign provided:
 - (I) the Sign otherwise conforms to these regulations and has a valid Development Permit;

- (II) the additional panel(s) do not alter the existing Sign Structure; and
- (III) the Sign conforms to any applicable Comprehensive Sign Design Plan.

6. Non Conforming Portable Signs

- (a) Portable Signs for which a Sign Development Permit has been issued prior to the passage of Part 7C shall remain valid until expiry or cancellation of the permit. These Signs shall bear the required marker in order to remain valid.
- (b) Portable Signs in existence before the passage of Part 7C, for which no Sign development permits have been issued shall be removed within 30 days of the passage of Part 7C.

7. Changeable Copy Provisions

- (a) Section 156(17)(c) of this Bylaw does not apply.

8. Sign Owner Responsibilities

Section 156(18) is replaced with the following:

- (a) The Development Officer may require that the Sign Owner enter into an encroachment agreement with the Municipality where any Permanent Sign such as a Freestanding Sign, Awning Sign, Canopy or Under-Canopy Sign, Projecting Sign, Roof Sign, Fascia Sign or Wall Sign is within, Municipal property on terms and conditions satisfactory to the Municipality.
- (b) A Sign, or Sign marker, shall be removed when it is abandoned or upon expiry of the Sign Development Permit.
- (c) Where a tenant panel is removed from a Sign, the Sign owner shall install a blank panel until such time as a new tenant panel is installed.
- (d) All Signs shall comply with the requirements of any relevant federal or provincial legislation and any other relevant municipal bylaws.

9. Sign Coordination for Multiple Occupancy Sites

Section 156 (19) is replaced with the following:

- (a) Where Sign guidelines (as part of an approved urban design plan) and /or a Comprehensive Sign Design Plan (as part of an approved Development Permit) exist, any Signs placed on the Building or Lot shall conform with the applicable guidelines and Plan.
- (b) Where more than one business is identified on the same Freestanding Sign, the business identification panels shall be of similar character including shape, width and construction materials.

10. Digital Signs

- (a) Digital Signs shall be located such that the Sign does not obscure a driver decision point. The Development Officer shall be satisfied that each Copy Area:

- (i) does not physically obstruct the sightlines or view of a traffic control device or traffic control signal for oncoming vehicle traffic;
 - (ii) is not located in the field of view near or past the traffic control device or traffic control signal in the sightlines of coming vehicle traffic;
 - (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, and
 - (iv) Illumination does not compete with or dull the contrast of the traffic control device or traffic control signal for oncoming vehicle traffic.
- (b) Digital Signs shall be located or constructed such that Sign Illumination shall not project onto any surrounding residential premises, shall not face an abutting or adjacent Residential Use, and shall not face a Hospital to the satisfaction of the Development Officer.
- (c) The intensity of exposed bulbs on a Sign, excluding Digital Signs, shall not exceed 1,100 lumens.
- (d) Digital Signs shall use automatic light level controls to adjust light levels at night, under cloudy and other darkened conditions to reduce light pollution, in accordance with the following:
 - (i) ambient light monitors shall automatically adjust the brightness level of the Copy Area based on ambient light conditions. Brightness levels shall not exceed 0.3 footcandles above ambient light conditions when measured from the Sign Face as its maximum brightness, between sunset and sunrise, at those times determined by the Sunrise/Sunset calculator from the National Research Council of Canada;
 - (ii) Brightness level of the Sign shall not exceed 400 nits when measured from the Sign Face at its maximum brightness, between sunset and sunrise, at those times determined by the Sunrise/Sunset calculator from the national research Council of Canada; and
 - (iii) Signs abutting or adjacent to natural areas or public parks shall be de-energized daily between 12:00 AM – 5:00 AM.
- (e) For all Sign Applications for Digital Signs, the Development Officer shall review the application in context with the surrounding development, such as (but not limited to): the architectural theme of the area; any historic designations; the requirements of any Statutory Plan; any streetscape improvements; proximity to residential development; driver decision points; and traffic conflict points. The Development Officer may require application revisions to mitigate the impact of the proposed Sign, and may refuse a permit that adversely impacts the built environment.
- (f) Photovoltaic cells, solar panels, or solar collectors and ancillary equipment may be part of the Sign structure in order to provide electrical power solely to the Copy Area. Photovoltaic cells, solar panels, or solar collectors and

ancillary equipment may extend above the maximum Sign Height to the satisfaction of the Development Officer. It must be demonstrated that the additional Height is required to achieve sufficient solar exposure to provide electrical power to the Sign.

11. Flags

- (a) Subject to the provisions of Part 7C, Flags are permitted in the City Centre Special Area and do not require a Development Permit provided the flag meets the provisions of Section 161 of this Bylaw.
- (b) Multiple flags are permitted per institutional premise, provided that the flags are not commercial in nature.

12. Temporary and Portable Signs

- (a) Sections 12 through 16 that follow constitute the Temporary and Portable Sign provisions of this Part.
- (b) Unless otherwise stated, Temporary and Portable Signs are permitted for a maximum of one year; after one year an entirely new permit is required.

13. A-Board Signs

- (a) An A-Board Sign is a permitted use in the City Centre Special Area in association with approved Commercial Development and does not require a Development Permit provided the sign meets the provisions of Section 176 of this Bylaw.

14. Balloon (Inflatable) Signs

- (a) Subject to the provisions of Part 7C, Balloon Signs are discretionary in the City Centre Special Area, except within the CBD1 District, in association with approved commercial Development provided that the Sign meets the provisions of Section 177 of this Bylaw.
- (b) New permits for Balloon Signs shall not be issued after January 1, 2015 in the CBD1 District.

15. Banner Signs

- (a) Subject to the provisions of Part 7C, Banner Signs are discretionary in City Centre Special Area in association with approved Commercial and Institutional Developments provided that the Sign meets the requirements of Section 178 of this Bylaw.

16. Portable Signs

- (a) Subject to the provisions of Part 7C, Portable Signs are permitted in the City Centre Special Area in association with approved Ground Floor Commercial Development, provided the Sign meets the provisions of Section 181 of this Bylaw.
- (b) New permits for Portable Signs shall not be issued after January 1, 2015 in the CBD1 District.
- (c) Subject to Section 16, a Portable Sign marker shall be valid for a period of up to one year from the date of approval and once a Portable Sign marker is

approved and installed on Site, no further Development Permit is required for any Portable Sign placed directly over or in contact with the approved Portable Sign marker for as long as the approval for the sign marker is valid. Only one Portable Sign will be permitted per marker.

7C.2 Signage Specifications and Sign Area Allocations

1. Application

- (a) For this Part 7C.2, Sections 157 to 170 of this Bylaw are replaced by the following Sections 7C.2.2 to 7C.2.11.

2. General

- (a) The Signs regulations that apply to a Building or Site depend on the Corridor, Land Use District or major zone in which the Building or Site is located.
- (b) The City Centre Districts and Corridors Map, Appendix 1, sets out the Corridors and Land Use Districts that apply to each Lot or Parcel of Land.
- (c) The Corridor type that applies to a specific Street or section of a Street is indicated by the colour and corresponding name shown on the City Centre Districts and Corridors Map, Appendix 1.
- (d) On the City Centre Districts and Corridors Map, Appendix 1, where the Corridor type, as indicated by the mapping colour, extends through an intersection, that Corridor type shall be considered as the higher order Corridor and shall apply to the intersection, and to the intersecting Street until a distance of 30 m from the confluence of Lot lines at the corner, or until the next Lot line away from the corner, whichever distance is shorter.
- (e) Where a Lot is adjacent to more than one Corridor type, the Corridor type that is adjacent to the Lot line shall be the Corridor type that applies to that portion of the Lot within 30 m of the Corridor. Where more than one Corridor type applies on a corner, then the higher order Corridor shall apply.
- (f) The Land Use District that applies to a Lot is indicated by the colour and letter designations set out on the City Centre Districts and Corridors Map, Appendix 1.
- (g) The location of the major zones including the Downtown Major Redevelopment Zone, the Franklin Avenue Re-urbanization Zone, the Neighbourhood Stabilization Zone and the Recreation Zone are set in the City Centre Zones Legend on the City Centre Districts and Corridors Map, Appendix 1.

3. Application of Specifications

- (a) The specifications and Sign Area Allocations set out for the Downtown General District apply to Buildings and Sites within the Downtown Major Redevelopment Zone that are not subject to the following corridors:
 - (i) Franklin Avenue West
 - (ii) Morrison Street
 - (iii) MacDonald Avenue

(iv) Main Street

(b) The specifications and Sign Area Allocations set out for the Franklin Re-urbanization District apply to all Buildings and Sites within the Franklin Avenue Re-urbanization Zone that are not subject to the following corridors:

(i) Franklin Avenue East

(c) The specifications and Sign Area Allocations set out for the specific Corridors apply to the Buildings or Sites subject to the named Corridors.

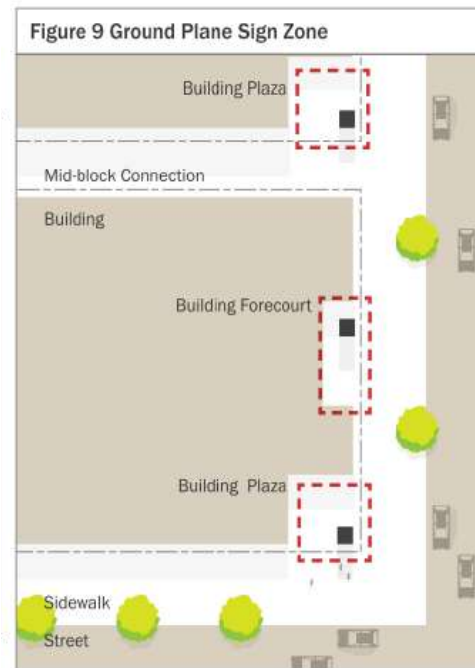
(d) The specifications and Sign Area Allocations set out for the Gateway District apply to areas located within 100 m of the Highway 63 Right of Way for sites fronting on Hardin Street at the intersection of Hardin Street and Highway 63; and areas located within 100 m of the Highway 63 Right of Way for sites fronting on Morrison Street at the intersection of Morrison Street and Highway 63.

4. Downtown General – Sign Area Allocation

(a) The regulations in Table 1 apply to signs in the Downtown General District in the Ground Plane Zone.

(b) The following signs are permitted: Freestanding.

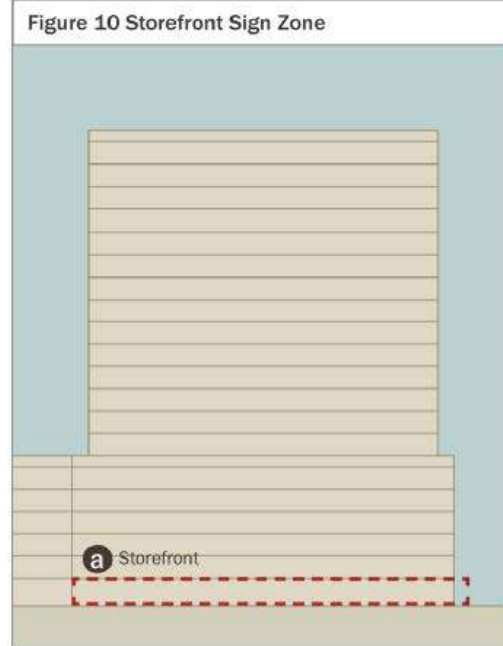
| Table 1 - Downtown General, Ground Plane Sign Zone | |
|--|---------------------|
| | maximum |
| | Freestanding |
| Footprint | 1m ² |
| Width | 1m |
| Depth | 1m |
| Sign Face Surface Area | 2m ² * |
| Height | 2m |
| Number | 1 per lot |
| Party | 1st |
| * area per sign face | |
| freestanding signs are limited to street corners and mid-block connections | |



(c) The regulations in Table 2 apply to signs in the Downtown General District in the Storefront Zone.

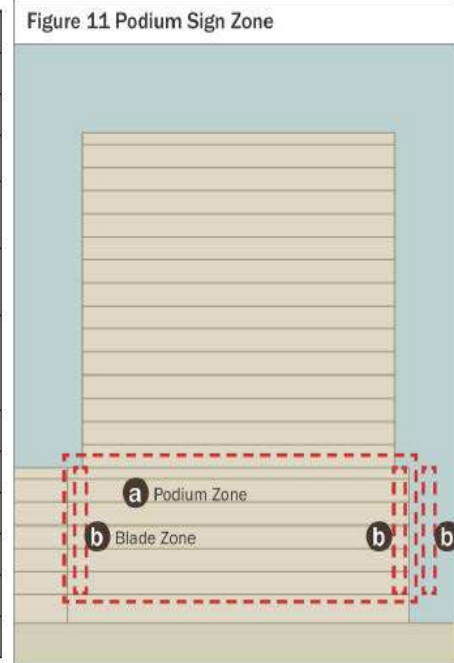
- (d) The following signs are permitted: Fascia, Blade, Awning, Window.

| Table 2 – Downtown General, Storefront Sign Zone | | | | |
|--|-----------------|---------------------|-------------------|----------|
| | maximum | | | |
| | Fascia | Blade | Awning | Window |
| Width | 2m | 1.5m | 1.5m | n/a |
| Height | 1m | 0.4m | 0.4m | n/a |
| Sign Area | 2m ² | 0.6m ² * | 0.6m ² | 40% |
| Projection | 0.2m | 2m | 0.2m | n/a |
| Clearance | 2.7m | 2.7m | 2.7m | n/a |
| Number | 1** | 1** | 1** | 1*** |
| Party | 1st | 1st | 1st | 1st/ 2nd |
| * area per sign face | | | | |
| ** 1 sign per unit or per 10 linear metres | | | | |
| *** 1 sign per storefront window | | | | |



- (e) The regulations in Table 3 apply to signs in the Downtown General District in the Podium Zone.
- (f) The following signs are permitted: none
- (g) The following signs are discretionary: Fascia, Blade.

| Table 3 – Downtown General, Podium Sign Zone | | |
|---|----------------------|--|
| | maximum | |
| | Fascia | Blade |
| | a | b |
| Width | 20% of podium width | 2m |
| Height | 20% of podium height | height of podium |
| Sign Area | not applicable | sign width x height of podium x 2 (two sign faces) |
| Projection | 0.2m | 2.5m |
| Depth | not applicable | 0.4m |
| Number | * | 3** |
| Party | 1st | 1st |
| * 1 sign per 60 linear metres of street face | | |
| ** restricted to area within 3m of a street facing corner | | |

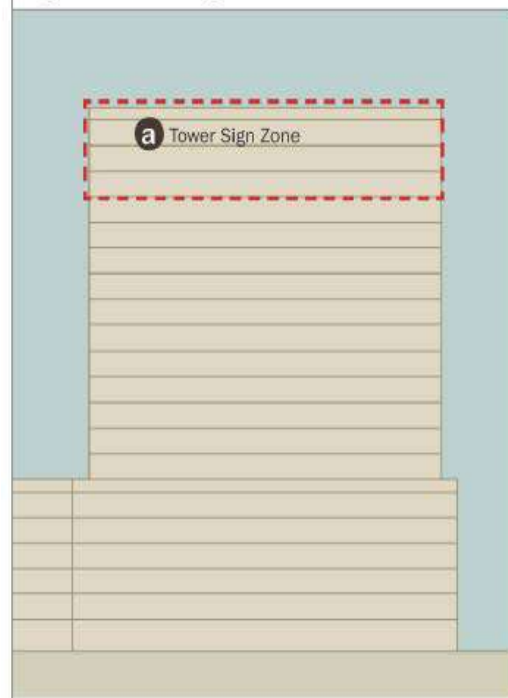


- (h) The regulations in Table 4 apply to signs in the Downtown General District in the Tower Plane Zone.

- (i) The following signs are permitted: Tower Top Sign.

| Table 4 – Downtown General, Tower Sign Zone | |
|---|-----------------------|
| | maximum |
| | Tower Top Sign |
| Width | 6m |
| Height | 2m |
| Sign Area | 12m ² |
| Projection | 0.2m |
| Number | 1* |
| Party | 1st |
| * one per building façade | |
| Tower Zone is limited to the top 25% of a building tower. | |

Figure 12 Tower Sign Zone

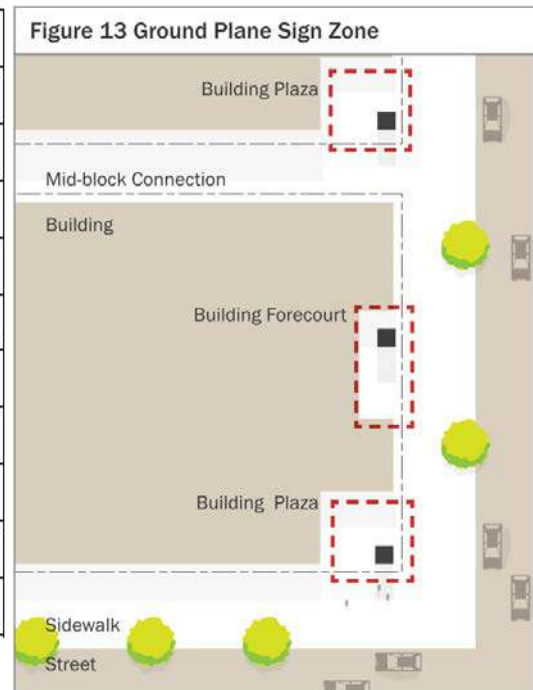


5. Franklin Avenue West – Sign Area Allocation

- (a) The regulations in table 5 apply to signs in the Franklin Avenue West Corridor in the Ground Plane Zone.

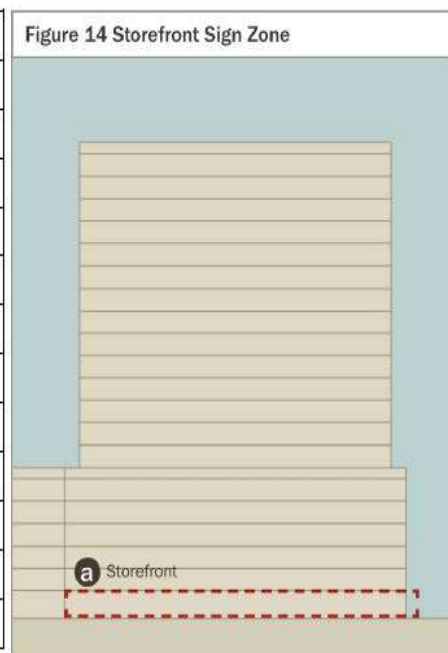
- (b) The following signs are permitted: Freestanding

| Table 5 – Franklin Avenue West, Ground Plane Sign Zone | |
|--|---------------------|
| | maximum |
| | Freestanding |
| Footprint | 1m ² |
| Width | 1m |
| Depth | 1m |
| Sign Face Surface Area | 6m ² * |
| Height | 6m |
| Number | 1 per lot |
| Party | 1st |
| * area per sign face | |



- (c) The regulations in Table 6 apply to signs in the Franklin Avenue West Corridor in the Storefront Zone.
- (d) The following signs are permitted: Fascia, Blade, Awning, Window.

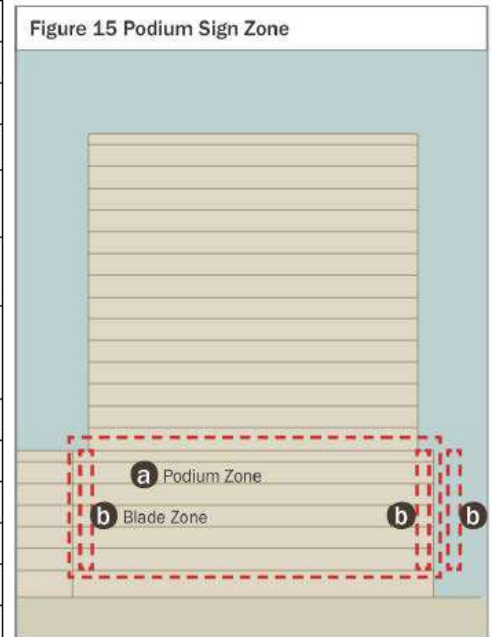
| Table 6 – Franklin Avenue West, Storefront Sign Zone | | | | |
|--|-----------------|---------------------|-------------------|---------------|
| | Maximum | | | |
| | Fascia | Blade | Awning | Window |
| Width | 2m | 1.5m | 1.5m | n/a |
| Height | 1m | 0.4m | 0.4m | n/a |
| Sign Area | 2m ² | 0.6m ² * | 0.6m ² | 40% |
| Projection | 0.2m | 2m | 0.2m | n/a |
| Clearance | 2.7m | 2.7m | 2.7m | n/a |
| Number | 1** | 1** | 1** | 1*** |
| Party | 1st | 1st | 1st | 1st/ 2nd |
| * area per sign face | | | | |
| ** 1 sign per unit or per 10 linear metres | | | | |
| *** 1 sign per storefront window | | | | |



- (e) The regulations in Table 7 apply to signs in the Franklin Avenue West Corridor in the Podium Zone.

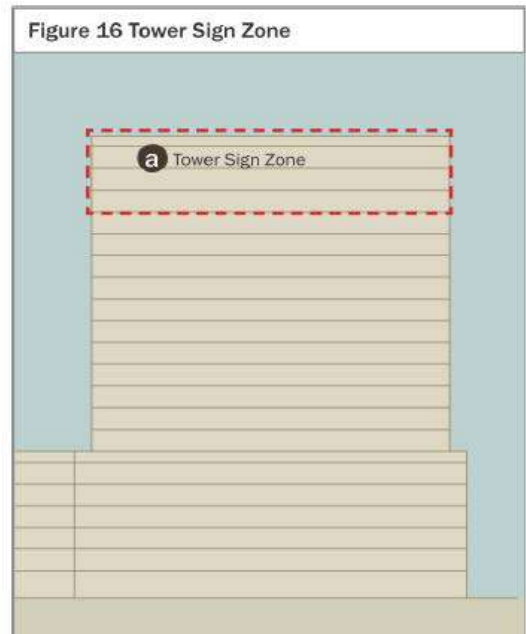
- (f) The following signs are discretionary: Fascia, Blade.

| Table 7 – Franklin Avenue West, Podium Sign Zone | | |
|---|----------------------|--|
| | maximum | |
| | Fascia | Blade |
| | a | b |
| Width | 20% of podium width | 2m |
| Height | 20% of podium height | height of podium |
| Sign Area | not applicable | sign width x height of podium x 2 (two sign faces) |
| Projection | 0.2m | 2.5m |
| Depth | not applicable | 0.4m |
| Number | * | 3** |
| Party | 1st | 1st |
| * 1 sign per 60 linear metres of street face | | |
| ** restricted to area within 3m of a street facing corner | | |



- (g) The regulations in Table 8 apply to signs in the Franklin Avenue West Corridor in the Tower Plane Zone.
- (h) The following signs are permitted: Tower Top Sign.

| Table 8 – Franklin Avenue West, Tower Sign Zone | |
|---|------------------|
| | maximum |
| | Tower Top Sign |
| Width | 8m |
| Height | 3m |
| Sign Area | 24m ² |
| Projection | 0.2m |
| Number | 1* |
| Party | 1st |
| * one per building façade | |
| Tower Zone is limited to the top 25% of a building tower. | |

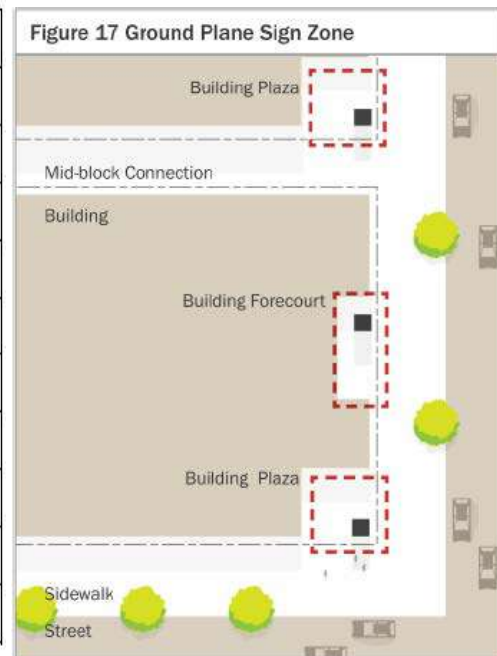


6. Morrison Street – Sign Area Allocation

- (a) The regulations in Table 9 apply to signs in the Morrison Street Corridor in the Ground Plane Zone.

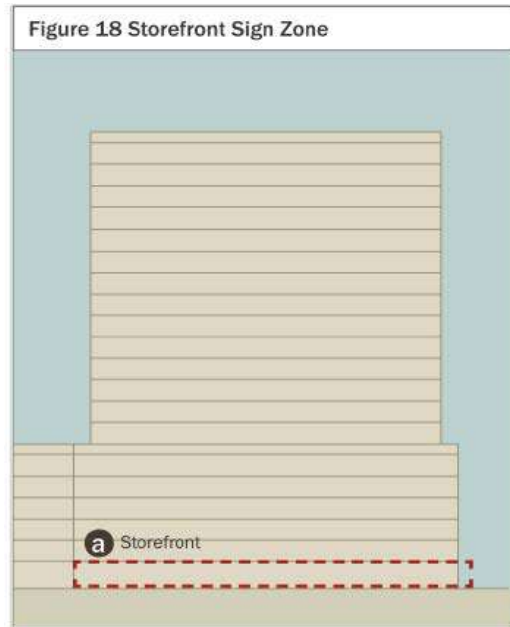
- (b) The following signs are permitted: Freestanding.

| Table 9 – Morrison Street, Ground Plane Sign Zone | |
|---|---------------------|
| | maximum |
| | Freestanding |
| Footprint | 1m ² |
| Width | 1m |
| Depth | 1m |
| Sign Face Surface Area | 2m ² * |
| Height | 2m |
| Number | 1 per lot |
| Party | 1st |
| * area per sign face | |



- (c) The regulations in Table 10 apply to signs in the Morrison Street Corridor in the Storefront Zone.
- (d) The following signs are permitted: Fascia, Blade, Awning, Window.

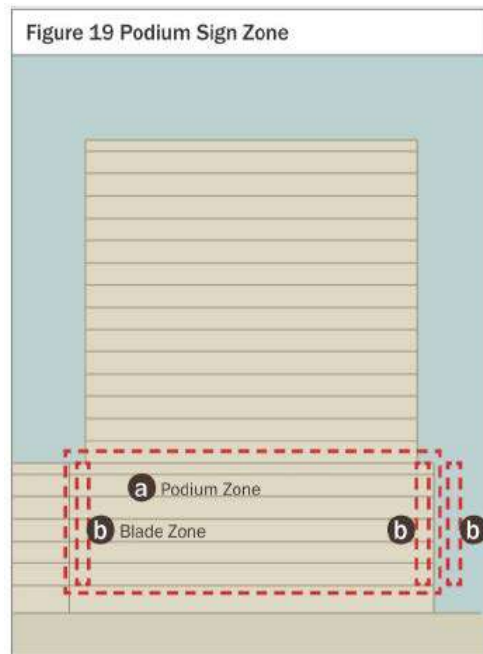
| Table 10 – Morrison Street, Storefront Sign Zone | | | | |
|--|-----------------|---------------------|-------------------|---------------|
| | maximum | | | |
| | Fascia | Blade | Awning | Window |
| Width | 2m | 1.5m | 1.5m | n/a |
| Height | 1m | 0.4m | 0.4m | n/a |
| Sign Area | 2m ² | 0.6m ² * | 0.6m ² | 40% |
| Projection | 0.2m | 2m | 0.2m | n/a |
| Clearance | 2.7m | 2.7m | 2.7m | n/a |
| Number | 1** | 1** | 1** | 1*** |
| Party | 1st | 1st | 1st | 1st/ 2nd |
| *area per sign face | | | | |
| ** 1 sign per unit or per 10 linear metres | | | | |
| *** 1 sign per storefront window | | | | |



- (e) The regulations in Table 11 apply to signs in the Morrison Street Corridor in the Podium Zone.
- (f) The following signs are permitted: none.

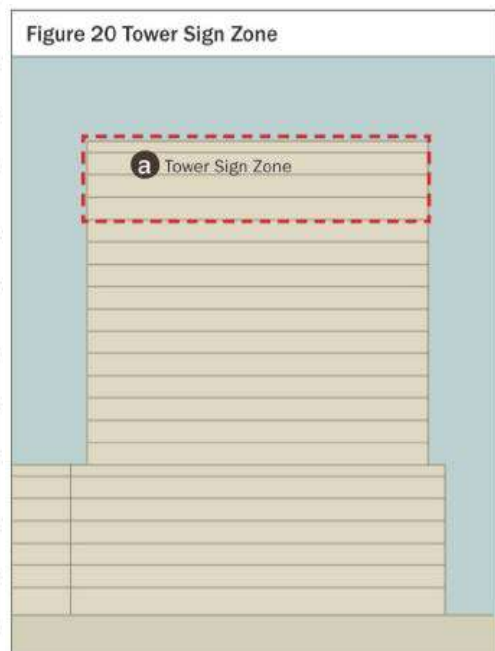
- (g) The following signs are discretionary: Fascia, Blade.

| Table 11 – Morrison Street, Podium Sign Zone | | |
|---|----------------------|--|
| | maximum | |
| | Fascia | Blade |
| | a | b |
| Width | 20% of podium width | 2m |
| Height | 20% of podium height | height of podium |
| Sign Area | not applicable | sign width x height of podium x 2 (two sign faces) |
| Projection | 0.2m | 2.5m |
| Depth | not applicable | 0.4m |
| Number | * | 3** |
| Party | 1st | 1st |
| * 1 sign per 60 linear metres of street face | | |
| ** restricted to area within 3m of a street facing corner | | |



- (h) The regulations in Table 12 apply to signs in the Morrison Street Corridor in the Tower Plane Zone.
- (i) The following signs are permitted: Tower Top Sign.

| Table 12 – Morrison Street, Tower Sign Zone | |
|---|-----------------------|
| | maximum |
| | Tower Top Sign |
| Width | 8m |
| Height | 3m |
| Sign Area | 24m ² |
| Projection | 0.2m |
| Number | 1* |
| Party | 1st |
| * one per building façade | |
| Tower Zone is limited to the top 25% of a building tower. | |

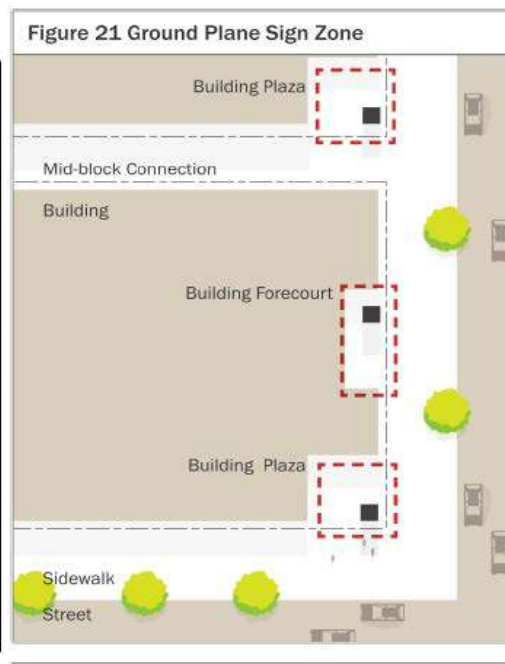


7. MacDonald Avenue – Sign Area Allocation

- (a) The regulations in Table 13 apply to signs in the MacDonald Avenue Corridor in the Ground Plane Zone.

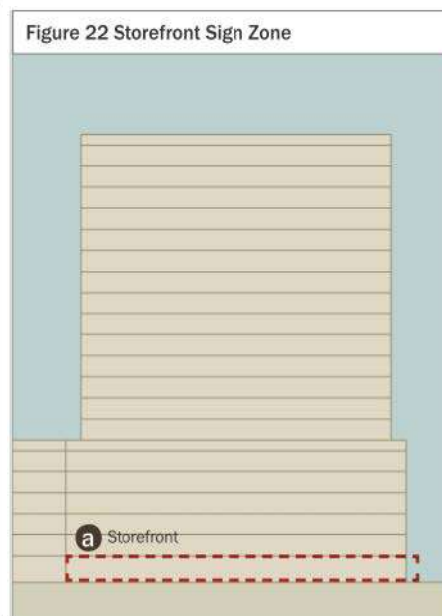
- (b) The following signs are permitted: none.
- (c) The following signs are discretionary: Freestanding.

| Table 13 - MacDonald Avenue, Ground Plane Sign Zone | |
|---|---------------------|
| | maximum |
| | Freestanding |
| Footprint | 1m ² |
| Width | 1m |
| Depth | 1m |
| Sign Face Surface Area | 9m ² * |
| Height | 9m |
| Number | 1 per lot |
| Party | 1st |
| * area per sign face | |



- (d) The regulations in Table 14 apply to signs in the MacDonald Avenue Corridor in the Storefront Zone.
- (e) The following signs are permitted: Fascia, Blade, Awning, Window.

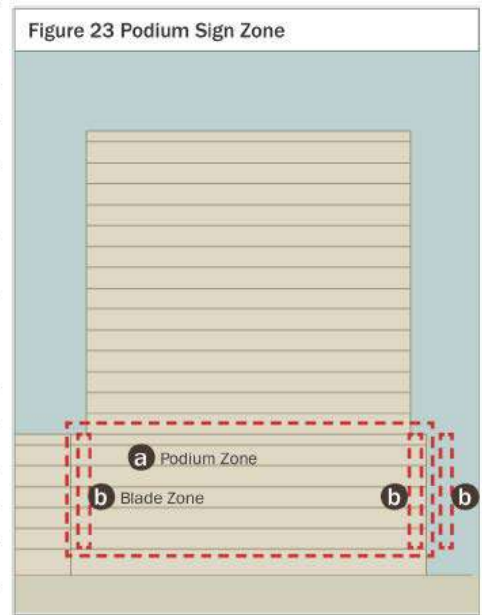
| Table 14 - MacDonald Avenue, Storefront Sign Zone | | | | |
|---|-----------------|---------------------|-------------------|---------------|
| | maximum | | | |
| | Fascia | Blade | Awning | Window |
| Width | 2m | 1.5m | 1.5m | n/a |
| Height | 1m | 0.4m | 0.4m | n/a |
| Sign Area | 2m ² | 0.6m ² * | 0.6m ² | 40% |
| Projection | 0.2m | 2m | 0.2m | n/a |
| Clearance | 2.7m | 2.7m | 2.7m | n/a |
| Number | 1** | 1** | 1** | 1*** |
| Party | 1st | 1st | 1st | 1st/ 2nd |
| * area per sign face | | | | |
| ** 1 sign per unit or per 10 linear metres | | | | |
| *** 1 sign per storefront window | | | | |



- (f) The regulations in Table 15 apply to signs in the MacDonald Avenue Corridor in the Podium Zone.

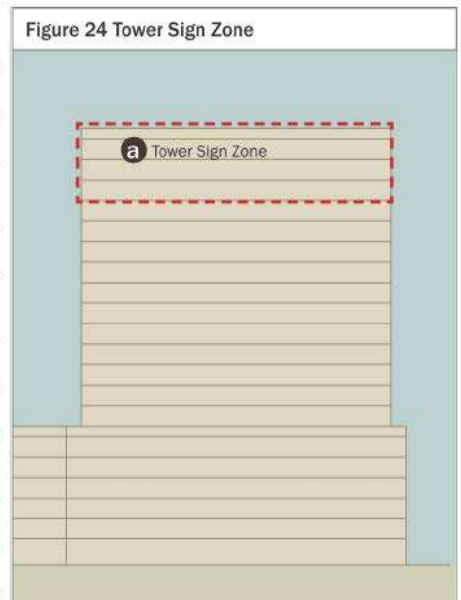
- (g) The following signs are permitted: Fascia, Blade.

| Table 15 – MacDonald Avenue, Podium Sign Zone | | |
|---|----------------------|--|
| | maximum | |
| | Fascia | Blade |
| | a | b |
| Width | 30% of podium width | 2m |
| Height | 30% of podium height | height of podium |
| Sign Area | not applicable | sign width x height of podium x 2 (two sign faces) |
| Projection | 0.2m | 2.5m |
| Depth | not applicable | 0.4m |
| Number | * | 3** |
| Party | 1st, 2nd, 3rd | 1st, 2nd, 3rd |
| * 1 sign per 60 linear metres of street face | | |
| ** restricted to area within 3m of a street facing corner | | |



- (h) The regulations in Table 16 apply to signs in the MacDonald Avenue Corridor in the Tower Plane Zone.
- (i) The following signs are permitted: Tower Top Sign.

| Table 16 – MacDonald Avenue, Tower Sign Zone | |
|---|-----------------------|
| | maximum |
| | Tower Top Sign |
| Width | 12m |
| Height | 4m |
| Sign Area | 48m ² |
| Projection | 0.2m |
| Number | 1* |
| Party | 1st |
| * one per building façade | |
| Tower Zone is limited to the top 25% of a building tower. | |

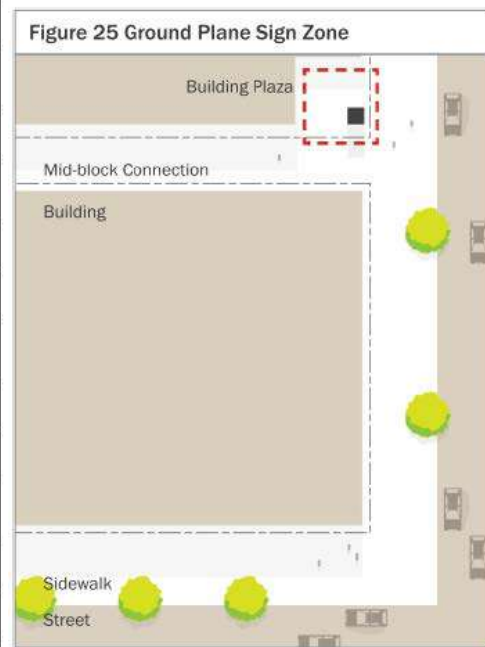


8. Main Street – Sign Area Allocation

- (a) The regulations in Table 17 apply to signs in the Main Street Corridor in the Ground Plane Zone.

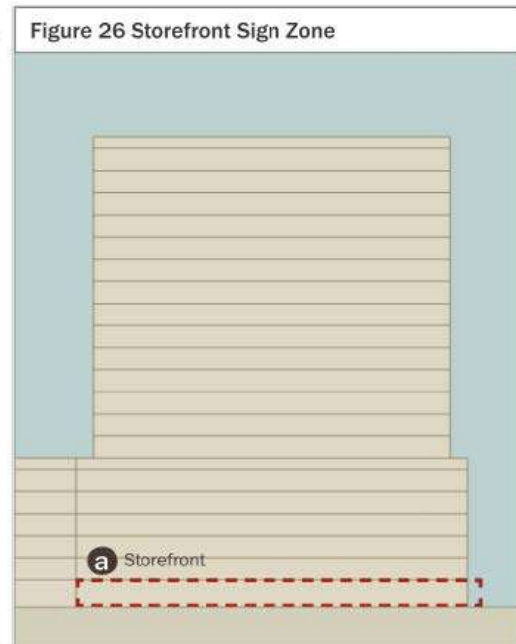
- (b) The following signs are permitted: Freestanding.

| Table 17 – Main Street, Ground Plane Sign Zone | |
|---|---------------------|
| | maximum |
| | Freestanding |
| Footprint | 1m ² |
| Width | 1m |
| Depth | 1m |
| Sign Face Surface Area | 2m ² * |
| Height | 2m |
| Number | 1 per lot |
| Party | 1st |
| * area per sign face | |
| freestanding signs are limited to mid-block connections | |



- (c) The regulations in Table 18 apply to signs in the Main Street Corridor in the Storefront Zone.
- (d) The following signs are permitted: Fascia, Blade, Awning, Window.

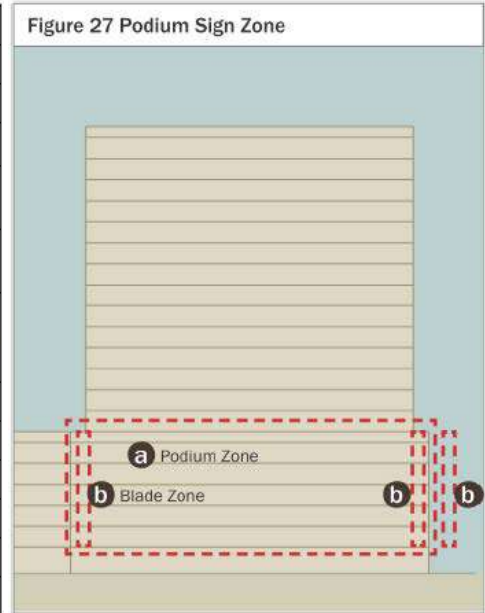
| Table 18 – Main Street, Storefront Sign Zone | | | | |
|--|-----------------|---------------------|-------------------|---------------|
| | maximum | | | |
| | Fascia | Blade | Awning | Window |
| Width | 2m | 1.5m | 1.5m | n/a |
| Height | 1m | 0.4m | 0.4m | n/a |
| Sign Area | 2m ² | 0.6m ² * | 0.6m ² | 40% |
| Projection | 0.2m | 2m | 0.2m | n/a |
| Clearance | 2.7m | 2.7m | 2.7m | n/a |
| Number | 1** | 1** | 1** | 1*** |
| Party | 1st | 1st | 1st | 1st/ 2nd |
| * area per sign face | | | | |
| ** 1 sign per unit or per 10 linear metres | | | | |
| *** 1 sign per storefront window | | | | |



- (e) The regulations in Table 19 apply to signs in the Main Street Corridor in the Podium Zone.
- (f) The following signs are permitted: none.

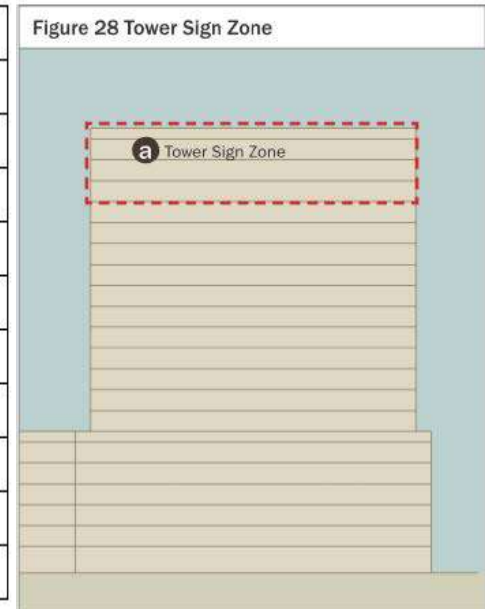
- (g) The following signs are discretionary: Fascia, Blade.

| Table 19 – Main Street, Podium Sign Zone | | |
|---|----------------------|--|
| | maximum | |
| | Fascia | Blade |
| | a | b |
| Width | 20% of podium width | 2m |
| Height | 20% of podium height | height of podium |
| Sign Area | not applicable | sign width x height of podium x 2 (two sign faces) |
| Projection | 0.2m | 2.5m |
| Depth | not applicable | 0.4m |
| Number | * | 3** |
| Party | 1st | 1st |
| * 1 sign per 60 linear metres of street face | | |
| ** restricted to area within 3m of a street facing corner | | |



- (h) The regulations in Table 20 apply to signs in the Main Street Corridor in the Tower Plane Zone.
- (i) The following signs are permitted: Tower Top Sign.

| Table 20 – Main Street, Tower Sign Zone | |
|---|-----------------------|
| | maximum |
| | Tower Top Sign |
| Width | 12m |
| Height | 4m |
| Sign Area | 48m ² |
| Projection | 0.2m |
| Number | 1* |
| Party | 1st |
| * one per building façade | |
| Tower Zone is limited to the top 25% of a building tower. | |

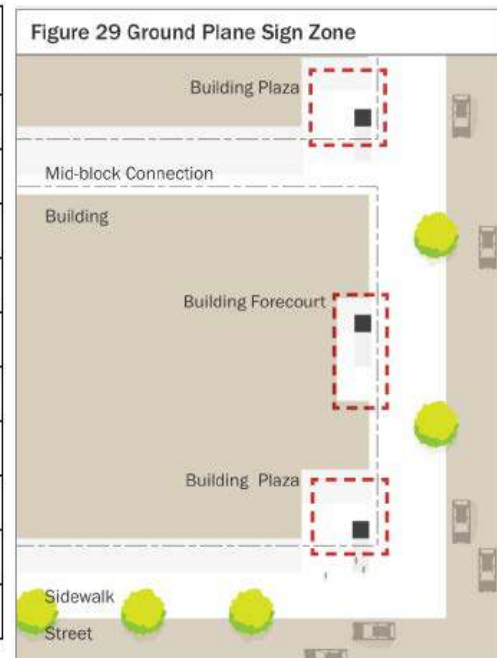


9. Franklin Re-Urbanization General – Sign Area Allocation

- (a) The regulations in Table 21 apply to signs in the Franklin Re-urbanization District in the Ground Plane Zone.

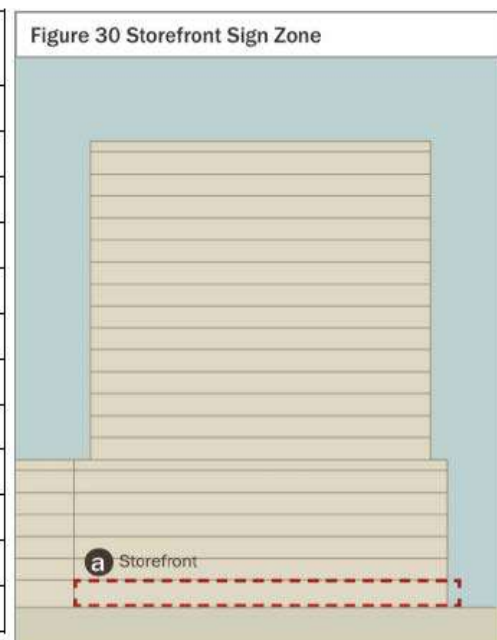
- (b) The following signs are permitted: Freestanding.

| Table 21 – Franklin Re-urbanization General, Ground Plane Sign Zone | |
|---|---------------------|
| | maximum |
| | Freestanding |
| Footprint | 1m ² |
| Width | 1m |
| Depth | 1m |
| Sign Face Surface Area | 2m ² * |
| Height | 2m |
| Number | 1 per lot |
| Party | 1st |
| * area per sign face | |



- (c) The regulations in Table 22 apply to signs in the Franklin Re-urbanization in the Storefront Zone.
- (d) The following signs are permitted: Fascia, Blade, Awning, Window.

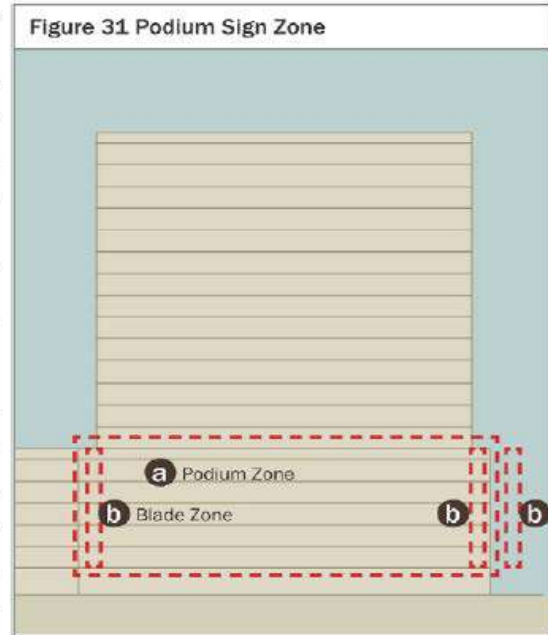
| Table 22 – Franklin Re-urbanization General, Storefront Sign Zone | | | | |
|---|-----------------|---------------------|-------------------|---------------|
| | maximum | | | |
| | Fascia | Blade | Awning | Window |
| Width | 2m | 1.5m | 1.5m | n/a |
| Height | 1m | 0.4m | 0.4m | n/a |
| Sign Area | 2m ² | 0.6m ² * | 0.6m ² | 40% |
| Projection | 0.2m | 2m | 0.2m | n/a |
| Clearance | 2.7m | 2.7m | 2.7m | n/a |
| Number | 1** | 1** | 1** | 1*** |
| Party | 1st | 1st | 1st | 1st/ 2nd |
| * area per sign face | | | | |
| ** 1 sign per unit or per 10 linear metres | | | | |
| *** 1 sign per storefront window | | | | |



- (e) The regulations in Table 23 apply to signs in the Franklin Re-urbanization in the Podium Zone.
- (f) The following signs are permitted: none.

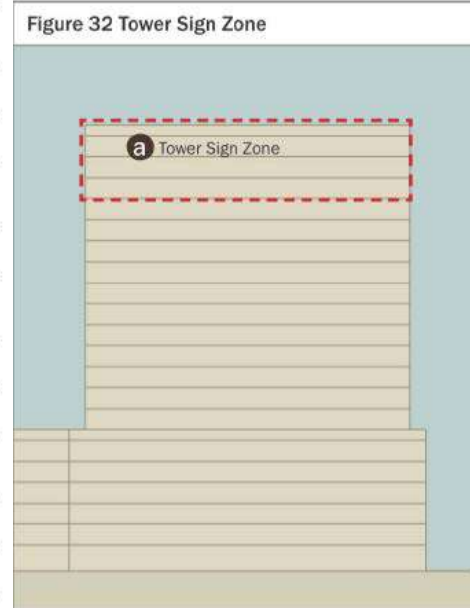
- (g) The following signs are discretionary: Fascia, Blade.

| Table 23 – Franklin Re-urbanization General, Podium Sign Zone | | |
|---|----------------------|--|
| | Maximum | |
| | Fascia | Blade |
| | a | b |
| Width | 10% of podium width | 2m |
| Height | 10% of podium height | height of podium |
| Sign Area | not applicable | sign width x height of podium x 2 (two sign faces) |
| Projection | 0.2m | 2.5m |
| Depth | not applicable | 0.4m |
| Number | * | 3** |
| Party | 1 st | 1 st |
| * 1 sign per 60 linear metres of street face | | |
| ** restricted to area within 3m of a street facing corner | | |



- (h) The regulations in Table 24 apply to signs in the Franklin Re-urbanization in the Tower Plane Zone.
- (i) The following signs are permitted: Tower Top Sign.

| Table 24 – Franklin Re-urbanization Zone, Tower Sign Zone | |
|---|------------------|
| | maximum |
| | Tower Top Sign |
| Width | 8m |
| Height | 3m |
| Sign Area | 24m ² |
| Projection | 0.2m |
| Number | 1* |
| Party | 1 st |
| * one per building façade | |
| Tower Zone is limited to the top 25% of a building tower. | |

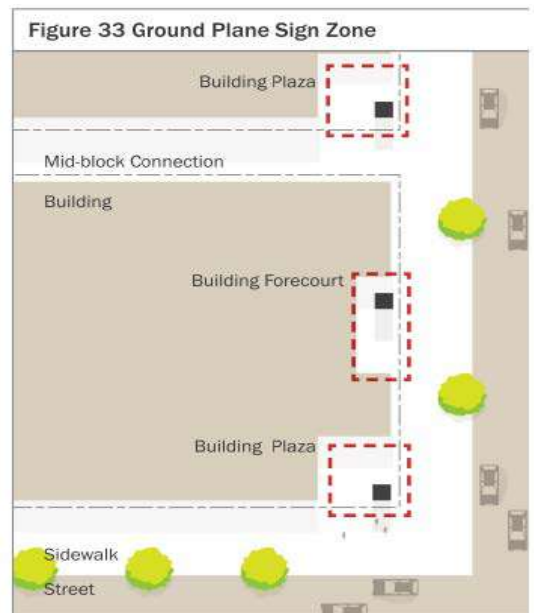


10. Franklin Avenue East – Sign Area Allocation

- (a) The regulations in Table 25 apply to signs in the Franklin Avenue East Corridor in the Ground Plane Zone.

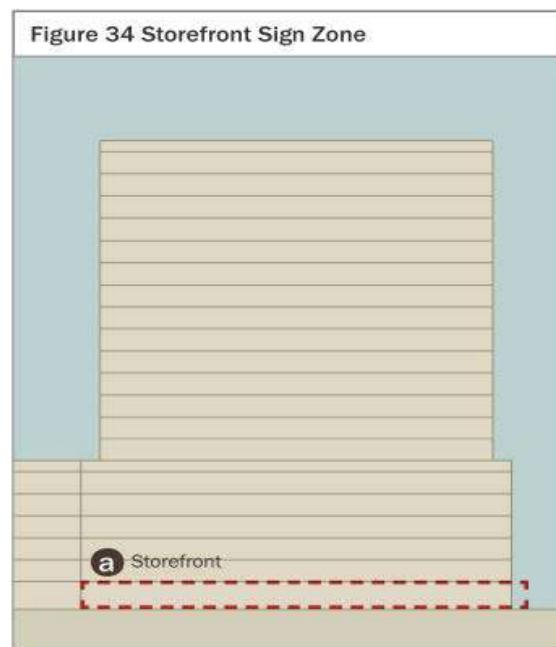
- (b) The following signs are permitted: Freestanding.

| Table 25 – Franklin Avenue East, Ground Plane Sign Zone | |
|---|----------------------|
| | maximum |
| | Freestanding |
| Footprint | 2.25m ² |
| Width | 1.5m |
| Depth | 1.5m |
| Sign Face Surface Area | 7.55m ² * |
| Height | 5m |
| Number | 1 per lot |
| Party | 1st |
| * area per sign face | |



- (c) The regulations in Table 26 apply to signs in the Franklin Avenue East Corridor in the Storefront Zone.
- (d) The following signs are permitted: Fascia, Blade, Awning, Window.

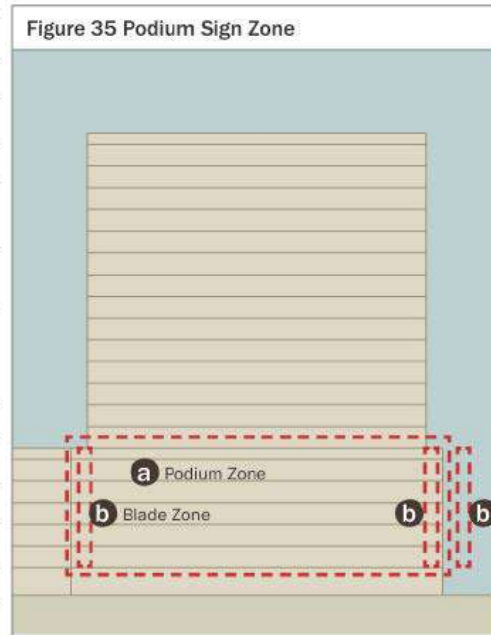
| Table 26 – Franklin Avenue East, Storefront Sign Zone | | | | |
|---|-----------------|---------------------|-------------------|---------------|
| | maximum | | | |
| | Fascia | Blade | Awning | Window |
| Width | 2m | 1.5m | 1.5m | n/a |
| Height | 1m | 0.4m | 0.4m | n/a |
| Sign Area | 2m ² | 0.6m ² * | 0.6m ² | 40% |
| Projection | 0.2m | 2m | 0.2m | n/a |
| Clearance | 2.7m | 2.7m | 2.7m | n/a |
| Number | 1** | 1** | 1** | 1*** |
| Party | 1st | 1st | 1st | 1st/ 2nd |
| * area per sign face | | | | |
| ** 1 sign per unit or per 10 linear metres | | | | |
| *** 1 sign per storefront window | | | | |



- (e) The regulations in Table 27 apply to signs in the Franklin Avenue East Corridor in the Podium Zone.

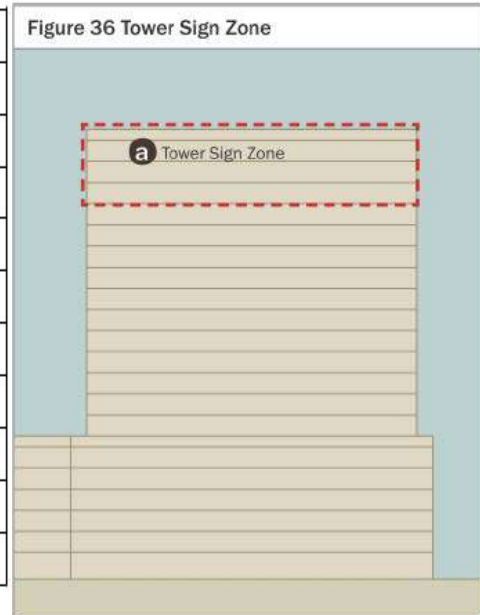
- (f) The following signs are discretionary: Fascia, Blade.

| Table 27 – Franklin Avenue East, Podium Sign Zone | | |
|---|----------------------|--|
| | maximum | |
| | Fascia | Blade |
| | a | b |
| Width | 20% of podium width | 2m |
| Height | 20% of podium height | height of podium |
| Sign Area | not applicable | sign width x height of podium x 2 (two sign faces) |
| Projection | 0.2m | 2.5m |
| Depth | not applicable | 0.4m |
| Number | * | 3** |
| Party | 1st | 1st |
| * 1 sign per 60 linear metres of street face | | |
| ** restricted to area within 3m of a street facing corner | | |



- (g) The regulations in Table 28 apply to signs in the Franklin Avenue East Corridor in the Tower Plane Zone.
- (h) The following signs are permitted: Tower Top Sign.

| Table 28 – Franklin Avenue East, Tower Sign Zone | |
|---|-----------------------|
| | maximum |
| | Tower Top Sign |
| Width | 8m |
| Height | 3m |
| Sign Area | 24m ² |
| Projection | 0.2m |
| Number | 1* |
| Party | 1st |
| * one per building façade | |
| Tower Zone is limited to the top 25% of a building tower. | |

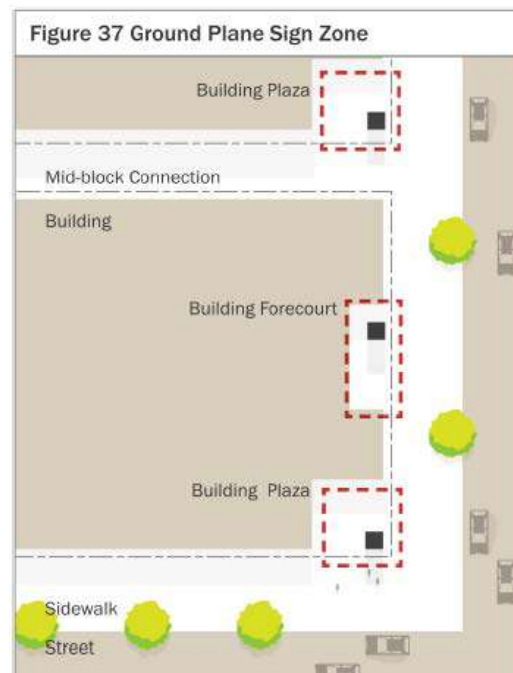


11. Central Business District Gateway Areas – Sign Area Allocation

- (a) The regulations in Table 29 apply to signs in the Gateway District in the Ground Plane Zone.

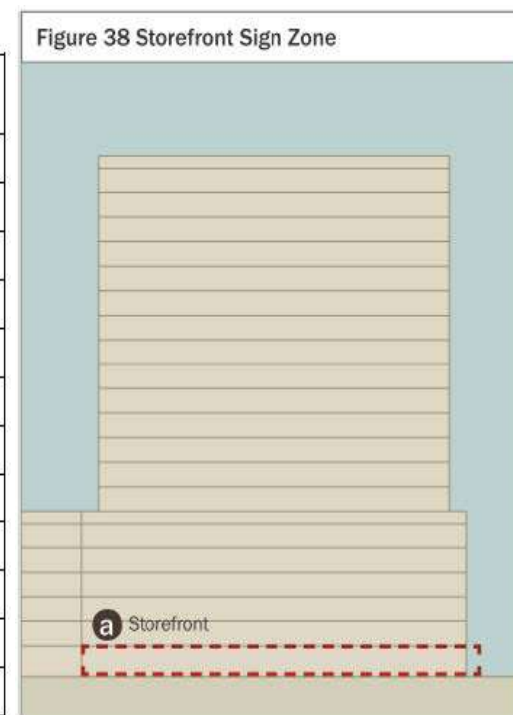
- (b) The following signs are permitted: Freestanding.

| Table 29 – Central Business District Gateway Areas, Ground Plane Sign Zone | |
|--|---------------------|
| | maximum |
| | Freestanding |
| Footprint | 1m ² |
| Width | 1m |
| Depth | 1m |
| Sign Face Surface Area | 2m ² * |
| Height | 2m |
| Number | 1 per lot |
| Party | 1st |
| * area per sign face | |



- (c) The regulations in Table 30 apply to signs in the Gateway District in the Storefront Zone.
- (d) The following signs are permitted: Fascia, Blade, Awning, Window.

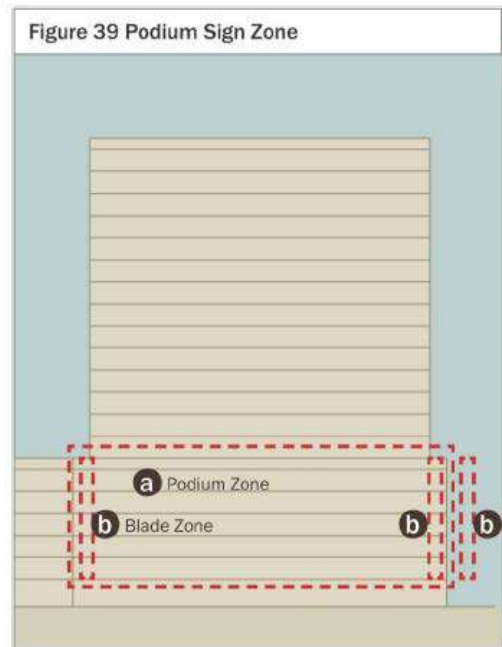
| Table 30 – Central Business District Gateway Areas, Storefront Sign Zone | | | | |
|--|-----------------|---------------------|-------------------|---------------|
| | maximum | | | |
| | Fascia | Blade | Awning | Window |
| Width | 2m | 1.5m | 1.5m | n/a |
| Height | 1m | 0.4m | 0.4m | n/a |
| Sign Area | 2m ² | 0.6m ² * | 0.6m ² | 40% |
| Projection | 0.2m | 2m | 0.2m | n/a |
| Clearance | 2.7m | 2.7m | 2.7m | n/a |
| Number | 1** | 1** | 1** | 1*** |
| Party | 1st | 1st | 1st | 1st/ 2nd |
| * area per sign face | | | | |
| ** 1 sign per unit or per 10 linear metres | | | | |
| *** 1 sign per storefront window | | | | |



- (e) The regulations in Table 31 apply to signs in the Gateway District in the Podium Zone.

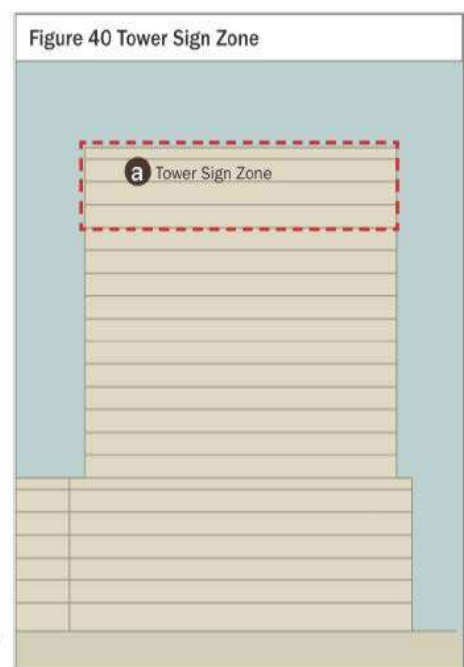
- (f) The following signs are discretionary: Fascia, Blade.

| Table 31 – Central Business District Gateway Areas, Podium Sign Zone | | |
|--|----------------------|--|
| | maximum | |
| | Fascia | Blade |
| | a | b |
| Width | 20% of podium width | 2m |
| Height | 20% of podium height | height of podium |
| Sign Area | not applicable | sign width x height of podium x 2 (two sign faces) |
| Projection | 0.2m | 2.5m |
| Depth | not applicable | 0.4m |
| Number | * | 3** |
| Party | 1st | 1st |
| * 1 sign per 60 linear metres of street face | | |
| ** restricted to area within 3m of a street facing corner | | |



- (g) The regulations in Table 32 apply to signs in the Gateway District in the Tower Plane Zone.
- (h) The following signs are permitted: Tower Top Sign.

| Table 32 – Central Business District Gateway Areas, Tower Sign Zone | |
|---|-----------------------|
| | maximum |
| | Tower Top Sign |
| Width | 12m |
| Height | 4m |
| Sign Area | 48m ² |
| Projection | 0.2m |
| Number | 1* |
| Party | 1st |
| * one per building façade | |
| Tower Zone is limited to the top 25% of a building tower. | |



7C.3 Signage Design Regulations

These regulations are more general in nature to address Signs design issues that are not readily addressed by specific regulations

- (a) **Overall design of Signs.** Signs should relate well to Buildings and enhance their architectural features with careful attention to detail, material size and location. Signs should complement the desired character of the Corridors, Districts and Zones as set out in Section 5 of the City Centre Area Redevelopment Plan, Bylaw No. 12/003, as well as the Building and Landscape Frontage type of the development. Signs should be considered as an integral part of the entire design of the Site and the Building and should be well integrated with building elements and site elements. While being oriented to an audience moving quickly in an automobile, Signs should be scaled and designed to relate well to people who may be walking by or cycling. Signs should be permanent in nature and convey a sense of permanence for the uses they advertise.
- (b) **Location of Signs.** Signs should be located where they enhance and contribute to the desired character of the Corridor, District and Zone, set out in Section 5 of the City Centre Area Redevelopment Plan, Bylaw No. 12/003, and where they are effectively integrated and coordinated with the Building and Landscape Frontage type for the Development. The location of Signs should be designed to consider the cumulative effect of all Signs on the Site, and the surrounding area or corridor, not just the effect of the individual Sign. Signs should be located on same Site or Building as the use to which the Signs relate.
- (c) **Size of Signs.** The size of Signs should fit with the desired character of the Corridor, District and Zone set out in Section 5 of the City Centre Area Redevelopment Plan, Bylaw No. 12/003. The size of Signs should be designed to consider the cumulative effect of all Signs on the Site, and the surrounding area or corridor, not just the effect of the individual Sign. The size of Signs should be considered in relation to the size of other Signs in the vicinity, and not be overly dominant.
- (d) **Material, Colour and Lighting of Signs.** The material and colour of the casing, framing, housing and background Sign area (the areas not directly covered by letters or numbers) should be coordinated to be complementary with material and colour of the Buildings on the Site where the Sign is located. The lighting for the Sign should be designed to fit with the lighting for the building and the desired character of the Corridor, District and Zone, set out in Section 5 of the City Centre Area Redevelopment Plan, Bylaw No. 12/003.

PART 8 - Parsons Creek Land Use Regulations (BL 10/017, 11/001)

8.1 Application

- 8.1.1. Notwithstanding Part 1, Section 3, the following regulations apply to all lands and buildings within the area shown in Schedule D of this Land Use Bylaw.
- 8.1.2. If not referenced or contained within a definition or regulation provided below, definitions and regulations as provided in Parts 1 through 5 inclusive shall apply.
- 8.1.3. If not referenced or contained within parking requirements provided below, requirements and regulations as provided in Part 7, Parking and Loading Requirements, shall apply.

8.2 Definitions

In this Part of the Bylaw unless the context requires:

- 8.2.1. **AUTOMATIVE SALES AND SERVICES** means a place of business where the prevailing use is the service, washing, maintenance, sales, storage or rental of motor vehicles and related accessories and parts, or the provision of services to consumers in motor vehicles. This includes gas bars, service stations, recreational vehicle sales and rental facilities, transmission shops, tire shops, body shops, automotive glass shops and drive thru restaurant or service uses.
- 8.2.2. **BOARDWALK** means a walkway usually along a waterfront.
- 8.2.3. **COMMUNITY FACILITY** means a building or premises intended for use by the general public. This includes community recreational facilities, community service facilities, places of religious assembly, educational service facilities, and medical or health service centres.
- 8.2.4. **ENTERTAINMENT** is a building or premises where the prevailing use is for enjoyment of the public. This includes galleries, movie cinemas, theatres, nightclubs, casinos and drinking lounges – but does not permit adult entertainment facilities.
- 8.2.5. **FACADE** is the exterior of any side of a building facing a public street or for the purposes of this Part a waterfront property line.
- 8.2.6. **FRONTAGE** means that part of a lot that abuts a street or waterfront.
- 8.2.7. **GOVERNMENT USE** means any use by any level of government or any agency or crown or municipal corporation.
- 8.2.8. **LODGING** means a place of business where the principal use is the provision of lodging/sleeping facilities. This includes hotels, hostels, bed and breakfasts, apartment hotels, country inns, and motels – but does not permit project accommodations or campgrounds.
- 8.2.9. **OFFICE** is a place of business where the principal use is the execution of professional or clerical duties.
- 8.2.10. **PARAPET** means a wall-like barrier at the edge of a roof. Where extending above a roof, it may be the portion of an exterior wall that continues above the line of the roof surface.

- 8.2.11. **PARKING STRUCTURE** means an area of land or a structure providing for the parking of motor vehicles.
- 8.2.12. **PEDWAY** means a walkway, usually enclosed, permitting pedestrians to go from building to building, without passing through traffic.
- 8.2.13. **PROMINENT ARCHITECTURAL FEATURE** means standing out beyond the façade.
- 8.2.14. **RESIDENTIAL USE** means a dwelling unit or group of dwelling units. This includes, but is not limited to single and semi-detached dwellings, townhouses, apartments, senior citizen housing, youth assessment centres, visiting students supervised housing units, boarding houses, child care facilities and group homes.
- 8.2.15. **RETAIL** means a place of business where the principal use is the sale of goods or commodities directly to consumers.
- 8.2.16. **RESTAURANT** means a place of business where the principal use is the preparation and servicing of food to the public for consumption either on or off the premises – but does not include a drive thru.
- 8.2.17. **SEASONAL USES** means a place of business including retail, services and restaurant uses
- a) that operates for no more than four (4) continuous months, without seasonable renewal;
 - b) that is located entirely within non-permanent buildings;
 - c) that has a maximum gross floor area not exceeding 25 square metres.
- 8.2.18. **SECONDARY SUITE** means an accessory dwelling unit
- a) that is located on the same parcel as a single detached dwelling or semi-detached dwelling unit;
 - b) which includes a kitchen, separate entrance and a minimum of one (1) bedroom;
 - c) without limiting the generality of the foregoing, a secondary suite may include:
 - 1. Secondary Suite – Attached above Grade – where the secondary suite is located above the first storey of a single detached dwelling or semi-detached dwelling
 - 2. Secondary Suite – Attached at Grade – where the secondary suite is attached to the side or rear of a single detached dwelling or semi-detached dwelling
 - 3. Secondary Suite – Attached Below Grade – where the secondary suite is located below the first storey of a single detached dwelling or a semi-detached dwelling
- 8.2.19. **SERVICE** means a place of business where the principal is the provision of services to a person or business. This includes professional, medical and financial services – but does not include adult entertainment facilities.
- 8.2.20. **SOFT LANDSCAPING** means consisting of vegetation such as trees, shrubs, hedges, ornamental planting, grass and organic ground cover.

- 8.2.21. **STOREY** means a level of a building above grade included between the surface of a floor and the ceiling or roof immediately above it.
- 8.2.22. **TANDEM PARKING** means allowing cars to park one behind the other.
- 8.2.23. **WATERFRONT** means the land on the edge of a body of water.

8.3 General Regulations

8.3.1. Permitted Encroachments

No encroachments may be permitted between the façade of any building and the street waterfront above the first storey-except the following:

- a) Balconies, canopies, awnings, cantilevers, eaves, gutters, landings, window sills, steps, stairs, ramps, prominent architectural features, and verandahs may be permitted to encroach to within 1.0 m of the abutting lot line.

8.3.2. Variance Authority

The Development Authority may allow a 30% variance and approve a development permit for a permitted use, with or without conditions, which does not comply with the regulations to Part 8 – Parsons Creek Land Use Regulations provided that the Development Authority determines that:

- a) the proposed variance would not result in a development that will:
 - 1. unduly interfere with the amenities of the neighbourhood;
 - 2. materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land;
 - 3. a variance is a reasonable response to the physical characteristics of the lot which are not generally common to other lots in the immediate vicinity of the proposed use;
- b) the proposed development conforms with the use prescribed for the land or building in this Bylaw;
- c) the development would be consistent with the general purpose or character of the district; and
- d) there are mechanisms to mitigate the effects on adjacent lots.

8.3.3. Parking Requirements

a) Parkade Ramp Requirements

- 1. Entrance ramps shall be accessed from within the property. The approval for an entrance ramp directly off of a municipal road is at the sole discretion of the Engineering Services Division; and
- 2. The entrance ramp to an underground parkade shall commence at the property line and shall not be permitted to encroach onto the municipal road right-of-way or lane.

b) Number of On-Site Parking Stalls Required

| Land Use: | Minimum Parking Requirement |
|---------------------------------|--|
| Bed and Breakfast | 1 stall/guest room plus additional stalls in accordance with the parking requirements of Part 7 for any other uses which form part of the Bed and Breakfast. |
| Casino | 10 stalls/100 m ² GFA |
| Community Recreational Facility | 4.7 stalls/100 m ² GFA |
| Community Service Facility | 4 stalls/100 m ² GFA |
| Country Inn | 1 stall/guest room plus additional stalls in accordance with the parking requirements of Part 7 for any other uses which form part of the Country Inn. |
| Gallery | 1.1 stalls/100 m ² GFA |
| Hostel | 0.33 stalls/guest room plus additional stalls in accordance with the parking requirements of Part 7 for any other uses which form part of the Hostel. |

8.3.4. Development Requiring Advertisement

The following will require advertising to the general public through a public notice; a notice of the decision shall be mailed to the adjacent landowners or other affected parties or land owners as determined by the development authority and are subject to appeal.

- a) Amateur Radio Antenna
- b) Bed and Breakfast
- c) Boarding House
- d) Child Care Facility
- e) Educational Service Facility (accessory to a Religious Assembly)
- f) Home Business
- g) Public Use
- h) Religious Assembly
- i) Residential Sales Centre
- j) Secondary Suite
- k) Visiting Students Supervised Housing Unit

8.3.5. Height Restrictions

The following will not be considered part of the height restriction, and may exceed the required building height;

- a) Parapet

- b) Spires, domes or other architectural feature that forms part of a Religious Assembly.

8.3.6. Change of Use

For any change of use or change of occupancy within an existing commercial, industrial and institutional use, the parking requirements for the original development permit shall be deemed appropriate for the life cycle of that building. The proposed change of use shall not be required to provide any additional parking.

8.3.7. Corner Lot Restrictions

- a) In the case of a corner lot, no fence, wall, tree, hedge or other structure exceeding 0.6 metres in height shall be permitted in a corner visibility triangle created by the property line that forms the corner and a straight line connecting two points 7.5 metres back along these property lines measured from their intersection; and
- b) Notwithstanding a) in the case of a structure that exceeds two (2) storeys, the visibility triangle is only required from grade to the ceiling of the second storey.

8.4 Land Use Districts

8.4.1. MD Main Street District

8.4.1.1 Discretionary Uses – Development Officer

The following are discretionary uses that may be approved by the Development Officer:

- a) Apartment Building (Residential not permitted on First Storey)
- b) Community Facility
- c) Entertainment
- d) Lodging
- e) Office
- f) Parking Structure
- g) Restaurant
- h) Retail
- i) Service
- j) Townhouse (Residential not permitted on First Storey)

8.4.1.2 Uses Not Permitted

The following uses are NOT permitted in this zone:

- a) Adult Entertainment Facility
- b) Automotive Recreational Vehicle Sales & Rental
- c) Dating and Escort Services

8.4.1.3 General Site Provisions

- a) More than one (1) building may be developed on one lot.
- b) Where utility servicing is provided in the rear of building, rear lane access shall be accommodated.

8.4.1.4 Site Provisions

In any MD Main Street District, no development shall be permitted except where in addition to the General Provisions of Section 8.3:

8.4.1.4.1 The Front Yard Setbacks are:

- a) Minimum setback 0.0 - 1.0 metres for at least 50% of the façade of the building.
- b) Notwithstanding (a), where at least 50% of the façade of the building is located at or between 0.0 and 1.0 from the front property line, the remainder of the façade may be setback up to 5.0 metres.
- c) Where any courtyard space is created pursuant to b) no such space may be used for storage, garbage, or parking.
- d) No utility servicing equipment shall be located within the front yard of any building.

8.4.1.4.2 The Rear Yard Setbacks are:

- a) Any main building may be located to a maximum of 2.5 metres from the rear property line.

8.4.1.4.3 The Side Yard Setbacks are:

- a) Any main building may be located to a minimum of 0.0 metres from the side property line.

8.4.1.4.4 Building Height

- a) No building shall be less than two (2) storeys above grade nor more than six (6) storeys.

8.4.1.4.5 First Storey Requirements

- a) No more than 20% of the first storey area shall be utilized for lobbies and/or elevator space.
- b) Notwithstanding the foregoing in the case of lodging, no lobby and elevator space shall exceed 50% of the first store floor space.

8.4.1.4.6 Lot Coverage Requirements

- a) Maximum 90%

8.4.1.4.7 Parking Requirements

- a) No parking area shall be permitted between the façade of the building and the property line.
- b) All residential uses require a minimum of one (1) parking spot per dwelling unit.
- c) On-street parking may be counted in the final parking calculation for each development where such parking is directly abutting the development site.

8.4.1.4.8 Landscaping Requirements

In addition to Section 72:

- a) Minimum of 1 deciduous tree (min 50 mm caliper, canopy occurring 2.0 metres above finish grade) every 10 metres along the street frontage.

8.4.1.4.9 Floor Area Ratio

- a) Maximum 0.72 (**BL 14/017**)

8.4.2. MDD Mixed Development District

8.4.2.1 Discretionary Uses – Development Officer

The following are discretionary uses that may be approved by the Development Officer:

- a) Apartment Building
- b) Community Facility
- c) Entertainment (first storey only)
- d) Lodging
- e) Office
- f) Parking Structure
- g) Restaurant (first storey only)
- h) Retail (first storey only)
- i) Retail store, convenience (first storey only)
- j) Service (first storey only)
- k) Townhouses

8.4.2.2 Uses Not Permitted

The following uses are NOT permitted in this zone:

- a) Adult Entertainment Facility
- b) Automotive Recreational Vehicle Sales & Rental
- c) Dating and Escort Services
- d) Warehouse and Storage

8.4.2.3 General Site Provisions

- a) More than one (1) building may be developed on one lot.
- b) Where utility servicing is provided in the rear of building, rear lane access shall be accommodated.

8.4.2.4 Site Provisions

In any MDD Mixed Development District no development shall be permitted except where in addition to the General Provisions of Section 8.3:

8.4.2.4.1 The Front Yard Setbacks are:

- a) Minimum setback 1.0 metres - Maximum setback 4.0 metres.
- b) Where any courtyard space is created pursuant to a) no such space may be used for storage, garbage, or parking.
- c) No utility servicing equipment shall be located within the front yard of any building.

8.4.2.4.2 The Rear Yard Setbacks are:

- a) Any main building may be located to a minimum of 2.5 metres from the rear property line.
- 8.4.2.4.3 The Side Yard Setbacks are:
 - a) Any main building may be located to a minimum of 1.2 metres from the side of the property line.
- 8.4.2.4.4 The Frontage Requirements are:
 - a) The minimum building frontage shall be 6.0 metres.
- 8.4.2.4.5 Building Height
 - a) No building shall be less than three (3) storeys above grade nor more than six (6) storeys.
- 8.4.2.4.6 Lot Coverage Requirements
 - a) Maximum 75%
- 8.4.2.4.7 Parking Requirements
 - a) No parking area shall be permitted between the façade of the building and the property line.
 - b) All residential uses require a minimum of one (1) parking spot per dwelling unit.
- 8.4.2.4.8 Landscaping Requirements

In addition to Section 72

- a) For areas abutting streets, minimum 1 deciduous tree (min 50 mm caliper, canopy occurring 2.0 metres above finish grade) every 10 metres along the street frontage.
- 8.4.2.4.9 Floor Area Ratio
 - a) Maximum 1.4 (**BL 14/017**)
- 8.4.2.4.10 Density
 - a) Maximum 60 units per hectare.
 - b) Notwithstanding 8.4.2.4 10 a), the maximum density may be exceeded if capacity can be demonstrated through the appropriate studies.

(BL 14/017)

8.4.3. CD Civic District

8.4.3.1 Discretionary Uses – Development Officer

The following are discretionary uses that may be approved by the Development Officer:

- a) Community Facility
- b) Entertainment
- c) Government Use
- d) Office
- e) Parking Structure

- f) Restaurant
- g) Retail
- h) Seasonal Uses

8.4.3.2 Uses Not Permitted

The following uses are NOT permitted in this zone:

- a) Adult Entertainment Facility
- b) Automotive Recreational Vehicle Sales & Rental
- c) Dating and Escort Services
- d) Residential Uses

8.4.3.3 General Site Provisions

- a) More than (1) principal building may be developed on one lot.
- b) Where utility servicing is provided in the rear of building, rear lane access shall be accommodated.

8.4.3.4 Site Provisions

In any CD Civic District no development shall be permitted except where in addition to the General Provisions of Section 8.3:

8.4.3.4.1 The Front Yard Setbacks are:

- a) Minimum setback of 1.0 metres – Maximum setback of 4.0 metres from the public street.
- b) A setback of 6.0 metres shall be required from the waterfront property line.
- c) Where any courtyard space is created pursuant to a) and b), no such space may be used for storage, garbage, or parking.
- d) No utility servicing equipment shall be located within the front yard of any building.

8.4.3.4.2 The Rear Yard Setbacks are:

- a) any building may be located to a minimum 2.5 metres from the rear property line.

8.4.3.4.3 The Side Yard Setbacks are:

- a) any building may be located to a minimum of 1.2 metres from the side property line.

8.4.3.4.4 Building Height

- a) no building shall be less than two (2) storeys above grade nor more than four (4) storeys.

8.4.3.4.5 Building Separation

- a) Minimum 12.0 metres between any two (2) principal buildings located on the same lot.
- b) Where two buildings are adjoined by a pedway, the pedway must be a minimum of 5.0 metres from grade.

8.4.3.4.6 Lot Coverage Requirements

- a) Maximum 65%

8.4.3.4.7 Parking Requirements

- a) No surface parking shall be permitted.
- b) A parking structure will be permitted.
- c) On-street parking may be counted in the final parking calculation for each development where such parking is directly abutting the development site.

8.4.3.4.8 Landscaping Requirements

In addition to Section 72

- a) For areas abutting streets, minimum of 1 deciduous tree (min 50mm caliper, canopy occurring 2.0 metres above finish grade) every 10 metres along the street frontage.

8.4.3.4.9 Floor Area Ratio

- a) Maximum 1.0 (**BL 14/017**)

8.4.4. WD Waterfront District

8.4.4.1 Discretionary Uses – Development Officer

The following are discretionary uses that may be approved by the Development Officer:

- a) Accessory Building
- b) Amateur Radio Antenna
- c) Educational Service Facility (accessory to a Religious Assembly only)
- d) Entertainment
- e) Home Business
- f) Home Occupation
- g) Lodging
- h) Office (first storey only)
- i) Park
- j) Parking Structure
- k) Public Use
- l) Public Utility
- m) Religious Assembly
- n) Residential Sales Center (dwelling based or portable)
- o) Residential Uses
- p) Retail (first storey only)
- q) Satellite Dish Antenna
- r) Seasonal uses (on waterfront properties only)
- s) Secondary Suite
- t) Service (first storey only)

8.4.4.2 Uses Not Permitted

The following uses are NOT permitted in this zone:

- a) Adult Entertainment Facility
- b) Automotive Recreational Vehicle Sales & Services
- c) Dating and Escort Services
- d) Manufactured Homes

8.4.4.3 General Site Provisions

- a) More than one (1) principal building may be developed on one lot except in the case of single family dwellings.
- b) Where utility servicing is provided in the rear of building, rear lane access shall be accommodated.

8.4.4.4 Site Provisions

In any WD Waterfront District, no development shall be permitted except where in addition to the General Provisions of Section 8.3:

8.4.4.4.1 The Front Yard Setbacks:

- a) Minimum setback of 1.0 metres – Maximum setback of 4 metres from the public street.
- b) A setback of 6.0 m shall be required from the waterfront property line.
- c) Notwithstanding b), in the case of a seasonal use, a setback of 0.0 metres shall be permitted from the waterfront.
- d) Where any courtyard space is created pursuant to a) and b), no such space may be used for storage, garbage, or parking.
- e) No utility servicing equipment shall be located within the front yard of any building.

8.4.4.4.2 The Rear Yard Setback:

- a) Any main building may be located to a minimum of 2.5 metres from the rear property line.

8.4.4.4.3 The Side Yard Setbacks:

- a) Any main building may be located a minimum of 1.2 metres from the side property line.

8.4.4.4.4 The Frontage Requirements

- a) The minimum building frontage shall be 12.0 metres excluding residential and residential associated uses.

8.4.4.4.5 Building Height

- a) No residential building shall be more than five (5) storeys.
- b) No non-residential building shall be less than two (2) storeys above grade, not more than five (5) storeys.

8.4.4.4.6 Building Separation Requirements

- a) Minimum 12.0 metres between any two (2) principal buildings located on the same lot.
- b) Where two buildings are adjoined by a pedway, the pedway must be a minimum of 5.0 m from grade.

8.4.4.4.7 Lot Coverage Requirements

- a) Maximum 75%

8.4.4.4.8 Parking Requirements

- a) All surface parking must be contained on site.
- b) A parking structure will be permitted.
- c) No parking area shall be permitted between the façade of the building and the property line.
- d) The first 10 percent of parking spaces may be surface parking; after 1 percent, 90 percent of the parking must be located underground or within a parking structure except in the case of a Single Family Dwelling, Semi-Detached Dwelling, Duplex or Townhouse.
- e) In the case of a Single Family Dwelling, Semi-Detached Dwelling, Duplex or Townhome, tandem parking is permitted.

8.4.4.4.9 Landscaping Requirements

In addition to Section 72

- a) For areas abutting streets, minimum of 1 deciduous tree (min 50 mm caliper, canopy occurring 2.0 metres above finish grade) every 10 metres along the street frontage.

8.4.4.4.10 Floor Area Ratio

- a) Maximum 1.0 (**BL 14/017**)

8.4.5. ND Neighbourhood District

8.4.5.1 Discretionary Uses – Development Officer

The following are discretionary uses that may be approved by the Development Officer:

- a) Accessory Building
- b) Amateur Radio Antenna
- c) Duplex
- d) Education Service Facility (accessory to a Religious Assembly only)
- e) Home Business
- f) Home Occupation
- g) Modular Home
- h) Park
- i) Public Use
- j) Public Utility
- k) Religious Assembly
- l) Residential Sales Center (dwelling based or portable)
- m) Retail Store, Convenience
- n) Satellite Dish Antenna
- o) Secondary Suite
- p) Semi-Detached Dwelling
- q) Single Detached Dwelling

8.4.5.2 Uses Not Permitted

The following uses are NOT permitted in this zone:

- a) Adult Entertainment Facility
- b) Automotive Recreational Vehicle Sales & Rental
- c) Dating and Escort Services
- d) Manufactured Homes

8.4.5.3 Site Provisions

In any ND Neighbourhood District, no development shall be permitted except where in addition to the General Provisions of Section 8.3:

8.4.5.3.1 The Front Yard Setback

- a) Minimum setback 6.0 metres with front driveway.
- b) Minimum setback 4.5 metres – Maximum setback 6.0 metres with rear lane access.

8.4.5.3.2 The Rear Yard Setback

- a) Single Detached Dwelling – Minimum 4.6 metres with front driveway.
- b) Single Detached Dwelling – Minimum 6.0 metres with rear lane access.
- c) For all other uses – Minimum 7.5 metres.

8.4.5.3.3 The Side Yard Setback

- a) Minimum 1.2 metres, except for the following:
 - (i) In a laneless subdivision, excepting corner lots, a dwelling without an attached garage shall provide one (1) 2.7 (minimum) interior side yard to provide vehicular access to the rear yard.

8.4.5.3.4 Lot Area

- a) Single Detached Dwelling – Minimum 400.0 m².
- b) Semi-Detached Dwelling – Minimum 228.0 m² per unit.
- c) Duplex – 400.0 m².

8.4.5.3.5 Lot Width

- a) Single Detached Dwelling – Minimum 12.2 metres with front driveway.
- b) Single Detached Dwelling – Minimum 10.0 metres with rear lane access.
- c) Semi-Detached – Minimum 7.6 metres per unit.
- d) Duplex – Minimum 10.5 metres with front driveway.
- e) Duplex – Minimum 7.0 metres with rear lane access.

8.4.5.3.6 Lot Coverage

- a) 45 percent including accessory buildings.

8.4.5.3.7 Building Height

- a) No building shall be more than three (3) storeys.

8.4.5.3.8 Parking Requirements

- a) Minimum two (2) spaces are required for all residential uses.

- b) there a secondary suite is proposed, an additional one (1) parking stall is required for all one (1) and two (2) bedroom units, and two (2) additional stalls are required for all three bedroom units.
- c) Tandem parking is permitted

8.4.5.3.9 Landscaping Requirements

In addition to Section 72

- a) Minimum of 30% of the lot must be soft landscaped.

8.4.5.3.10 Density

- a) Maximum 19.83 unites per hectare
- b) A minimum of 30 percent semi-detached dwellings with the exception of Block 1 and Block 33.
- b) **(BL 14/017)**

8.4.6. MFD Multi-Family District **(BL 13/040)**

8.4.6.1 Discretionary Uses – Development Officer

The following are discretionary uses that may be approved by the Development Officer:

- a) Accessory Building
- b) Apartment Building
- c) Child Care Facility
- d) Cluster Housing
- e) Fourplex
- f) Home Business
- g) Home Occupation
- h) Park
- i) Parking Lot or Structure
- j) Senior Citizen Housing
- k) Town House
- l) Triplex

8.4.6.2 Uses Not Permitted

The following uses are NOT permitted in this zone:

- a) Adult Entertainment Facility
- b) Automotive/Recreational Vehicle Sales & Rental
- c) Dating and Escort Services
- d) Manufactured Homes

8.4.6.3 General Site Provisions

- a) More than one (1) building may be developed on one lot.
- b) Any required garbage enclosures or storage areas shall be located in the rear of the property.
- c) Where utility servicing is provided in the rear of building, rear lane access shall be accommodated.

8.4.6.4 Site Provisions

- 8.4.6.4.1 The Front Yard Setbacks are: 4.5 m
- 8.4.6.4.2 The Rear Yard Setbacks are: 7.5 m
- 8.4.6.4.3 The Side Yard Setbacks:
 - a) Interior: 3.0 m
 - b) Exterior: 6.0 m
- 8.4.6.4.4 Building Height:
 - a) No building shall be more than four (4) storeys.
- 8.4.6.4.5 Building Separation:
 - a) Where more than one residential building is located on a site, the building separation shall be 3.0 m.
- 8.4.6.4.6 Lot Coverage Requirements
 - a) Maximum 75%
- 8.4.6.4.7 Private Amenity Area (minimum):
 - a) For at grade units: 6.0 m² per unit
 - b) For above grade units: 4.0 m² per unit
- 8.4.6.5 Landscaping Requirements

In addition to Section 72:

Minimum 1 deciduous tree (min 50mm caliper, canopy occurring 2.0 metres above finish grade) every 10.0 metres along the street frontage.

8.4.6.6 Playground structures

Every apartment building, Townhouse development or Cluster Housing development containing 100 or more dwelling units on the lot or site shall provide a playground with a play structure. The playground shall be a minimum of 1.0 m² for each dwelling unit on the site or lot and shall be considered part of the landscaped area. The play structure shall conform to CSA standards.

8.4.6.7 Density

- a) Maximum density of 200 units per hectare.
- b) Notwithstanding Section 8.4.6.7, the maximum density may be exceeded if capacity can be demonstrated through the appropriate studies.

(BL 13/004, BL 14/017)

8.4.7. TCD Town Centre District **(BL 14/017)**

8.4.7.1 Purpose

The purpose of this District is to provide opportunities for commercial development that serves a number of neighbourhoods. Lodging, office, entertainment and essential public services may also be included within the shopping complexes.

8.4.7.2 Discretionary Uses – Development Officer

The following are discretionary uses that may be approved by the Development Officer:

- a) Community Facility
- b) Entertainment
- c) Essential Public Service
- d) Lodging
- e) Office (above ground floor)
- f) Restaurant – including drive thru facilities
- g) Retail
- h) Service

8.4.7.3 Uses Not Permitted

The following uses are NOT permitted in this zone:

- a) Adult Entertainment Facility
- b) Dating and Escort Services

8.4.7.4 General Site Provisions

- a) More than one (1) building may be developed on one lot
- b) Any required garbage enclosures or storage areas shall be located in the rear of the property.

8.4.7.5 Site Provisions

In any TCD Town Centre District no development shall be permitted except in addition to the General Provisions of Section 8.3:

8.4.7.5.1 The Front Yard Setbacks are:

- a) Where any building is proposed within 40 metres of a public road, the minimum setback is 3.0 metres to a maximum of 9.0 metres.

8.4.7.5.2 The Rear Yard Setbacks are:

- a) Any main building may be located to a minimum of 8.0 metres from the rear property line.

8.4.7.5.3 The Side Yard Setbacks are:

- a) Any main building may be located to a minimum of 0.0 metres from the interior side property line.
- b) Any main building may be located to a minimum of 3.0 metres from the exterior side property line.

8.4.7.5.4 Building Height

- a) No building shall be more than two (2) storeys
- b) Notwithstanding (a), in the case of lodging and office no building shall be more than six (6) storeys.

8.4.7.5.5 Parking Requirements

- a) All required loading spaces shall be located in the rear of the property.
- b) For all retail uses the minimum parking requirements shall be 4.0 stalls per every 100 square metres of gross floor area.

8.4.7.5.6 Landscaping Requirements

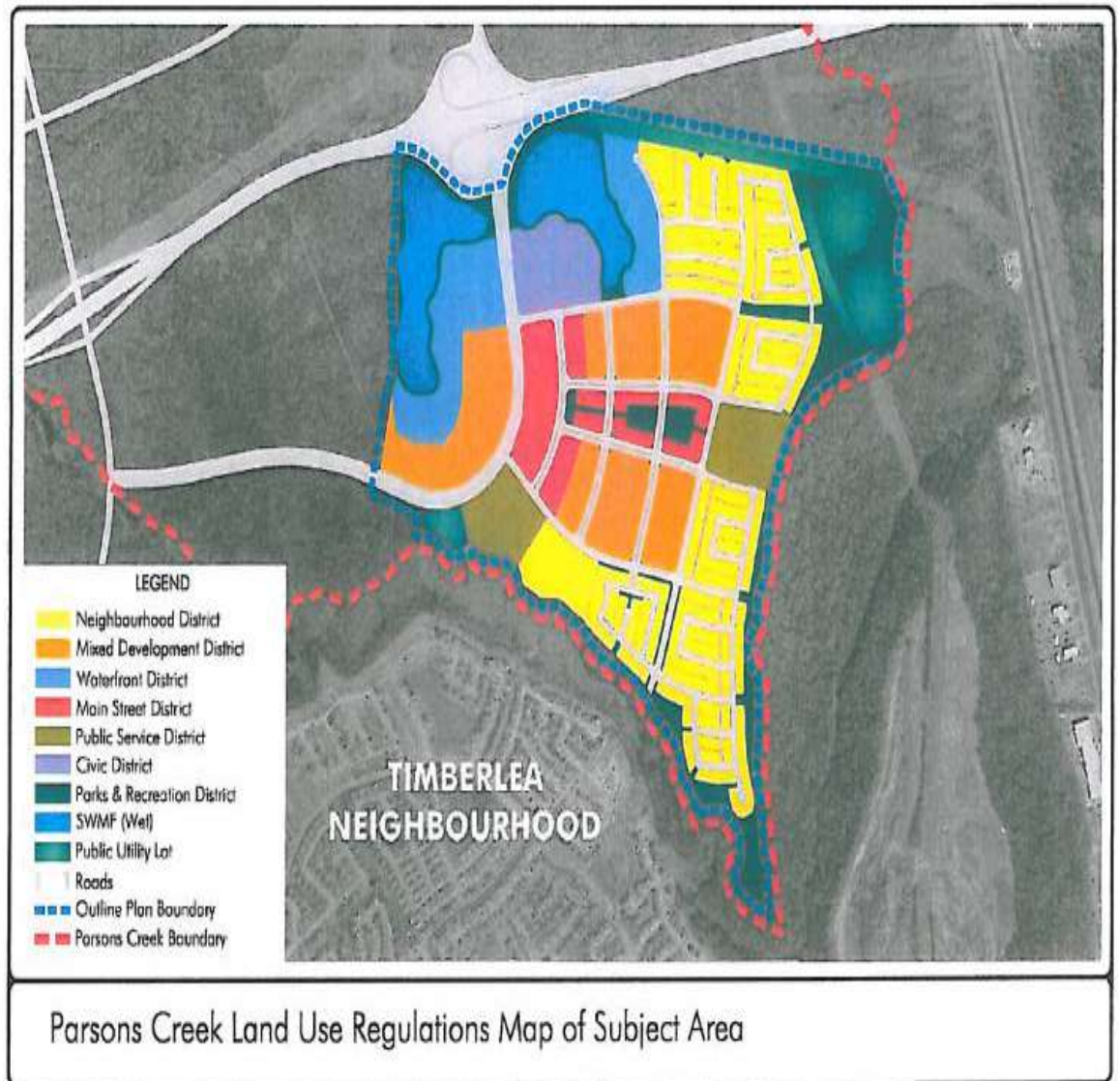
- a) For areas abutting streets, one (1) deciduous tree (min 50 mm caliper, canopy occurring 2.0 metre above finish grade) every 10.0 metres along the street frontage.

8.4.7.5.7 Floor Area Ratio

- a) Maximum 0.3

(BL 14/017)

Schedule D



PART 9 - City Centre Area Redevelopment Special Area (BL 12/012, BL 12/013)

9.1 General Purpose

- 9.1.1 The general purpose of this Part is to designate the City Centre area as a Special Area within the Regional Municipality of Wood Buffalo and to adopt the regulations in this Part to achieve the objectives of the City Centre Area Redevelopment Plan within the City Centre Special Area.

9.2 Application

- 9.2.1 This Part applies to the areas designated as the City Centre Special Area which includes the following areas as shown on Appendix 1 – City Centre Districts and Corridors Map:

1. The Downtown Major Redevelopment Zone
2. The Franklin Avenue Re-Urbanization Zone
3. The Neighbourhood Stabilization Zone
4. The Recreation Zone

- 9.2.2 The following Appendices are included in this Part:

1. Appendix 1 - City Centre Districts and Corridors Map
2. Appendix 2 - City Centre Floor Area Ratio Map
3. Appendix 3 - City Centre Height Map

9.3 Special Area Provisions

- 9.3.1 The regulations contained in this Part apply to the areas designated as the City Centre Special Area as shown on Appendix 1 – City Centre Districts and Corridors Map.
- 9.3.2 Unless specifically excluded or modified by this Part, the regulations in Parts 1 to 5 of this Bylaw shall apply to the areas designated as the City Centre Special Area as shown on Appendix 1 – City Centre Districts and Corridors Map.

9.4 Definitions

- 9.4.1 In addition to the definitions in Section 10 of this Bylaw, in this Part, the following words shall have the following meanings, unless the context requires otherwise:

ACCESSORY BUILDING OR USE has the meaning set out in Section 10 of this bylaw and includes, but is not limited to: **AMATEUR RADIO ANTENNA** and **SATELLITE DISH ANTENNA** as defined in Section 10 of this Bylaw, but does not include **ACCESSORY SURFACE PARKING**.

ACCESSORY SURFACE PARKING means an area of land used for parking of motor vehicles on the surface of the Site, which serves or is intended to serve the uses on the same Site, and may include but is not limited to customer parking, visitor parking and passenger pick up and drop off areas. **ACCESSORY SURFACE PARKING** also includes land used for parking of motor vehicles off the site where an arrangement for off-site

parking has been established under section 9.20.6. **ACCESSORY SURFACE PARKING** excludes parking offered for uses not located on the Site, except for cases where an arrangement for off-site parking has been established under section 9.20.6. **(BL 13/004)**

APARTMENT has the meaning set out in Section 10 of this bylaw and includes, but is not limited to: **SENIOR CITIZEN HOUSING** as defined in Section 10 of this Bylaw.

BEST AVAILABLE TECHNIQUES means the most effective and advanced stage in the development of activities and their methods of operation which indicate the practical suitability of particular techniques for providing in principle the basis for the reduction of energy consumption.

BICYCLE PARKING means a rack, railing, locker, or other structurally sound device which is designed for the securing of one or more bicycles in an orderly fashion.

BUILD-TO LINE means the line up to which Buildings or landscaping must be constructed.

CaGBC means the Canada Green Building Council

CITY BLOCK AREA means the area located within the perimeter of the city block described by a line extending along the outside of the Lots and across the ends of the lanes that comprise the city block. **(BL 13/004)**

CITY CENTRE ADJUDICATING DEVELOPMENT OFFICER means the person appointed to the office established by Section 9.5.4 of this Bylaw.

COMMERCIAL means a Development designed to accommodate the buying and selling of goods and services. **COMMERCIAL** includes but is not limited to **FOOD AND BEVERAGE COMMERCIAL; LIMITED COMMERCIAL; OFFICE COMMERCIAL; RECREATION COMMERCIAL; RESTRICTED COMMERCIAL; RETAIL COMMERCIAL (<5,000 m² GFA); RETAIL COMMERCIAL, LARGE FORMAT (>5,000B GFA); SERVICE COMMERCIAL; and TOURISM COMMERCIAL.**

CORRIDOR means a Public Road designated as a Corridor on the City Centre Districts and Corridors map Appendix 1.

COURTYARD means an open area partially or fully enclosed by Buildings or other walls.

DESIGN REVIEW PANEL means the Wood Buffalo Design Review Panel as established by bylaw.

DISTRICT ENERGY means the energy that is provided by a central energy plant to more than one Building. The energy may be Electricity, Thermal Heat or Thermal Cooling or a combination of all three.

DISTRICT ENERGY SYSTEM means a system that provides sources of energy to more than one Building, via pipes or electrical cables, from a central energy plant. The energy sources may be Electricity, Thermal Heat or Thermal Cooling or a combination of all three. The central energy plant may comprise boilers, co-generation plant (combined heat and power) or absorption chillers, or other energy systems.

DELETED (BL 13/004)

FOOD AND BEVERAGE COMMERCIAL means a Development where the primary purpose is the sale of prepared food and beverages to the public for consumption on or off the premises, but does not include drive-thru food pick-up service. **FOOD AND BEVERAGE COMMERCIAL** includes, but is not limited to, **DRINKING LOUNGE, MINOR; FOOD SERVICE, MOBILE CATERING; FOOD SERVICE, TAKE OUT RESTAURANT; FOOD SERVICE, MAJOR RESTAURANT;** and **FOOD SERVICE MINOR RESTAURANT. FOOD AND BEVERAGE COMMERCIAL** does not include **DRINKING LOUNGE, MAJOR; FOOD SERVICE, DRIVE IN OR DRIVE THROUGH;** and **NIGHTCLUB** as defined in Section 10 of this Bylaw. **(BL 13/004)**

FORECOURT means an open area forming an entrance plaza for a single Building or several Buildings in a group.

GROSS FLOOR AREA means the sum of the areas of all floors of a Building measured to the outside surfaces of the exterior walls, or where Buildings are separated by firewalls, to the centerline of the fire wall and includes all floors totally or partially above grade, and all floors totally below grade and includes all mechanical and electrical equipment areas, but does not include Parking Structures.

GROUND FLOOR means the Storey of a Building where the floor of the Storey is at or nearest to the level of the ground around the Building.

HEIGHT has the meaning set out in section 10 of this bylaw, except that in relation to a Podium, the height shall be measured to the highest point of the Podium structure, not including the Tower portion or any other portion of the Building. **(BL 13/004)**

INSTITUTIONAL AND CIVIC means a Development for a public purpose and, may include but is not limited to such uses as schools, places of worship, community centres, health care facilities, public utilities and government Buildings. **INSTITUTIONAL AND CIVIC** includes, but is not limited to: **CHILD CARE FACILITY; COMMERCIAL SCHOOL; COMMUNITY SERVICE FACILITY; EDUCATIONAL SERVICE FACILITY; ESSENTIAL PUBLIC SERVICE; GROUP HOME; HEALTH SERVICE FACILITY; HOSPITAL; PUBLIC USE; PUBLIC FACILITY; RELIGIOUS ASSEMBLY;** and **VISITING STUDENTS SUPERVISED HOUSING UNIT** as defined in Section 10 of this Bylaw.

LEED GOLD COMPLIANCE METHOD means that the Canada Green Building Council (CaGBC) LEED 200912, Gold Standard, as amended, replaced or updated from time to time, be achieved with full accreditation and certification provided by the CaGBC.

LEED GOLD means the CaGBC LEED 2009, Gold Standard, as amended, replaced or updated from time to time.

LEED GUIDELINES means the CaGBC LEED 2009 Guidelines, as amended, replaced or updated from time to time.

LIMITED COMMERCIAL means a Development designed, intended and/or used for assembling, auctioning, warehousing and/or storage, cleaning, servicing, repair and maintenance of goods and materials. **LIMITED COMMERCIAL** includes, but is not limited to: **AUCTIONEERING FACILITY; CONTRACTOR, LIMITED; CUSTOM MANUFACTURING; EQUIPMENT RENTAL; FLEET SERVICE; HOUSEHOLD**

EQUIPMENT REPAIR; and **WAREHOUSE AND STORAGE** as defined in Section 10 of this Bylaw.

LIVE-WORK includes, but is not limited to: **SECONDARY OFFICE COMMERCIAL**; **RETAIL COMMERCIAL**; **HOUSEHOLD EQUIPMENT REPAIR**; artist studio; making, processing, and assembly of products on a small scale; and **PERSONAL SERVICE FACILITY** not including dry cleaning establishments. The entire unit occupied by the LIVE WORK shall be considered a Dwelling Unit, consisting of Habitable Rooms and Non-Habitable Rooms. The work use must not exceed 50.0 percent of the Gross Floor Area of the Dwelling Unit and no activity which generates noise level, dust, odors or emissions incompatible with adjacent uses shall be permitted. **(BL 14/032)**

LOT LINE, FRONT means any Lot line common to a Lot and a Street other than a lane, except that:

1. in the case of a corner Lot at the intersection of two Streets, the front Lot line is the shorter of the two Lot lines common to the Lot and a Street;
2. in cases where a Lot is contiguous to two Streets (except corner Lots), both Lot lines shall be considered as front Lot lines;

LOT LINE, REAR means the boundary of a Lot which lies the most opposite to and is not connected to the front Lot line and which is not contiguous to a Street other than a lane;

LOW WALL means a low structure, usually less than 1 m high, which serves to enclose or subdivide outdoor space, presenting a continuous surface, except where penetrated by walkways. The Low Wall is usually masonry, stone or concrete, but can be metal, wood or a combination of materials.

MID-BLOCK PUBLIC OPEN SPACE means an open space that forms part of a Through Block Connection, and it may include space in a public right of way, easement, or Public Road, or space on private land that is available for public use.

DELETED (BL 13/004)

MOBILE FOOD VENDING UNIT means a readily moveable non-motorized unit, of less than 20 square metres in size, designed for the storage, preparation, sale and distribution of food. **(BL 13/004)**

NEIGHBOURHOOD COMMERCIAL means a Development, that does not exceed a Gross Floor Area of 1,000 m², designed, intended or used to serve neighbourhood residents for: the purpose of receiving, storing and retailing consumer goods to the general public; or, providing personal services. **NEIGHBOURHOOD COMMERCIAL** includes, but is not limited to: **CHILD CARE FACILITY**; **PERSONAL SERVICE FACILITY**; **RETAIL STORE, GENERAL**; and **RETAIL STORE, CONVENIENCE** as defined in Section 10 of this Bylaw.

OFFICE COMMERCIAL means a Development designed, intended or used for the provision of professional, management, administrative, financial, health services, business, or similar services, or the administration of an industry, but shall not include **RETAIL COMMERCIAL** use. **OFFICE COMMERCIAL** includes, but is not limited to: **BROADCASTING HOUSE**; **BUSINESS SUPPORT**; **FINANCIAL INSTITUTION**; and **OFFICE** as defined in Section 10 of this Bylaw.

PARKING STRUCTURE means a Building or Structure designed for the parking of motor vehicles.

PRIVATE OUTDOOR AMENITY SPACE means an Amenity Space that is accessible directly from a Dwelling, and may include a Balcony, Deck, patio, Terrace or landscaped area, for private enjoyment of the resident of the Dwelling, which may include visual cues such as fencing, railing or signage indicating the space is private.

PODIUM means the continuous projecting base of a Building, distinct from the Tower or other portions of the Building. A Podium does not include a building for a spectator sports facility. **(BL 13/004)**

PORCH means a structure attached to a Building to shelter an entrance or to serve as a semi-enclosed space; usually roofed and generally open-sided; although it may be enclosed through the use of screens, glass or partial walls.

RECREATION COMMERCIAL means a Development of land, Buildings or Structures designed and equipped for the commercial conduct of sports, leisure and entertainment activities. **RECREATION COMMERCIAL**, includes, but is not limited to: **ARCADE; COMMERCIAL ENTERTAINMENT FACILITY; COMMERCIAL RECREATION FACILITY, INDOOR; and SPECTATOR SPORTS FACILITY** as defined in Section 10 of this Bylaw.

RESIDENTIAL means a Development that contains one or more Dwelling Units. **RESIDENTIAL** includes but is not limited to: **APARTMENT BUILDING; TOWNHOUSE; SENIOR CITIZEN HOUSING; DUPLEX; TRIPLEX; FOURPLEX; SINGLE DETACHED DWELLING; CLUSTER HOUSING; BASEMENT SUITE; SECONDARY SUITE; SEMI-DETACHED DWELLING; and TOWNHOUSE**, as defined in Section 10 of this Bylaw.

RESTRICTED COMMERCIAL means a Development that may involve alcohol, nudity or gambling. **RESTRICTED COMMERCIAL** includes, but is not limited to: **ADULT ENTERTAINMENT FACILITY; CASINO; DRINKING LOUNGE, MAJOR; DRINKING LOUNGE, MINOR; and NIGHTCLUB** as defined in Section 10 of this Bylaw.

RETAIL COMMERCIAL (<5,000 m² GFA) means a Development designed, intended or used for the purpose of receiving, storing and retailing goods to the general public provided that the Building or Structure in which the use is contained does not exceed a Gross Floor Area of 5,000 m². **RETAIL COMMERCIAL** includes, but is not limited to: **LIQUOR STORE; PERSONAL SERVICE FACILITY; RETAIL STORE, GENERAL; RETAIL STORE, CONVENIENCE; and SHOPPING CENTRE** as defined in Section 10 of this Bylaw.

RETAIL COMMERCIAL, LARGE FORMAT (>5,000 m² GFA) means a Development designed, intended or used for the purpose of receiving, storing and retailing goods to the general public and for the wholesaling of goods to retailers, where the Building or Structure in which the use is contained, is equal to or exceeds a Gross Floor Area of 5,000 m² and does not include the sale of motor vehicles, boats, and heavy equipment. **RETAIL COMMERCIAL, LARGE FORMAT** (>5,000 m² GFA) includes, but is not limited to: **LIQUOR STORE; PERSONAL SERVICE FACILITY; RETAIL STORE,**

GENERAL; RETAIL STORE, CONVENIENCE; and SHOPPING CENTRE as defined in Section 10 of this Bylaw, where the Building or Structure related to such use is equal to or exceeds a Gross Floor Area of 5,000 m².

SECONDARY OFFICE COMMERCIAL means a small scale office development designed, intended or used for the provision of professional, management, administrative, financial, health services, public service organizations, business, or similar services aimed at serving local residents, local households and locally owned businesses. Secondary Office Commercial excludes major offices that exceed a total Gross Floor Area of 5,000 m², which are better suited to be located in the Downtown Major Redevelopment Zone. Secondary Office Commercial uses do not exceed a total Gross Floor Area of 5,000 m² within the Building or Structure in which the use is contained. **(BL 14/032)**

SECONDARY SUITE means one or more Habitable Rooms used or intended for use as a Dwelling, with self-contained living facilities, and direct access to the exterior, without passing through any part of the Principal Dwelling Unit. The **SECONDARY SUITE** is subordinate to the Principal Dwelling Unit. **SECONDARY SUITE** includes, but is not limited to: **BASEMENT SUITE** as defined in Section 10 of this Bylaw.

SERVICE COMMERCIAL means a Development designed, intended or used for the provision of services to businesses, vehicles, households, individuals or animals, but does not include **PERSONAL SERVICE FACILITIES** or health care facilities. **SERVICE COMMERCIAL** specifically includes but is not limited to uses related to the sale, rental, servicing and repairing of motor vehicles, fuel, oils and accessories for motor vehicles, tools, equipment, and any similar goods and services. **SERVICE COMMERCIAL** includes, but is not limited to: **ANIMAL SERVICE FACILITY, MINOR; AUTOMOTIVE AND EQUIPMENT REPAIR; AUTOMOTIVE/RECREATIONAL VEHICLE SALES AND RENTAL; GAS BAR; RECYCLED MATERIALS DROP-OFF CENTRE; SECURITY SUITE; SERVICE STATION, MAJOR; and SERVICE STATION, MINOR** as defined in Section 10 of this Bylaw.

STOOP means a platform or small Porch, usually up several steps, at the entrance to a Building, usually a Dwelling or Dwellings.

STOREY means that portion of a Building, which is situated between the top of any floor and the top of the floor next above it. If there is no floor above, the Storey is the portion of the Building that is situated between the top of any floor and the ceiling above it. A Storey is defined as having a vertical distance of less than 4.5m, and for any portion of a Storey that exceeds 4.5m the Building shall be defined to have an additional Storey for every 4.5m.

STREET means a Public Road, not including a Lane.

STREET FACING BUILD-TO LINE means a Build-To Line adjacent to a Public Road.

STREET FRONTAGE means the portion of the Site adjacent to a Public Road.

STREET TYPE means a set of requirements applicable to a designated Corridor, which requirements may include, but are not limited to, right of way width, travel lanes, sidewalks width, planting strips, and role in the road network.

TERRACE means a flat roof or a raised space or platform adjoining a Building, or an embankment with a level top. A Terrace is open to the sky and larger than a balcony, and may be above or below grade level.

THRESHOLD means the area of floor beneath a door, where two types of floor material meet; or the entrance to a Building.

THROUGH BLOCK CONNECTION means a grade level pedestrian, cycling, or vehicle access route that is accessible to the public and extends through a city block, and includes but is not limited to a pedestrian walkway, a Street, or an access route through public or private land, as illustrated in figures in section 9.10.3 and 9.11.3.

TOURISM COMMERCIAL means a Development designed, intended or used to attract people visiting an area, or provide sleeping accommodation for the travelling public, and includes associated services and facilities. **TOURISM COMMERCIAL** includes, but is not limited to: **APARTMENT HOTEL; BED AND BREAKFAST; CARNIVAL; COUNTRY INN; HOSTEL; HOTEL;** and **MOTEL** as defined in Section 10 of this Bylaw. **TOURISM COMMERCIAL** does not include **TEMPORARY PROJECT ACCOMMODATION** as defined in Section 10 of this Bylaw.

TOWER means a Building or a portion of a Building located on top of a Podium, with the Height of the Tower extending from the top of the Podium to the top of the Building. **(BL 13/004)**

TOWNHOUSE includes but is not limited to: **TOWNHOUSE** and **TRIPLEX** as defined in Section 10 of this Bylaw.

TRELLIS means an open grating or latticework overhead, of either metal or wood, and the supporting columns and framework.

URBAN FENCE means an open framework screen or fence, of either metal, wood, masonry or a combination, usually no more than 1.5m high, which serves to enclose or subdivide outdoor space, presenting a semi-transparent surface, except where penetrated by walkways.

9.5 Control of Development

9.5.1 Introduction

1. The provisions of Section 9.5 of this Bylaw apply to the City Centre Special Area in addition to the provisions of Part 2 of this Bylaw. Where a discrepancy exists between Section 9.5 and Part 2 of this Bylaw, the provisions of Section 9.5 of this Bylaw shall prevail.

9.5.2 Design Review Panel

1. The Design Review Panel shall perform such duties as are set out in the Wood Buffalo Design Review Panel Bylaw, as established by bylaw.
2. Prior to rendering a decision on a Development Permit application regarding a Site located within the City Centre Special Area, the Development Officer shall refer such applications to the Design Review Panel for review. The Development Officer shall not render a decision prior to receiving the Design Review Panel's recommendations.

3. Development Permit applications for Buildings with a Gross Floor Area of 1,000 m² or less on Sites within the Neighbourhood Stabilization Zone or the Recreation Zone, are exempt from referral to the Design Review Panel for review.
4. The Development Officer may exempt the following types of Development from referral to the Design Review Panel:
 - (a) Developments with a Gross Floor Area of 1,000 m² or less;
 - (b) A change of Use within an existing Building.

9.5.3 Limitation on Authority of Development Officer

1. For Development Permit Applications referred to the Design Review Panel, The Development Officer shall not have authority to make a decision on a Development Permit application within the City Centre Special Area that is inconsistent with the recommendations of the Design Review Panel.

9.5.4 City Centre Adjudicating Development Officer

1. The Office of the City Centre Adjudicating Development Officer is hereby established and such office shall be filled by a person or persons to be appointed by Council, and is authorized to act as a “Development Authority”.

9.5.5 Duties and Responsibilities of City Centre Adjudicating Development Officer

1. Where the Development Officer does not have the authority to make a decision on a Development Permit application pursuant to Section 9.5.3 of this Bylaw, the City Centre Adjudicating Development Officer shall receive and process the Development Permit application and issue a decision on the Development Permit application. In making a decision on a Development Permit application, the City Centre Adjudicating Development Officer is not bound to follow the recommendations of the Wood Buffalo Design Review Panel or the recommendations of the Development Officer.

9.5.6 Additional Powers

1. The Development Authority may require that, as a condition of issuing a Development Permit, the applicant enter into an agreement with the Municipality to:
 - (a) Provide pedestrian access or pedestrian walkways, either by dedication of a public walkway or provision of an easement, in the Front Street Facing Setback and to construct and maintain these pedestrian walkways for use by the public;
 - (b) Provide connections to Public Roads and pedestrian walkways, either by dedication of a public walkway or provision of an easement, in order to provide access for vehicles and pedestrians to the Development, surrounding Developments and services and amenities within the surrounding area; and

- (c) Provide pedestrian access or pedestrian walkways, either by dedication of a public walkway or provision of an easement, to or along the Riverfront District, the Snye and the Clearwater River.

9.5.7 Reconstruction of Existing Buildings **(BL 13/004)**

1. Notwithstanding any of other provisions in this Bylaw, if a building or structure within the City Centre Special Area that lawfully existed at the date of adoption of this Part 9 is damaged or destroyed, then:
 - (a) Repair or reconstruction of the building or structure that commences within 1 year after the damage or destruction occurs and is completed as soon as reasonably practicable thereafter, and
 - (b) Continuation of uses within the building or structure that lawfully existed at the date of adoption of this Part 9 and that continue as soon as reasonably practicable after completion of the repair or reconstruction of the building or structure,are deemed to be conforming, provided that the repair or reconstruction meets the provisions of:
 - (i) Section 60 – Development in the Floodplain (Clearwater River Athabasca River Flood Plain Area);
 - (ii) Section 61 – Development Near Water Bodies and Watercourses; and
 - (iii) Section 62 – Development Setbacks from Slopes.

(BL 13/004)

9.5.8 Exemptions **(BL 13/004)**

The following developments are exempt from the requirements in sections 9.7 to 9.15 inclusive and section 9.21:

Within a non-conforming building, enlargements or additions to a Residential Building, that constitute less than 5% of the Building or 100 m² in Gross Floor Area, whichever is greater, provided that such extensions do not result in an increase in the number of Dwellings within the Building or on the Site;

Within a Non-conforming building, enlargements or additions to a non-Residential Building, that constitute less than 5% of the Building or 100 m² in Gross Floor Area, whichever is greater.

9.6 Variance Powers

9.6.1 Non-Conforming Buildings

1. Notwithstanding Section 33 of this Bylaw, for Development Permit applications under this Part, the Development Authority may allow a variance and issue a Development Permit for a non-conforming Building in the following instances:

DELETED (BL 13/004)

DELETED (BL 13/004)

- (a) To the Street Types in order to accommodate Site specific circumstances;
 - (b) **(BL 13/004)**
 - (c) To Building and Landscape Frontage Types to accommodate Site specific circumstances; and **(BL 13/004)**
 - (d) To the required Through Block Connections in order to accommodate Site specific circumstances. **(BL 13/004)**
2. The Development Authority may approve changes in use within a non-conforming Building without requiring the building to be brought into conformance, provided that the proposed use is a permitted or discretionary use. **(BL 13/004)**

9.6.2 Limitation on Variance

In approving an application for a Development Permit under Section 28.1 or 9.6.1 of this bylaw, the Development Authority shall adhere to the following regulations set out in this Section.

The Development Authority shall not allow a variance to the minimum Site size except as set out in this section. The Development Authority may allow a variance of up to 33% reduction to the minimum Site size required to achieve the maximum Floor Area Ratio set out in the City Centre Floor Area Ratio Map, if the Development meets all of the following criteria:

- 1. The Development meets all of the requirements set out in section 9.10 Downtown Major Redevelopment Zone Development Standards, or Section 9.11 Franklin Avenue Re-Urbanization Zone Development Standards as applicable to the Site; and
- 2. At least one corner of the Site is located at the intersection of two Public Roads; and
- 3. A minimum Setback of 10 metres is provided between the Tower and the Lot line adjacent to another site.

The Development Authority shall not allow a variance from the maximum Floor Area Ratio except as set out in this section. The Development Authority may allow a variance of the maximum Floor Area Ratio by up to 10%. **(BL 13/004)**

The Development Authority shall not allow a variance to the minimum Height except as set out in this section. The Development Authority may allow a variance of the maximum Height by up to 10%.

With respect to access routes for fire protection, the Development Authority shall not allow a variance to:

- 1. Building location and orientation,
- 2. the location of Public Roads,
- 3. the location of Through Block Connections, or
- 4. the width of vehicular entrances,

where the variance would result in a Development that does not have fire protection access routes that are at least 8m wide on at least two sides of a Building. **(BL 13/004)**

The Development Authority shall not allow a variance to the requirements under section 9.16.2 'Downtown Primary Office Employment Area' except as set out in this section. The Development Authority may allow a variance to the requirements under section 9.16.2 'Downtown Primary Office Employment Area' by up to 10%, including the resulting amount of a Building that shall be occupied by Office Commercial. The variance may be allowed to achieve other requirements of this Bylaw including, but not limited to: Building or Landscape Frontage Types, through block connections, retail uses on the ground floor, height requirements, Floor Area Ratio requirements, parking requirements, or the special urban design regulations. **(BL 13/004)**

Notwithstanding Section 28.2 the Development Authority may allow any variance in regard to front, side and rear setback requirements for existing or new principal or accessory buildings, decks and signs. **(BL 13/004)**

9.7 City Centre General Regulations

The following land use regulations are applicable to all Development in the City Centre Special Area Districts. Further regulation for specific Uses may be described under individual Land Use Districts.

9.7.1 Application of General Regulations

1. Except as specifically excluded or modified in this section, the General Regulations set out in Part 5 of this bylaw shall apply to Development within the City Centre Special Area.

9.7.2 Corner Lot Restrictions

1. The provisions of Section 58 of this Bylaw shall not apply to Development within the CBD1, BOR1, SCL1, and SCL2 Districts of this Part.

9.7.3 Development Setbacks from Highways

1. The provisions of Section 63 of this Bylaw shall not apply to Development within the CBD1 District of this Part.

9.7.4 Development in Proximity to Bus Rapid Transit Stations

1. The provisions of this Section apply to Development within a 100m radius of the confluence of Lot lines at the corners of the intersection of Franklin Avenue with Hospital Street, King Street, and Prairie Loop Boulevard, and the intersection of Prairie Loop Boulevard and Saline Creek Parkway. **(BL 14/032)**
2. Vehicular-oriented uses and Service Commercial Uses are not permitted in these areas.
3. For Buildings fronting onto a Street, at least 80% of the Ground Floor Street Frontage shall be designed to accommodate Retail Commercial, Recreation Commercial, or Food and Beverage Commercial Use along that Public Road.
4. Development providing only Residential Uses, without any Commercial Use, shall not be permitted.

5. In mixed-use Buildings, Residential entrances shall be designed separate from Commercial or Institutional entrances and address the Street in a prominent manner.

9.7.5 Drive-thru Service

1. Notwithstanding the provisions of Sections 50 and 65 of this Bylaw and any other provision of this Part 9, even where it is an Accessory Use, a drive-thru component shall not be allowed as part of any Development in the CBD1, BOR1, SCL1 or SCL2 Land Use Districts of this Part 9.
2. Within the FRA1, PRA1 and PRA2 Land Use Districts a drive-thru component proposed as part of a Development shall meet the following regulations:
 - (a) the drive-thru shall be Accessory to the Principal Use of the Development;
 - (b) the drive thru lane shall not be located between the Building it serves and Front Lot Line or a designated Corridor;
 - (c) If the Site is located on Lot with two Front Lot Lines, then the drive thru lane may be located between the building and the front lot line, as long as the front lot line is not adjacent to a Corridor;
 - (d) the entrance to the drive-thru lane shall not be on Franklin Avenue, Hospital Street, or King Street;
 - (e) the primary entrance to the Building shall be a pedestrian oriented entrance; and
 - (f) the drive-thru lane shall be at the rear of the Site, located between the Building it serves and the Rear Lot Line; If no rear lot line exists, then the rear lot line is deemed as the lot line most opposite a corridor, and if located on more than one corridor, then most opposite the higher order corridor.

(BL 13/004)

3. Notwithstanding any other provision of this Part 9, where it is an Accessory Use, a drive-thru component shall be considered as a Discretionary Use and may be approved or refused at the discretion of the Development Authority.

9.7.6 Landscaping

1. The provisions of Section 72 of this Bylaw shall apply to all Development within this Part, except for:
 - (a) Developments where 100% Site coverage for Buildings is permitted and provided, at the discretion of the Development Authority; and
 - (b) Additions to existing Buildings, where the addition is less than 1,000 m² in Gross Floor Area

(BL 13/004)

9.7.7 Waste Collection and Related Services

1. Any trash collection area, or storage area, shall be located adjacent to the lane and shall be within the Principal Building or within a screened area

directly adjacent to the Building. For Residential Developments other than Apartment Buildings, Commercial Developments in the Franklin Avenue Re-Urbanization Zone and for developments that are not adjacent to a lane, the trash collection area or storage area may be located separate from the Principal Building in a screened enclosure, not necessarily adjacent to a lane. **(BL 13/004)**

2. The gates and/or doors of the trash collection area or storage area must not open or encroach into an adjacent lane or Public Road.
3. The trash collection area or storage area shall not be accessible to the general public, and shall be located behind a lockable door or gate.

9.7.8 Signage

1. The Development Authority shall have regard for visual harmony and the compatibility of any proposed sign with the architectural character and finish of the Development and with the design, location and appearance of other signs on the Development.

9.7.9 Exterior Lighting

1. Decorative and security lighting shall be designed and finished in a manner consistent with the architectural theme of the Development and will be provided to ensure a well-lit environment for pedestrians, and to accentuate architectural elements, roof tops and public art.
2. Exterior lighting shall be designed such that it has no negative impact on adjacent Sites.
3. Exterior lighting associated with the Development shall be designed such that light shines downwards in order to avoid contributing to light pollution, except for lighting required to warn aircraft.
4. Detailed exterior lighting plans may be required for Developments exceeding 1,000 m² in Gross Floor Area at the discretion of the Development Authority.

9.7.10 Transparency

1. The Windows required for each Building and Landscape Frontage type shall be comprised of transparent, non-reflective, non-tinted, non-obscured glazing, except in the case of Restricted Commercial Uses where reflective tinted or obscuring glazing is permitted.

9.7.11 Green Building Standards

1. Compliance Methods depend upon the type, size and scope of Building works being proposed. These methods are set out in table 9.7-1 below. Where more than one compliance method is shown, the applicant may choose which compliance method to meet.

Table 9.7-1 Compliance Methods for Green Building Standards.

| New Construction: | Compliance Method: |
|---|--|
| Gross Floor Area > 1,000 m ² | LEED Gold (9.7.11.2) Alternative A (9.7.11.3) |
| Gross Floor Area < 1,000 m ² | Alternative B (9.7.11.4) |
| Existing Building Extension: | Compliance Method: |
| Greater than 30% of existing Gross Floor Area and cumulative area is > 1,000 m ² | LEED Gold (9.7.11.2) Alternative A (9.7.11.3) |
| Less than 30% of existing Gross Floor Area | Alternative B (9.7.11.4) |
| Buildings with high process loads: | Compliance Method: |
| Ice arenas, data centres, Food and Beverage Commercial | (9.7.11.5) |

2. The LEED Gold Compliance Method is applicable to Buildings that meet the following criteria:

- (a) New construction, Gross Floor Area greater than 1,000 m²;
- (b) Existing Building extension greater than 30% existing Gross Floor Area and cumulative area is > 1,000 m².

The LEED Gold Compliance Method requires that the project meets the applicable Canada Green Building Council (CaGBC) LEED 2009 Gold Standard for New Construction (NC) or Core and Shell (CS) as amended, replaced or updated from time to time. The choice of LEED credits, energy performance, water use reduction and ventilation rates are at the discretion of the applicant. If the LEED Gold Compliance Method is achieved, the mandatory performance standards in alternative A and B do not apply.

3. Alternative A is applicable for Buildings that meet the following criteria:

- (a) New construction, Gross Floor Area greater than 1,000 m²;
- (b) Existing Building extensions greater than 30% existing Gross Floor Area and cumulative area is > 1,000 m².

The required performance standards are as follows:

- (i) Provide an energy model demonstrating a percentage cost improvement in building energy use over the MNECB (Model National Energy Code for Buildings 1997) or ASHRAE (American Society of Heating, Refrigerating and Air Conditioning Engineers) baseline. Minimum performance improvements are:

| | MNECB 1997 | ASHRAE 90.1 2007 |
|------------------------------|---------------|---------------------|
| New Buildings | 49% | 40% |
| Core & Shell Buildings | 45% | 36% |
| Existing Building Extensions | 45% | 36% |

- (ii) Calculations shall follow the methodology and guidelines required under LEED NC or CS 2009 and the current LEED Canada Energy Modelling Rules. For mixed use projects that include both residential and commercial uses, where the commercial use is a Core and Shell, the entire building, including the Core and Shell component, must comply with the New Buildings performance standard.
- (iii) The development is to achieve a minimum of 50% less potable water use than the water use baseline as defined in LEED NC or CS 2009 Water Efficiency WEc1: Water Use Reduction.
- (iv) Landscaping & irrigation systems shall be designed to minimize the use of potable water. Designs shall integrate the use of drought tolerant plants, drip irrigation and demand based control systems. The use of captured rain water is encouraged to further reduce potable water demand.
- (v) Office Commercial space must provide a 20% improvement on fresh air ventilation supply under ASHRAE 62.1 2007: Ventilation for Acceptable Indoor Air Quality, as amended, replaced or updated from time to time.
- (vi) The additional energy associated with providing higher fresh air volumes shall be ameliorated through the design of the Building mechanical systems, which may include but are not limited to energy/heat recovery ventilators (ERV/HRV) regenerating units with a minimum efficiency of 80%.
- (vii) Full documentation of designs, calculation and analysis shall be supplied to support this application. Approved compliance with Alternative A shall require the applicant to submit documentation; stamped and sealed by the Registered Professional of Record.

4. Alternative B is applicable for Buildings that meet the following criteria:

- (a) New Construction, Gross Floor Area less than 1,000 m²;
- (b) Existing Building extension less than 30% existing Gross Floor Area, but greater than 5% of the building or 100 m² in area.

The required performance standards are as follows:

- (i) Provide an energy model demonstrating a percentage cost improvement in building energy use over the MNECB (Model National Energy Code for Buildings 1997) or

ASHRAE ((American Society of Heating, Refrigerating and Air Conditioning Engineers) baseline. Minimum performance improvements are:

| | MNECB 1997 | ASHRAE 90.1 2007 |
|-----------------------------|---------------|---------------------|
| New Buildings | 40% | 30% |
| Core & Shell Buildings | 37% | 26% |
| Existing Building Extension | 37% | 26% |

Calculations shall follow the methodology and guidelines required under LEED NC or CS 2009 and the current LEED Canada Energy Modelling Rules. For mixed use projects that include both residential and commercial uses, where the commercial use is a Core and Shell, the entire building, including the Core and Shell component, must comply with the New Buildings performance standard.

- (ii) The development is to achieve a minimum of 30% less potable water use than the water use baseline as defined in LEED NC or CS 2009 Water Efficiency WEc1: Water Use Reduction.
 - (iii) Landscaping & irrigation systems shall be designed to minimise the use of potable water. Designs shall integrate the use of drought tolerant plants, drip irrigation and demand based control systems. The use of captured rain water is encouraged to further reduce potable water demand.
 - (iv) Office Commercial space must provide a 20% improvement on fresh air ventilation supply under ASHRAE 62.1 2007: Ventilation for Acceptable Indoor Air Quality as amended, replaced or updated from time to time.
 - (v) The additional energy associated with providing higher fresh air volumes shall be ameliorated through the design of the Building mechanical systems, which may include but are not limited to Energy/heat recovery ventilators (ERV/HRV) regenerating units with a minimum efficiency of 80%.
 - (vi) Full documentation of designs, calculation and analysis shall be supplied to support this application. Approved compliance with Alternative B shall require the applicant to submit documentation; stamped and sealed by the Registered Professional of Record.
5. Buildings with high process loads such as ice arenas, data centres, Food and Beverage Commercial use, often result in the process load dominating the Building energy use, and therefore significant energy reductions overall can be difficult.

In such circumstances, the Building will be modeled with the process loads removed from the analysis, in order to test compliance with the criteria described for regular Buildings described in Table 9.7-1.

Furthermore, the equipment/machinery associated with the process load, will be required to demonstrate “Best Available Technique” (BAT) that meets energy efficient operation.

6. The following types of Developments are exempt from meeting the green building standards set out in this section: New Residential Building with less than 1,000 m² Gross Floor Area.
7. Where an extension to a building is undertaken, the green building standards set out in this section only apply to the extension, not the entire building.
8. An existing building shall not be deemed to be non-conforming only because it does not meet the green building standards in this section.

(BL 13/004)

9.7.12 Green Utilities

1. Within the Downtown Major Redevelopment Zone and the Franklin Avenue Re-urbanization Zone, the Development Authority may require, as a condition of issuance of a Development Permit, that the Development connect to infrastructure and services provided to enhance sustainability, including green utilities and telecommunications.
2. Within the Downtown Major Redevelopment Zone and the Franklin Avenue Re-urbanization Zone, the Development Authority may require, as a condition of issuance of a Development Permit, that the applicant provide a plan, to the satisfaction of the Development Authority, demonstrating how the Development could effectively connect to and utilize future green utilities when they become available to the subject Site. Green Utilities, may include, but are not limited to a district energy system, a district heating system, a district water heating system, and a reclaimed water use system.
3. Within the Downtown Major Redevelopment Zone and the Franklin Avenue Re-urbanization Zone, the Development Authority may require that the applicant provide a plan demonstrating that Building systems will be configured to connect to a District Energy System, when it becomes available, designed to address the following criteria:
 - (a) The District Energy System will be designed to provide thermal energy to the Downtown Major Redevelopment Zone and the Franklin Avenue Re-urbanization Zone. Device standards are provided in the Municipal Engineering Service Standards.
(BL 13/004)
 - (b) **DELETED (BL 13/004)**
 - (c) All Buildings shall ensure that their building systems, mechanical, electrical, plumbing are designed and configured to connect to the Green Utility systems. The following provision shall be made:

- (i) Adequate space is allowed in plant rooms for installation of heat exchangers, controls, metering.
- (ii) Primary energy distribution systems are enabled to ensure that the District Energy System can connect, including:
 - (A) Pipework configured with valves, headers;
 - (B) Main electrical panels have spare ways for connections;
- (d) Sleeves/ducts are provided for District Energy System pipes/wires to be connected with ease;
- (e) In interests of economy and convenience, space is allowed for District Energy System pipes to run through Parking Structures associated with Buildings.

9.7.13 Mobile Food Vending Units

1. Mobile Food Vending Units are a Permitted Use in the Downtown Major Redevelopment Zone, the Franklin Avenue Re-urbanization Zone, and the Recreation Zone.
2. Mobile Food Vending Units are a temporary, mobile use, and are not to be stationed in a specific location as a permanent use.

(BL 13/004)

9.7.14 Design of Through Block Connections

1. Within the Downtown Major Redevelopment Zone and the Franklin Avenue Re-urbanization Zone, the Development Authority may require, as a condition of issuance of a Development Permit, that the applicant enter into an agreement with the Municipality to include public amenities such as landscaping, specific paving, lighting, seating, and other features that will enhance the use of the walkway, within the design of a Through Block Connection, where the Development Site is greater than 0.3 hectares, and the Building exceeds 2.0 FAR.

(BL 13/004)

9.7.15 Exemptions from Building and Landscape Frontage Types

1. The following Developments and Uses are exempt from the requirement to provide specific Building or Landscape Frontage Types: Park Use; and public plazas and squares.

9.7.16 Ground Floor Height Measurement

1. If a minimum Ground Floor Height is required, with a specific minimum floor to ceiling measurement, the ceiling shall be considered as the bottom of joists, rafters or supporting structure of the roof or floor structural system above; the floor shall be considered as the highest point of any flooring system. The ceiling does not include any non-structural ceiling surface materials such as suspended acoustical tile. Projections such as pendant lighting, exposed mechanical ducting, exposed electrical or communication

raceways, or the bottom chord of structural trusses may extend below the ceiling and shall not be included in the floor to ceiling measurement.

(BL 13/005)

9.8 The City Centre Districts and Corridors Map – The Regulating Plan

- 9.8.1 The Regulating Plan is set out in the City Centre Districts and Corridors Map, Appendix 1. The City Centre Districts and Corridors Map sets out the Corridors and Land Use Districts that apply to each Lot or Parcel of Land.
- 9.8.2 The Corridor type that applies to a specific Street or section of a Street is indicated by the colour and corresponding name shown on the City Centre Districts and Corridors Map - Appendix 1.
- 9.8.3 On the City Centre Districts and Corridors Map - Appendix 1, where the Corridor type, as indicated by the mapping colour, extends through an intersection, that Corridor type shall be considered as the higher order Corridor and shall apply to the intersection, and to the intersecting Street until a distance of 30m from the confluence of Lot lines at the corner, or until the next Lot line away from the corner, whichever distance is shorter.
- 9.8.4 Where a Lot is adjacent to more than one Corridor type, the Corridor type that is adjacent to the Lot line shall be the Corridor type that applies to that portion of the Lot within 30 m of the Corridor. Where more than one Corridor type applies on a corner, then the higher order Corridor shall apply.
- 9.8.5 The Land Use District that applies to a Lot is indicated by the colour and letter designations set out on the City Centre Districts and Corridors Map - Appendix 1.

9.9 Interpretation of Development Standards Tables

- 9.9.1 In each table, the applicable Corridors are stated at the top of each column. Development on any Site adjacent to a Corridor shall follow the applicable regulations set out in the relevant table. Development on any Site not adjacent to a Corridor shall follow the regulations set out in the Downtown General, or Franklin Re-urbanization General columns as the case may be.
- 9.9.2 In each table, the far left column sets out the item to be regulated. A description of each of those items to be regulated is as follows:
 - 1. Maximum Block Length regulates the maximum distance of the long edge of a city block bounded by Streets, measured from the Lot line of the Lot at one end of the block to the Lot line of the Lot at the other end of the block. Maximum block length is often combined with the maximum perimeter of the city block, measured along the outside of the Lots and the ends of the lane that comprise the block. The perimeter includes the sum of the front Lot lines, exterior side Lot lines and the width of each lane entrance. Maximum block length applies to the creation of new Streets and blocks.
 - 2. Additional Through Block Connections regulates the number and frequency of connections through a block. Additional Through Block Connections may be required at the time of redevelopment of an existing block or the creation of a new Street or city blocks.
 - 3. Lot Area regulates the minimum or maximum Lot area.

4. Lot Width regulates the minimum or maximum Lot width. Lot Width includes Lot Width Corner, Lot Width Irregular and Lot Width Regular.
5. Vehicular Entrances Permitted regulates whether driveways are permitted from the Street to the Site from a designated Corridor. This regulation does not control access provided from rear lanes; vehicle entrances are permitted from rear lanes unless specifically stated otherwise.
6. Vehicular Entrances regulates the location and proximity of driveways to each other.
7. Vehicular Entrance Width regulates the maximum width of driveway entrances, measured at the widest point of the dropped curb for the entrance.
8. Pedestrian Access Required regulates the number of Building entrances that are directly connected to the public sidewalk by a pedestrian walkway that is a minimum of 1.8 m wide.
9. Through Block Connection Types Permitted regulates the type of Through Block Connections permitted, and each type of Through Block Connection is identified in sections 9.10 to 9.11.
10. Front Street Facing Setback regulates the minimum distance required between the Building and the Front Lot line.
11. Side Yard Setback regulates the minimum width of the Side Yard.
12. Rear Yard setback regulates the minimum width of the Rear Yard.
13. Minimum Building or Podium Height regulates the minimum Height of Buildings or Podium Structures. **(BL 13/004)**
14. Maximum Podium Height regulates the maximum Height of Podium Structures. Maximum Podium Height does not apply to Spectator Sports Facilities. **(BL 13/004)**
15. Maximum Tower Height regulates the maximum Height of Tower Structures.
16. Tower Location regulates the location of Tower Structures in relation to other Towers and the Street facing portion of the Podium upon which the Tower is located.
17. Maximum Tower Floor Plate regulates the maximum area of a single Storey of the Tower.
18. Minimum Amount of Mid-Block Public Open Space regulates the minimum amount of mid-block public open space required as part of the through block connection. The Mid Block Public Open space is shown as 'd' and 'e' on figure 9.10.3-1. The amount of Mid-block open space provided is calculated by adding area 'd' plus the optional area 'e'. The sum of 'd' plus 'e' shall not be less than the Minimum amount of Mid-block Open Space required. **(BL 13/004)**
19. Required Location of Mid-Block Public Open Space regulates the location of the Mid Block Public Open Space including the distance from the street, shown as "f", and the maximum percentage that may be located adjacent to the street in location "e", in figure 9.10.3-1. **(BL 13/004)**
20. Maximum Podium or Tower Span over East-West Through Block Connection regulates the maximum distance along an East-West lane that

may be covered by a Podium or Tower portion of a Building, as illustrated in Figure 9.10.3-2.

21. Lot Coverage regulates the maximum Lot Coverage.
22. Structured Parking Setback regulates the setback of Parking Structures from all Lot lines.
23. Street-Facing Surface Parking Lot Setback regulates whether or not surface parking is permitted on the Site between the Building and the Street, and if permitted, the setback required between the Front Lot line and the Parking Lot.
24. Side Yard Surface Parking Lot Setback regulates whether or not surface parking is permitted between the Building and side Lot line, and if permitted, the setback required between the side Lot line and the Parking Lot.
25. Minimum Building or Landscaping Frontage Along Street-facing Build-To Line regulates the minimum percentage of the front setback line that shall be occupied by a Building. The front setback line is the line extending across the front of the Site at the front setback distance.
26. Building and Landscape Frontage Types Permitted regulates the type of Building and Landscape Frontage Type permitted on a Site, and each Building Frontage Type or Landscape Frontage Type is identified in section 9.10 and 9.11.

9.10 Downtown Major Redevelopment Zone Development Standards

9.10.1 General Standards Required for All Development in the Downtown Major Redevelopment Zone

1. Introduction

- (a) The following standards apply to all Development in the Downtown Major Redevelopment Zone unless noted otherwise in the Table for Specific Development Standards - Table 9.10-1 - in the Downtown Major Redevelopment Zone.

2. Connectivity

- (a) Connectivity Maximum Block Length: New Streets are intended to create blocks with a maximum block length of 180 m, and a perimeter no greater than 530 m, unless otherwise noted on Table of Specific Development Standards for the Downtown Major Redevelopment Zone. Exact location of these new Streets may vary up to 16 m, provided this provision is met. See Section 9.10.4 “Street Types” for further requirements.
- (b) Through Block Connections: In addition to the mapped Streets (existing and future) illustrated in the Districts and Corridors Map, any block face longer than 140 linear metres must provide an additional connection through the block as illustrated in Figure 9.10.3-1. Existing East –West aligned lanes may be utilized to achieve Through Block Connections as illustrated in Figure 9.10.3-1. These new connections should align with existing streets or

planned new Streets. See Section 9.10.4 “Street Types” for further requirements for Through Block Connections.

3. Site Access

- (a) Vehicular Entrances: A Site may have vehicular entrances that meet the Development Standards shown in Table of Specific Development Standards.
- (b) Vehicular Entrance Width: 8 m maximum width, not including any sidewalks or Landscaping.

4. Frontage Requirements

- (a) Minimum Building Frontage along Street-Facing Build-To Line: All private and public Street or path-facing Build-To Lines not occupied by Buildings or driveways are required to provide Building or Landscape Frontage between the sidewalk and the remainder of the Site. See Table of Specific Development Standards for permitted Building and Landscape Frontage Types.
- (b) Primary Street Frontage: The Primary Street Frontage shall be defined as the portion of the Building facing the Street (or the higher order Street Corridor if on a corner). The front façade of the Building shall be built to the Primary Street Frontage Build-To Line.
- (c) Secondary Street Frontage: The Secondary Street Frontage shall be defined as the portion of the Building facing the lower order Street, if on a corner. The front façade of the Building shall be built to the Secondary Street Frontage Build-To Line for a minimum of 30m from the corner or the Lot width, whichever is shorter. The Building Frontage Standards of this section shall apply to the portion of the Building that occupies the Build-To Line for 30 m from the corner or the Lot width, whichever is shorter.

5. Building Setbacks

- (a) Front Street Facing Setback: Varies according to Building and Landscape Frontage Type. See Section 9.10.5. “Building and Landscape Frontage Types” for standards.
- (b) Side yard setback, adjoining another Lot: See Table of Specific Development Standards.
- (c) Rear yard setback, adjoining another Lot: See Table of Specific Development Standards.
- (d) Rear yard setback, adjoining a lane: See Table of Specific Development Standards.

6. **DELETED (BL 13/004)**

7. Parking Siting and Screening

- (a) Parking Structure Setbacks: Parking Structure setbacks are the same as Principal Building setbacks. Parking Structures must comply with all Building Frontage requirements outlined in Section 9.10.5 “Building and Landscape Frontage Types.”

- (b) Surface parking lots not directly serving a primary commercial, institutional, residential or other primary use on the site are not allowed within the CBD1 District. **(BL 13/004)**
- (c) A low Wall and Trellis Landscape Frontage or an Urban Fence or Wall Landscape Frontage shall be provided along the boundary of surface parking lots or accessory surface parking lots adjacent to streets upon redevelopment of an existing development.

(BL 13/004)

8. Amenity Spaces

- (a) A minimum Amenity Space of 3% of Gross Floor Area of Residential Uses, shall be required for Buildings over 2,000 m² to the satisfaction of the Development Authority, but in no case shall the Amenity Space be less than an average of 3 m² of Private Outdoor Amenity Space per Dwelling Unit (Total Private Outdoor Amenity Space for all Dwelling Units divided by the number of Dwelling Units shall be a minimum of 3 m²).
- (b) Amenity Spaces for Residential Uses may include but are not limited to meeting rooms, fitness facilities, outdoor space, Balconies, and the mid-block Public Open Spaces adjacent to Through Block Connections, and shall be exempt from Floor Area Ratio calculations.

(BL 13/004)

9. Dwelling Units Permitted

- (a) The maximum number of Dwelling Units permitted is the number of Dwelling Units that can be achieved while complying with the Uses and applicable development standards, which may include but are not limited to, the maximum Height, maximum Floor Area Ratio, Building Frontage type, parking requirements, Permitted Uses and Discretionary Uses, and all other regulations that apply to the Development.

9.10.2 Tables of Specific Development Standards for Downtown Major Redevelopment Zone

1. Introduction

Tables 9.10-1 and 9.10-2 set out specific Development Standards for Lots fronting each of the Corridors within the Downtown Major Redevelopment Zone as set out in the City Centre Districts and Corridors Map, Appendix 1. See Sections 9.10.5 for an expanded presentation of regulations pertaining to Building and Landscape Frontage Types.

See section 9.10.3 Development Standards Illustrations for graphic illustrations of the Development Standards within the Development Standards Table

The Downtown General column applies to all Sites not fronting on a Corridor set out in the City Centre Districts and Corridors Map, Appendix 1.

Table 9.10-1

| Regulating Plan Areas Downtown Major Redevelopment Zone | | | | | | | | | |
|--|---|---|---|---|---|---|---|---|---|
| Specific Development Standards by Area | Downtown General | Franklin Ave West | Morrison Street | MacDonald Avenue | Main Street | Hardin Street North | Hardin Street South | Father Mecredi Street | Prairie Loop Boulevard West |
| Connectivity and Urban Structure Standards | | | | | | | | | |
| Maximum Block Length | 180m block length 530m block perimeter, except where noted | 180m block length 530m block perimeter | 85m block length 530m block perimeter | 180m block length 530m block perimeter | 85m block length 530m block perimeter | 180m block length 530m block perimeter | 85m block length 530m block perimeter | 270m block length 645m block perimeter | 200m block length 570m block perimeter |
| Additional Through-Block Connections | Required for block faces longer than 140m (all Downtown) | Required for block faces longer than 140m | Required for block faces longer than 140m | Required for block faces longer than 140m | Required for block faces longer than 140m | Required for block faces longer than 140m | Required for block faces longer than 140m | Required for block faces longer than 140m | Required for block faces longer than 140m |
| Site Access | | | | | | | | | |
| Vehicular Entrances Permitted | Driveways permitted except where noted | Driveways are Discretionary | Driveways are Discretionary (BL 13/004) | Driveways permitted except where noted | Driveways permitted except where noted | Driveways are Discretionary (BL 13/004) | Driveways are Discretionary (BL 13/004) | Driveways permitted except where noted | Driveways permitted except where noted |
| Vehicular Entrances | Min. 12m separation from intersection. Max. avg. 1 driveway per 30m of block frontage | Driveways are Discretionary, but shall at least meet: Min. 12m separation from intersection. Max. avg. 1 driveway per 30m of block frontage, right-in, right-out only | n/a | Min. 12m separation from intersection. Max. avg. 1 driveway per 30m of block frontage | Min. 12m separation from intersection. Max. avg. 1 driveway per 30m of block frontage | n/a | n/a | Min. 12m separation from intersection. Max. avg. 1 driveway per 30m of block frontage | Min. 12m separation from intersection. Max. avg. 1 driveway per 30m of block frontage |
| Vehicular Entrance Width | Max. 8m | n/a | n/a | Max. 8m | Max. 8m | n/a | n/a | Max. 8m | Max.8m |

| Table 9.10-1 | Regulating Plan Areas Downtown Major Redevelopment Zone | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| Specific Development Standards by Area | Downtown General | Franklin Ave West | Morrison Street | MacDonald Avenue | Main Street | Hardin Street North | Hardin Street South | Father Mecredi Street | Prairie Loop Boulevard West |
| Pedestrian Accesses Req'd | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a |
| Through Block Connection Types Permitted | Narrow Street 1; Narrow Street 2; Lane / Universal Access Street | Narrow Street 1; Narrow Street 2; Lane / Universal Access Street | Narrow Street 1; Narrow Street 2; Lane / Universal Access Street | Narrow Street 1; Narrow Street 2; Lane / Universal Access Street | Narrow Street 1; Narrow Street 2; Lane / Universal Access Street | Narrow Street 1; Narrow Street 2; Lane / Universal Access Street | Narrow Street 1; Narrow Street 2; Lane / Universal Access Street | Narrow Street 1; Narrow Street 2; Lane / Universal Access Street | Narrow Street 1; Narrow Street 2; Lane / Universal Access Street |
| Building Siting and Massing | | | | | | | | | |
| Front Street Facing Setback | See Building Frontage Types to determine applicable setback | 1m at grade. See Building Frontage Types for setbacks. | 1m at grade. See Building Frontage Types for setbacks. | 1m at grade. See Building Frontage Types for setbacks. | 1m at grade. See Building Frontage Types for setbacks. | 3m at grade. See Building Frontage Types for setbacks. | 1m at grade. See Building Frontage Types for setbacks. | 3m at grade. See Building Frontage Types for setbacks. | See Building Frontage Types to determine applicable setback. |
| Side Yard Setback | Min. 0m | Min. 0m | Min. 0m | Min. 0m | Min. 0m | Min. 0m | Min. 0m | Min. 0m | Min. 0m |
| Rear Yard Setback | Min. 0m (BL 13/004) | Min. 0m (BL 13/004) | Min. 0m (BL 13/004) | Min. 0m (BL 13/004) | Min. 0m (BL 13/004) | Min. 0m (BL 13/004) | Min. 0m (BL 13/004) | Min. 0m (BL 13/004) | Min. 0m (BL 13/004) |
| Minimum Building or Podium Height (BL 13/004) | None | 2 Storeys or 6m | 2 Storeys or 6m | 2 Storeys or 6m | 2 Storeys or 6m | 2 Storeys or 6m | 2 Storeys or 6m | 2 Storeys or 6m | 2 Storeys or 6m |
| Maximum Podium Height | None | 6 Storeys or 20m | 6 Storeys or 20m | 6 Storeys or 20m | 6 Storeys or 20m | 6 Storeys or 20m | 6 Storeys or 20m | 6 Storeys or 20m | 6 Storeys or 20m |
| Maximum Tower Height | See City Centre Height Map | See City Centre Height Map | See City Centre Height Map | See City Centre Height Map | See City Centre Height Map | See City Centre Height Map | See City Centre Height Map | See City Centre Height Map | See City Centre Height Map |
| Tower Location | Min. 3m setback from Street face of Podium Min. 20m spacing between Towers | Min. 3m setback from Street face of Podium Min. 20m spacing between Towers | Min. 3m setback from Street face of Podium Min. 20m spacing between Towers | Min. 3m setback from Street face of Podium Min. 20m spacing between Towers | Min. 3m setback from Street face of Podium Min. 20m spacing between Towers | Min. 3m setback from Street face of Podium Min. 20m spacing between Towers | Min. 3m setback from Street face of Podium Min. 20m spacing between Towers | Min. 3m setback from Street face of Podium Min. 20m spacing between Towers | Min. 3m setback from Street face of Podium Min. 20m spacing between Towers |

| Table 9.10-1 | | Regulating Plan Areas Downtown Major Redevelopment Zone | | | | | | | |
|--|--|--|--|--|--|--|--|--|--|
| Specific Development Standards by Area | Downtown General | Franklin Ave West | Morrison Street | MacDonald Avenue | Main Street | Hardin Street North | Hardin Street South | Father Mecredi Street | Prairie Loop Boulevard West |
| Maximum Tower Floor Plate | Residential: 1,200m ² Office: 3,500m ² | Residential: 1,200m ² Office: 3,500m ² | Residential: 1,200m ² Office: 3,500m ² | Residential: 1,200m ² Office: 3,500m ² | Residential: 1,200m ² Office: 3,500m ² | Residential: 1,200m ² Office: 3,500m ² | Residential: 1,200m ² Office: 3,500m ² | Residential: 1,200m ² Office: 3,500m ² | Residential: 1,200m ² Office: 3,500m ² |
| DELETED (BL 13/004) | | | | | | | | | |
| Minimum amount of Mid-Block Public Open Space Required (BL 13/004) | 600m ² | 600m ² | 600m ² | 600m ² | 600m ² | 600m ² | 600m ² | 600m ² | 600m ² |
| Required location of Mid-block Public Open Space (BL 13/004) | Located adjacent to through block connection, a minimum of 25m from street, however up to 20% of the midblock public open space may be located adjacent to the street. | Located adjacent to through block connection, a minimum of 25m from street, however up to 20% of the midblock public open space may be located adjacent to the street. | Located adjacent to through block connection, a minimum of 25m from street, however up to 20% of the midblock public open space may be located adjacent to the street. | Located adjacent to through block connection, a minimum of 25m from street, however up to 20% of the midblock public open space may be located adjacent to the street. | Located adjacent to through block connection, a minimum of 25m from street, however up to 20% of the midblock public open space may be located adjacent to the street. | Located adjacent to through block connection, a minimum of 25m from street, however up to 20% of the midblock public open space may be located adjacent to the street. | Located adjacent to through block connection, a minimum of 25m from street, however up to 20% of the midblock public open space may be located adjacent to the street. | Located adjacent to through block connection, a minimum of 25m from street, however up to 20% of the midblock public open space may be located adjacent to the street. | Located adjacent to through block connection, a minimum of 25m from street, however up to 20% of the midblock public open space may be located adjacent to the street. |
| Maximum Podium or Tower Span over East-West Through Block Connection | 75m | 75m | 75m | 75m | 75m | 75m | 75m | 75m | 75m |
| Lot Coverage | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a |

Table 9.10-2

| Regulating Plan Areas Downtown Major Redevelopment Zone | | | | | | | | | |
|--|---|--|--|---|--|--|---|---|---|
| Specific Development Standards by Area | Downtown General | Franklin Ave West | Morrison Street | MacDonald Avenue | Main Street | Hardin Street North | Hardin Street South | Father Mecredi Street | Prairie Loop Boulevard West |
| Parking Siting | | | | | | | | | |
| Parking Structure Setback | Same as primary building setback. Must comply with Building Frontage requirements. | Same as primary building setback. Must comply with Building Frontage requirements. | Same as primary building setback. Must comply with Building Frontage requirements. | Same as primary building setback. Must comply with Building Frontage requirements. | Same as primary building setback. Must comply with Building Frontage requirements. | Same as primary building setback. Must comply with Building Frontage requirements. | Same as primary building setback. Must comply with Building Frontage requirements. | Same as primary building setback. Must comply with Building Frontage requirements. | Same as primary building setback. Must comply with Building Frontage requirements. |
| Street-facing Surface Parking Lot Setback | Street-facing surface parking is not permitted | Street-facing surface parking is not permitted | Street-facing surface parking is not permitted | Street-facing surface parking is not permitted | Street-facing surface parking is not permitted | Street-facing surface parking is not permitted | Street-facing surface parking is not permitted | Street-facing surface parking is not permitted | Street-facing surface parking is not permitted |
| Side Yard Surface Parking Lot Setback | Min. 1.5m Min. 0m for attached Buildings and/or shared lots | Side yard surface parking is not permitted | Side yard surface parking is not permitted | Side yard surface parking is not permitted | Side yard surface parking is not permitted | Side yard surface parking is not permitted | Side yard surface parking is not permitted | Side yard surface parking is not permitted | Min. 1.5m Min. 0m for attached Buildings and/or shared Lots |
| Frontage Requirements | | | | | | | | | |
| Minimum Building or Landscape Frontage Along Street-facing Build-To Line | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% |
| Building and Landscape Frontage Types Permitted | Podium Linear Podium Forecourt Podium Porch / Stoop / Terrace Podium Wrap Low Wall and Trellis Urban Fence | Podium Linear Podium Forecourt Podium Porch / Stoop / Terrace Low Wall and Trellis Urban Fence or Wall | Podium Linear Podium Forecourt Podium Porch / Stoop / Terrace Low Wall and Trellis Urban Fence or Wall | Podium Linear Podium Forecourt Podium Porch / Stoop / Terrace Podium Wrap Low Wall and Trellis Urban Fence | Podium Linear Podium Forecourt Podium Porch / Stoop / Terrace Low Wall and Trellis Urban Fence or Wall | Podium Linear Podium Forecourt Podium Porch / Stoop / Terrace Low Wall and Trellis Urban Fence or Wall | Podium Linear Podium Porch / Stoop / Terrace Low Wall and Trellis Urban Fence or Wall (BL 13/004) | Podium Linear Podium Forecourt Podium Porch / Stoop / Terrace Podium Wrap Low Wall and Trellis Urban Fence | Podium Linear Podium Forecourt Podium Porch / Stoop / Terrace Podium Wrap Low Wall and Trellis Urban Fence |

Table 9.10-2

| Regulating Plan Areas Downtown Major Redevelopment Zone | | | | | | | | | |
|--|------------------------|----------------------|--------------------|------------------------|-------------|------------------------|------------------------|-----------------------------|-----------------------------------|
| Specific Development Standards by Area | Downtown General | Franklin Ave West | Morrison Street | MacDonald Avenue | Main Street | Hardin Street North | Hardin Street South | Father Mecredi Street | Prairie Loop Boulevard West |
| | or Wall (BL 13/004) | (BL 13/004) | (BL 13/004) | or Wall (BL 13/004) | (BL 13/004) | (BL 13/004) | | or Wall (BL 13/004) | or Wall (BL 13/004) |

9.10.3 Development Standards Illustrations

Figure 9.10.3-1 Through Block Pedestrian Connection and Public Space

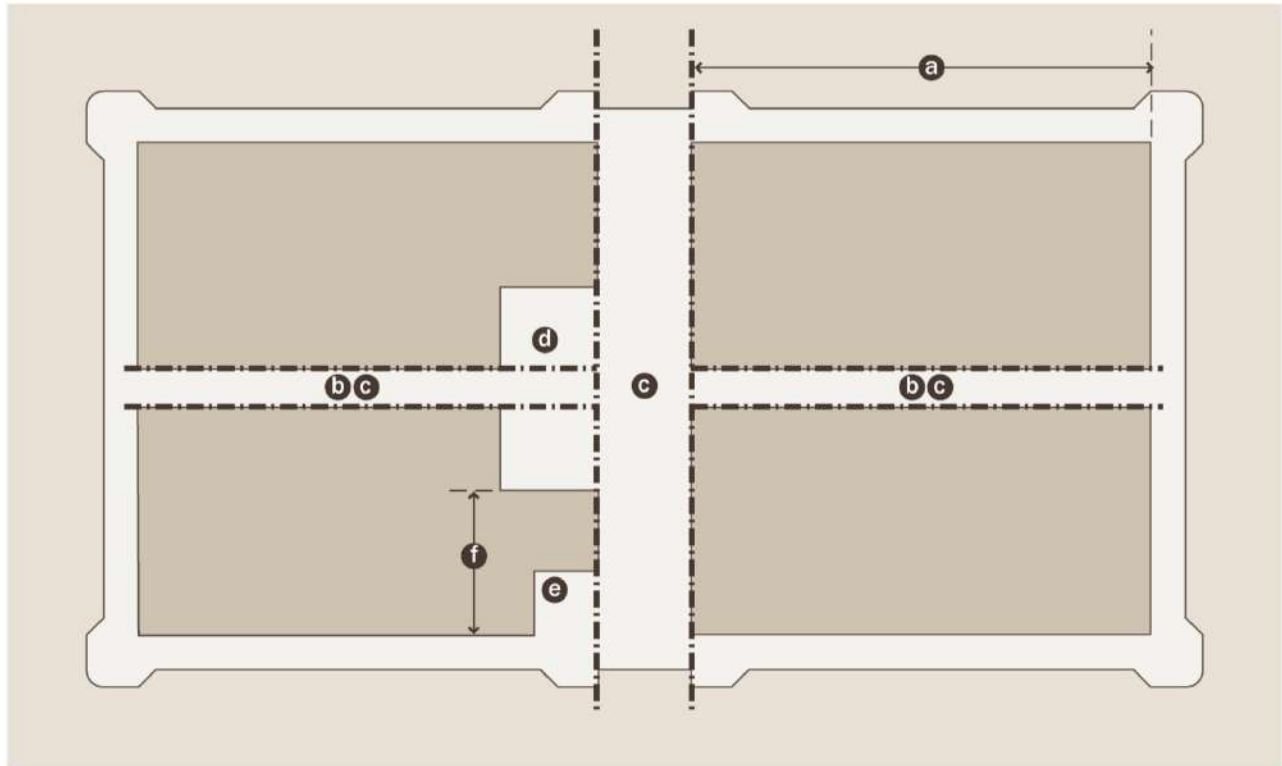
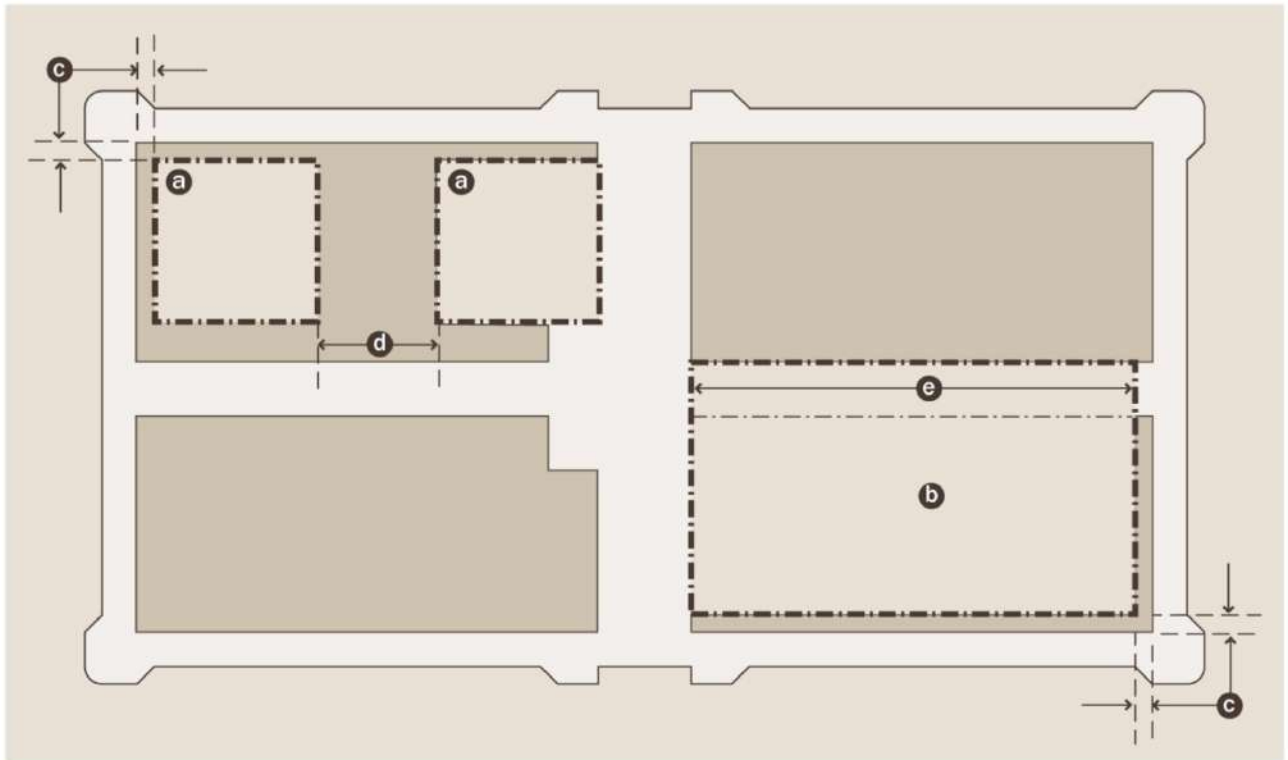


Figure 9.10.3-2 Podium and Tower Building Layout



- a** Maximum residential tower floor plate
- b** Maximum office tower floor plate
- c** Minimum stepback from street facing façade of podium
- d** Minimum distance between towers
- e** Maximum distance that towers or podium may span over east-west Thorough Block Connection

9.10.4 Street Types

1. Purpose

The purpose of the streetscape standards in this Section is to facilitate each Corridor and Through Block Connection in creating an ordered and well-designed public realm, an inviting environment for pedestrians, and a functional, well connected environment that supports transit-oriented development.

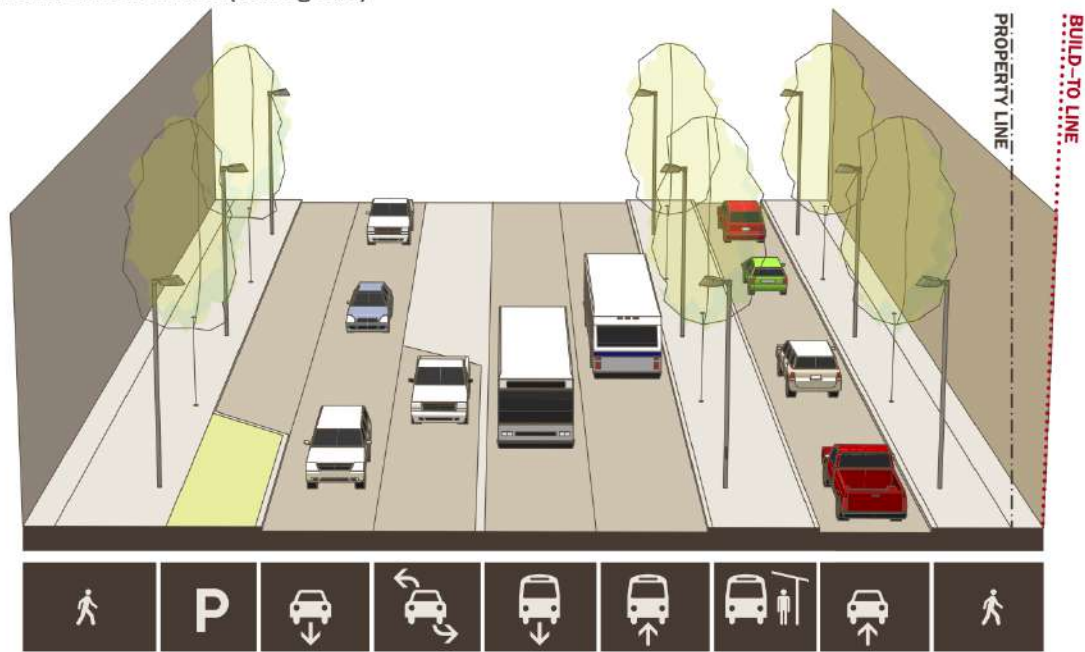
2. General Standards

- (a) Existing and New Street Requirements: Existing and new Streets within the Downtown Major Redevelopment Zone shall be constructed to meet the standards set out in this section 9.10.4. Each Corridor is named on the Districts and Corridors Map - Appendix 1. The regulations that apply to each Corridor are set out in this section, where the applicable Corridor name is set out in the title of the figure, and the specific standards are set out below the figure.
- (b) Upon Subdivision or Development, the Development Authority may require that, as a condition of issuing a Development Permit, the applicant enter into an agreement with the Municipality to construct Public Roads required to provide access to the Development to the standards set out in this section.
- (c) The exact alignment of new Streets may vary by up to 16m from the locations shown on the Districts and Corridors Map, provided that they fully connect or intersect with each of the Streets and intersections shown on the map.
- (d) In addition to the mapped Streets (existing and future) illustrated in the Districts and Corridors Map, the Development Authority may require, for any development within a block face longer than 140m block length, the applicant enter into an agreement with the Municipality to provide an additional connection through the block, as illustrated in figure 9.10.3-1. This additional connection may be any one of the permitted Through Block Connections in accordance with this section, and should be located no closer than 15 m to an adjacent Street intersection. These new connections should align with other existing Streets or planned new Streets to facilitate the development and continuity of the pedestrian network. **(BL 13/004)**
- (e) Through Block Connections must comply with the Through Block Connection cross section designs in this Section. For Through Block Connections, the Development Authority may require that, as a condition of issuing a Development Permit, the applicant enter into an agreement with the Municipality to construct the Through Block Connection as part of a pedestrian walkway system. See Specific Development Standards for Development Standards for the Through Block Connections.
- (f) The minimum setback from the Front Lot line to the Build-To Line is 1m along Public Roads designated as Corridors, except for Hardin

Street North where it is 3m. The minimum setback from the Front Lot line to the Build-To Line is 0 m along Public Roads that are not designated as Corridors. The maximum setback from the Front Lot line to the Build-To Line is 3 m along Public Roads, except for Hardin Street North where it is 5 m. **(BL 13/004)**

(BL 13/004)

Figure 9.10.4-1 Franklin Avenue West (looking east)

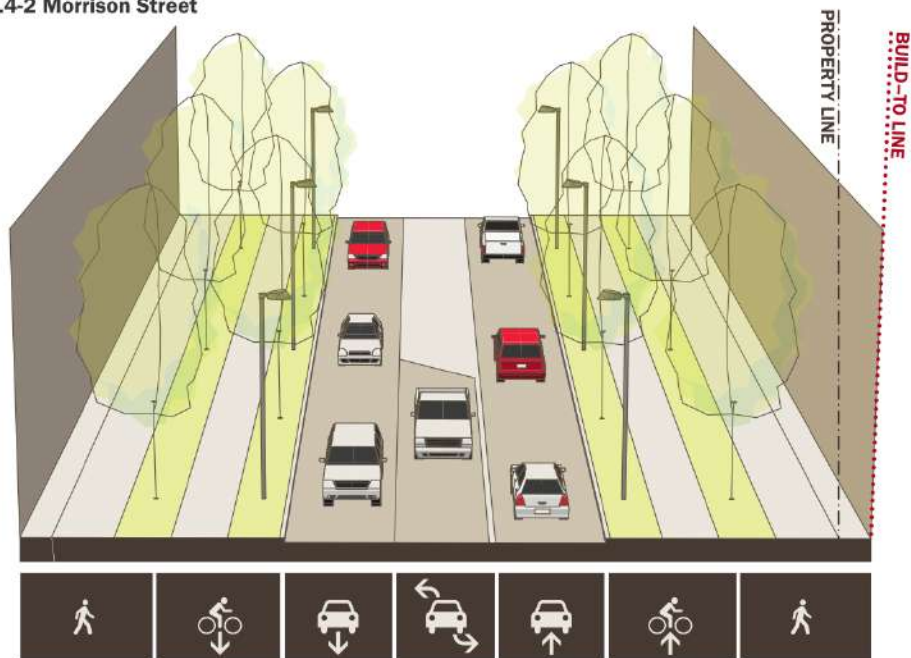


| | |
|----------------------|--|
| Thoroughfare Type | Boulevard |
| Character | Mixed-Use |
| Role in Network | Transit Spine |
| Right-of-Way Width | 30m |
| Sidewalk Easement | 1m – each side of street |
| Total Width | 32m – Build-To Line to Build-To Line |
| Curb-to-Curb Width | 21m |
| Traffic Flow | Two-Way |
| Target Speed | 30kph |
| Through Travel Lanes | 2 |
| Travel Lane Width | 3.5m |
| Turning Lanes | 1 left turn lane |
| Turning Lane Width | 3.5m |
| Parking Lanes | 3m between curb flares (north side only) |
| Curb Radius | tbd |
| Transit Facilities | BRT two lanes |
| Bike Facilities | none |
| Sidewalks | 3.5m, south 4.5m, north (incl. easement)/ 3.5m |
| Planted Boulevard | 3m, where occurs |

Notes:

- Within the curb-to-curb width specified, the travel lane configuration may vary at intersections.
- Street cross sections are representational in nature.

Figure 9.10.4-2 Morrison Street



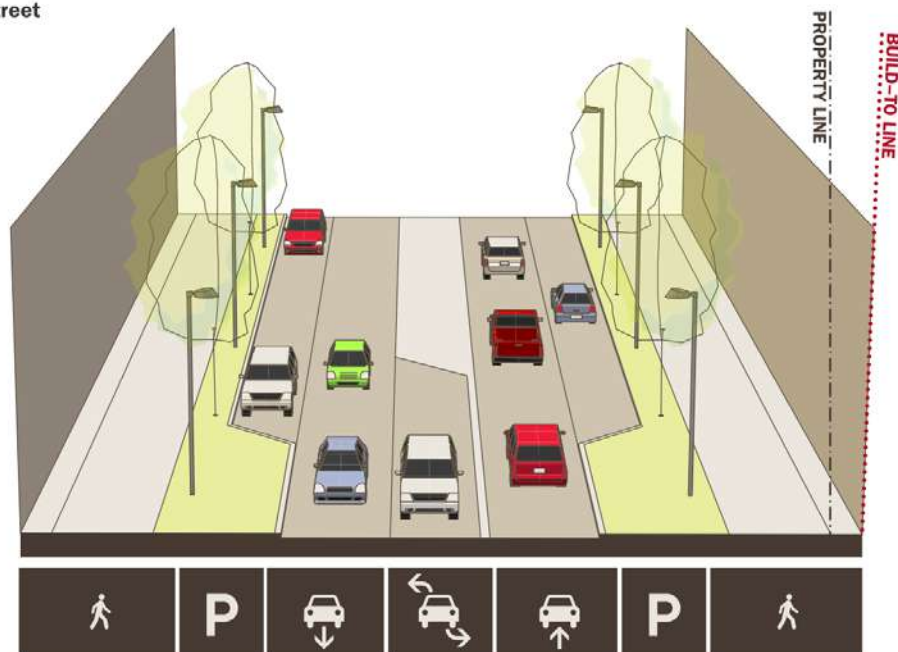
| | |
|----------------------|--|
| Thoroughfare Type | Street |
| Character | Civic Corridor |
| Role in Network | Connects to MacDonald Island Recreation Zone |
| Right-of-Way Width | 25m |
| Sidewalk Easement | 1m – each side of street |
| Total Width | 27m – Build-To Line to Build-To Line |
| Curb-to-Curb Width | 10.2m |
| Traffic Flow | Two-Way |
| Target Speed | 30kph |
| Through Travel Lanes | 2 |
| Travel Lane Width | 3.5m |
| Turning Lanes | 1 left turn lane |
| Turning Lane Width | 3.2m |
| Parking Lanes | none |
| Curb Radius | tbd |
| Transit Facilities | n/a |
| Bike Facilities | 1.8m cycle track – each side of street |
| Planting Strip | 1.8m between cycle track and sidewalk |
| Sidewalks | 3m – each side of street (incl. easement) |
| Planted Boulevard | 1.8m – each side of street at curb |

Notes:

- Within the curb-to-curb width specified, the travel lane configuration may vary at intersections.
- Street cross sections are representational in nature.
- Planted Boulevard and Planting Strip may be interrupted with paved surfaces to provide pedestrian access from parked car to sidewalk.

(BL 13/004)

Figure 9.10.4-3 Main Street



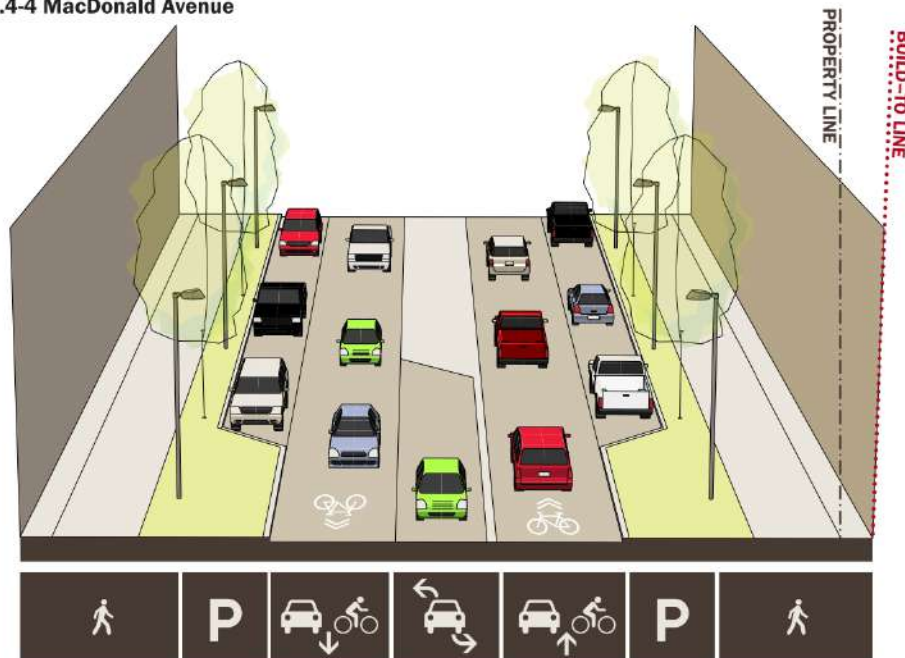
| | |
|----------------------|--|
| Thoroughfare Type | Street |
| Character | Small scale retail/ restaurant |
| Role in Network | Pedestrian Corridor |
| Right-of-Way Width | 25m |
| Sidewalk Easement | 1m – each side of street |
| Total Width | 27m – Build-To Line to Build-To Line |
| Curb-to-Curb Width | 15.2m |
| Traffic Flow | Two-Way |
| Target Speed | 30kph |
| Through Travel Lanes | 2 |
| Travel Lane Width | 3.5m |
| Turning Lanes | 1 left turn lane |
| Turning Lane Width | 3.2m |
| Parking Lanes | 2.5m between curb flares |
| Curb Radius | tbd |
| Transit Facilities | n/a |
| Bike Facilities | Shared street |
| Sidewalks | 4.25m – each side of street (incl. easement) |
| Planted Boulevard | 1.65m – each side of street at curb |

Notes:

- Within the curb-to-curb width specified, the travel lane configuration may vary at intersections.
- Street cross sections are representational in nature.
- Planted Boulevard may be interrupted with paved surfaces to provide pedestrian access from parked car to sidewalk.

(BL 13/004)

Figure 9.10.4-4 MacDonald Avenue



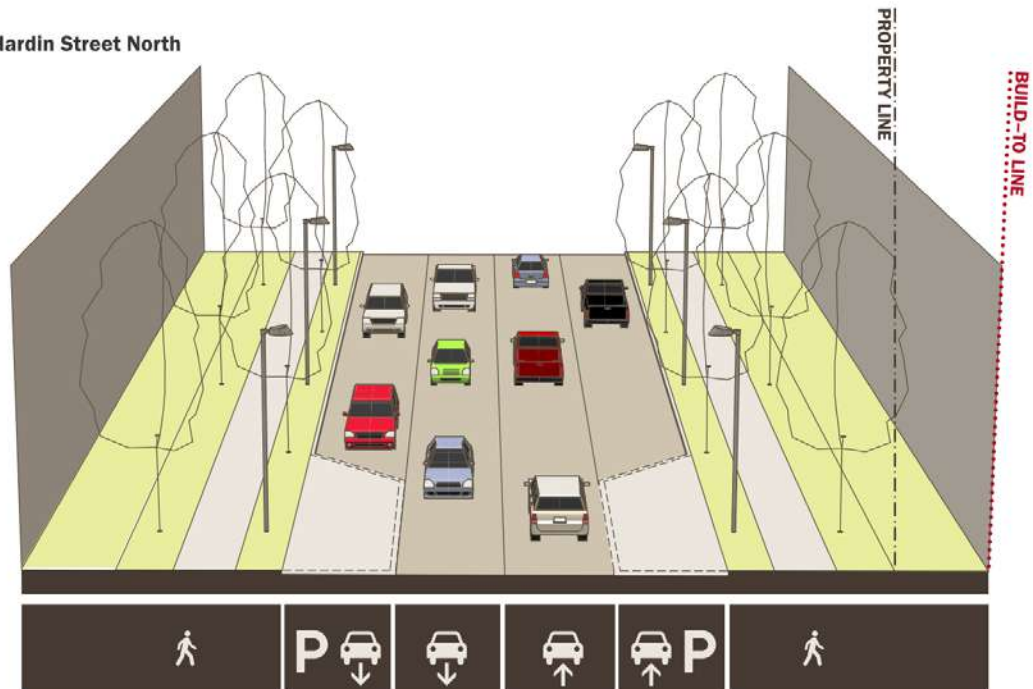
| | |
|----------------------|--|
| Thoroughfare Type | Street |
| Character | Entertainment Corridor |
| Role in Network | |
| Right-of-Way Width | 24m |
| Sidewalk Easement | 1m – each side of street |
| Total Width | 27m – Build-To Line to Build-To Line |
| Curb-to-curb Width | 16.2m |
| Traffic Flow | Two-Way |
| Target Speed | 30kph |
| Through Travel Lanes | 2 lanes |
| Travel Lane Width | 4m with sharrow |
| Turning Lanes | 1 left turn lane |
| Turning Lane Width | 3.2m |
| Parking Lanes | 2.5m between curb flares |
| Curb Radius | tbd |
| Transit Facilities | n/a |
| Bike Facilities | 4m shared lane |
| Sidewalks | 3.75m – each side of street (incl. easement) |
| Planted Boulevard | 1.65m – each side of street at curb |

Notes:

- Within the curb-to-curb width specified, the travel lane configuration may vary at intersections.
- Street cross sections are representational in nature.
- Planted Boulevard and Planting Strip may be interrupted with paved surfaces to provide pedestrian access from parked car to sidewalk.

(BL 13/004)

Figure 9.10.4-5 Hardin Street North



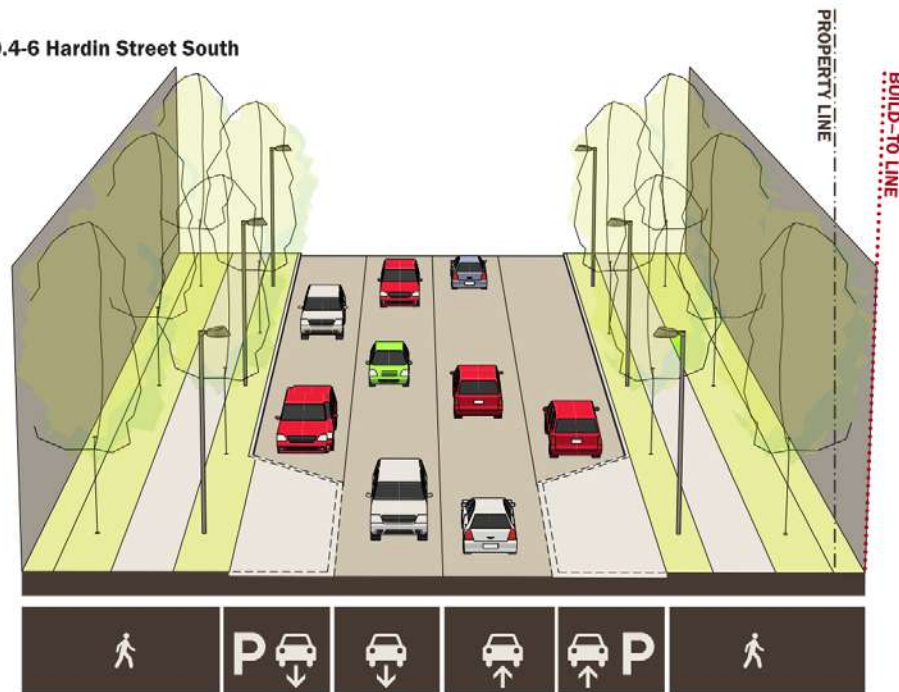
| | |
|----------------------|--|
| Thoroughfare Type | Grand Avenue |
| Character | Primarily Residential |
| Role in Network | |
| Right-of-Way Width | 25m |
| Sidewalk Easement | 3m – each side of street |
| Total Width | 31m – Build-To Line to Build-To Line |
| Curb-to-Curb Width | 14m |
| Traffic Flow | Two-Way |
| Target Speed | 30kph |
| Through Travel Lanes | 2/ 4 lanes |
| Travel Lane Width | 3.5 m |
| Turning Lanes | n/a |
| Turning Lane Width | n/a |
| Parking Lanes | 3.5m parking lane option |
| Curb Radius | tbd |
| Transit Facilities | n/a |
| Bike Facilities | n/a |
| Planting Strip | 4.85m – each side of street (incl. easement) |
| Sidewalks | 2.0m – each side of street |
| Planted Boulevard | 1.65 m – each side of street at curb |

Notes:

- Within the curb-to-curb width specified, the travel lane configuration may vary at intersections.
- Street cross sections are representational in nature.
- Planted Boulevard may be interrupted with paved surfaces to provide pedestrian access from parked car to sidewalk.
- Planting Strip may be interrupted with paved surfaces to provide pedestrian access from sidewalk to buildings.

(BL 13/004)

Figure 9.10.4-6 Hardin Street South



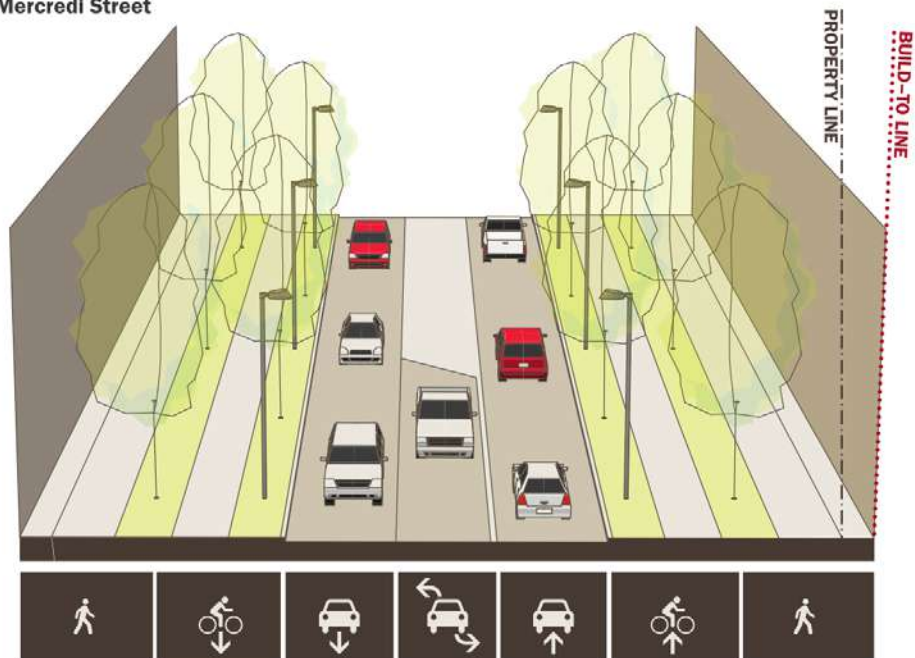
| | |
|----------------------|--|
| Thoroughfare Type | Grand Avenue |
| Character | Primarily Residential |
| Role in Network | |
| Right-of-Way Width | 25m |
| Sidewalk Easement | 1m – each side of street |
| Total Width | 27m – Build-To Line to Build-To Line |
| Curb-to-Curb Width | 14m |
| Traffic Flow | Two-Way |
| Target Speed | 30kph |
| Through Travel Lanes | 2/ 4 |
| Travel Lane Width | 3.5 m |
| Turning Lanes | n/a |
| Turning Lane Width | n/a |
| Parking Lanes | 3.5m parking lane option |
| Curb Radius | tbd |
| Transit Facilities | n/a |
| Bike Facilities | n/a |
| Planting Strips | 1.65m – each side of street (incl. easement) |
| Sidewalks | 3.2m –each side of street |
| Planted Boulevard | 1.85m – each side of street at curb |

Notes:

- Within the curb-to-curb width specified, the travel lane configuration may vary at intersections.
- Street cross sections are representational in nature.
- Planted Boulevard may be interrupted with paved surfaces to provide pedestrian access from parked car to sidewalk.
- Planting Strip may be interrupted with paved surfaces to provide pedestrian access from sidewalk to buildings.

(BL 13/004)

Figure 9.10.4-7 Father Mercredi Street



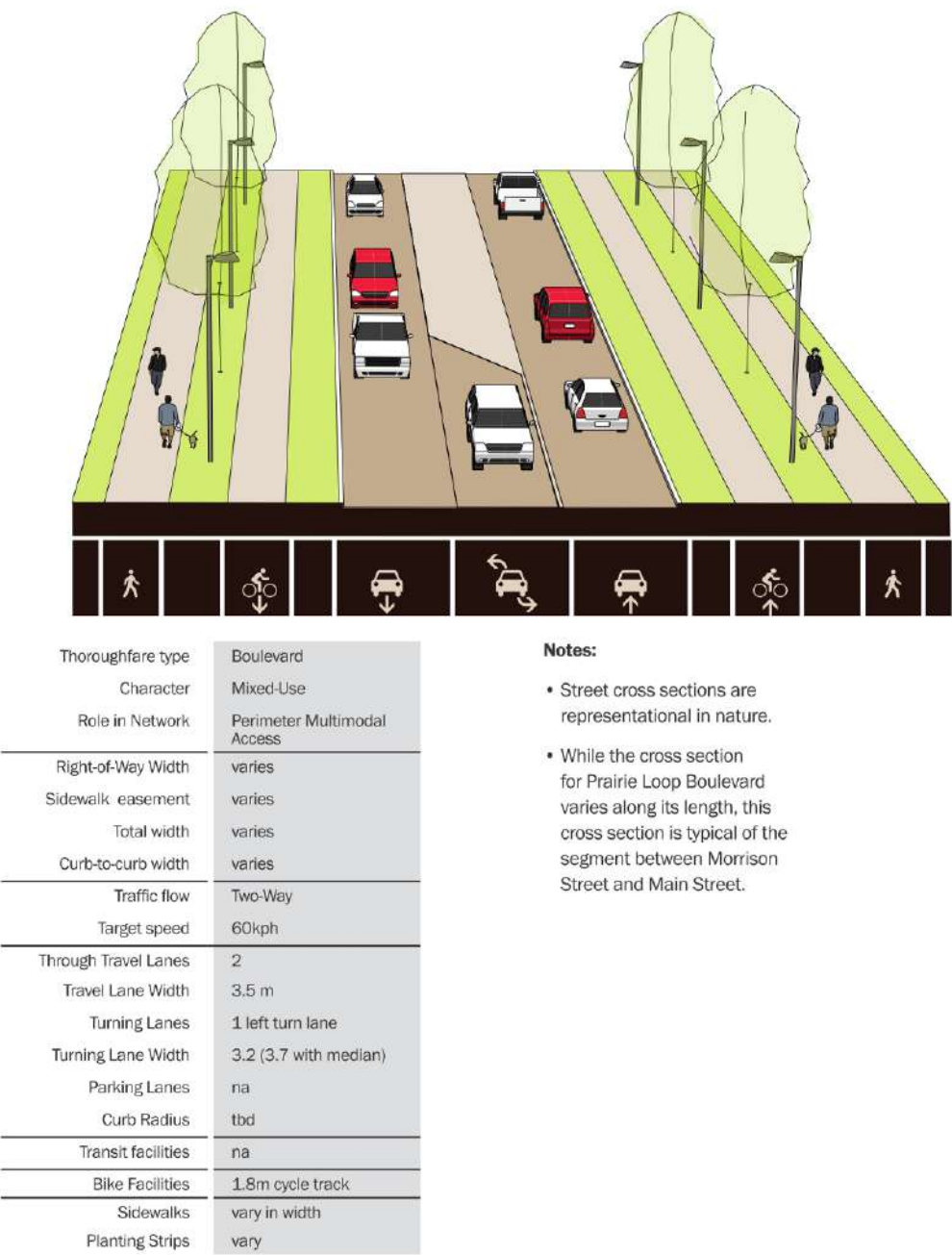
| | |
|----------------------|---|
| Thoroughfare Type | Street |
| Character | Mixed-Use |
| Role in Network | Connects to Snye Park |
| Right-of-Way Width | 25m |
| Sidewalk Easement | tbd |
| Total Width | tbd |
| Curb-to-Curb Width | 10.2m |
| Traffic Flow | Two-Way |
| Target Speed | 30kph |
| Through Travel Lanes | 2 |
| Travel Lane Width | 3.5m |
| Turning Lanes | 1 left turn lane |
| Turning Lane Width | 3.2m |
| Parking Lanes | none |
| Curb Radius | tbd |
| Transit Facilities | n/a |
| Bike Facilities | 1.8m cycle track – each side of street |
| Planting Strips | 1.8m – each side of street |
| Sidewalks | 3.0m – each side of street (incl. easement) |
| Planted Boulevard | 1.8m – each side of street at curb |

Notes:

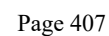
- Within the curb-to-curb width specified, the travel lane configuration may vary at intersections.
- Street cross sections are representational in nature.
- Planted Boulevard and Planting Strip may be interrupted with paved surfaces to provide pedestrian access from parked car to sidewalk.

(BL 13/004)

Figure 9.10.4-8 Prairie Loop Boulevard West



Land Use Bylaw No. 99/059

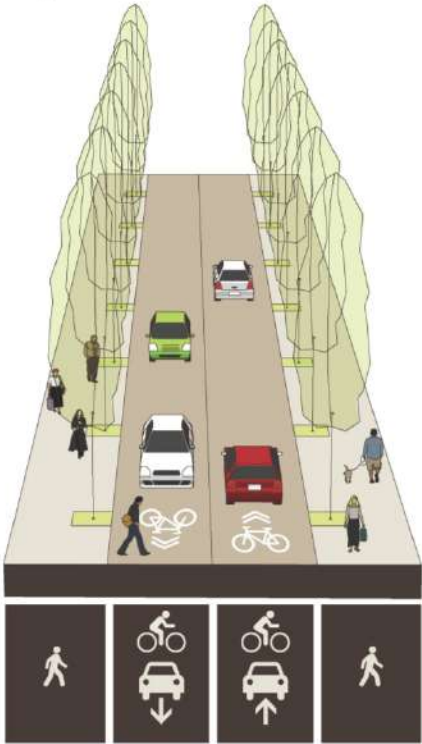


| | |
|-------------------------------|--|
| Type | Multimodal |
| Character | Mixed-Use |
| Role in Network | Through Block Connection; Emergency Access |
| Right-of-Way Width / Easement | 17.2m - 18.2m |
| Curb-to-curb width | 10m - 11m |
| Travel Lanes | 1.5 - 2 |
| Travel Lane Width | 5m - 6m |
| Parking Lanes | 2.5m between mountable curb flares |
| Bike Facilities | Shared lanes |
| Sidewalks | 3.6m |
| Planting Strips | 1.5m |

Notes:

- When used to fulfill the requirement for Through Block Connections within the Downtown, Narrow Street 1 is required to have weather protection over one or both sidewalks.

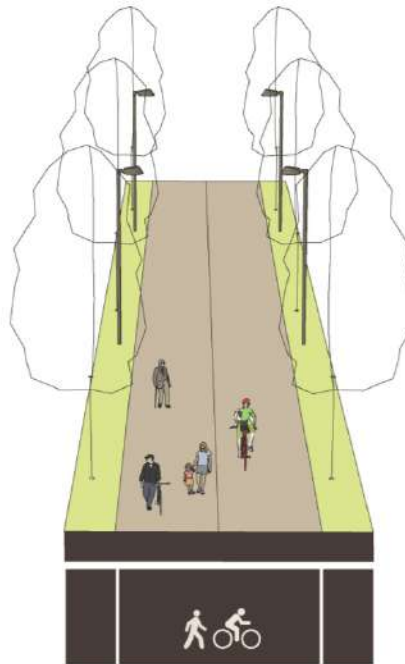
Figure 9.10.4.10 Narrow Street 2 (Through Block Connection)



| | |
|-------------------------------|--|
| Type | Multimodal |
| Character | Mixed-Use |
| Role in Network | Through Block Connection; Emergency Access |
| Right-of-Way Width / Easement | 12m |
| Shared lane width | 6.1m (curbs optional) |
| Travel Lanes | 2 |
| Travel Lane Width | na |
| Parking Lanes | none |
| Bike Facilities | Shared lanes |
| Sidewalks | 3m |
| Planting Strips | 1.5m |

- Notes:**
- When used to fulfill the requirement for Through Block Connections within the Downtown, Narrow Street 2 is required to have weather protection over one or both sidewalks.

Figure 9.10.4-11 Lane/Universal Access Street (Through Block Connection)



| | |
|-------------------------------|--|
| Type | Bike and Pedestrian Only |
| Character | Mixed-Use |
| Role in Network | Through Block Connection; Emergency Access |
| Right-of-Way Width / Easement | 9.1m |
| Shared lane width | 6.1m (curbs optional) |
| Travel Lanes | na |
| Travel Lane Width | na |
| Parking Lanes | na |
| Bike Facilities | Shared lanes |
| Sidewalks | na |
| Planting Strips | 1.5m |

Notes:

- Lanes and/or “Universal Access Streets” are private or public multi-use pathways designed for pedestrian and bicycle users, while simultaneously allowing for occasional vehicular access to individual buildings within the same street/alley space.
- Space shall be provided for landscaping, trees, lighting, and street furniture. These streetscape elements should reinforce the shared nature of these streets.
- Street lighting and landscaping shall be designed at a pedestrian scale.
- When used to fulfill the requirement for Through Block Connections within the Downtown, Lane/Universal Access is required to have weather protection over a portion of the central walkway.

9.10.5 Building and Landscape Frontage Types

9.10.5.1 Overview of Building and Landscape Frontage Types

1. Refer to the Regulating Plan and the Development Standards tables to determine which Building and Landscape Frontage Types are permitted along each Street. Each Street-facing Build-To Line shall comply with the Development Standards listed under the applicable Building and Landscape Frontage Type.
2. Podium Linear Building Frontage
 - (a) The Podium Building Frontage, as set out in Figure 9.10.5-1, is a façade at the base of a Tower, or a façade as part of a Podium Building without a Tower. The Tower is stepped back a minimum of 3 m from the Street facing façade of the Podium as illustrated in figure 9.10.3-2. The Podium has a minimum Height of 2 Storeys or 6m along corridors, and a maximum Height of 6 Storeys or 20 m. **(BL 13/004)**
 - (b) A Linear Building Frontage is characterized by a façade which is built up to the Build-To Line. The Building entrance is at sidewalk grade. Linear Building Frontages have substantial glazing on the Ground Floor, and may provide awnings or canopies cantilevered over the sidewalk. Building entries must either provide a canopy or awning and/or be recessed behind the front Building façade.
3. Podium Forecourt Building Frontage
 - (a) The Podium Building Frontage, as set out in Figure 9.10.5.2, is a façade at the base of a Tower, or a façade as part of a Podium Building without a Tower. The Tower is stepped back a minimum of 3 m from the Street facing façade of the Podium as illustrated in figure 9.10.3-2. The Podium has a minimum Height of 2 Storeys or 6 m along corridors, and a maximum Height of 6 Storeys or 20 m. **(BL 13/004)**
 - (b) A Forecourt Building Frontage may be created by recessing a portion of the facade for a portion of the Building Frontage. The Forecourt Building Frontage should be used in conjunction with the Linear Building Frontage. A Forecourt Building Frontage may be suitable for small-scale Courtyards, gardens and/or outdoor seating.
4. Podium Porch/Stoop/Terrace Building Frontage
 - (a) The Podium Building Frontage, as set out in Figure 9.10.5.3, is a façade at the base of a Tower, or a façade as part of a Podium Building without a Tower. The Tower is stepped back a minimum of 3 m from the Street facing façade of the Podium as illustrated in figure 9.10.3-2. The Podium has a minimum Height of 2 Storeys or 6m along corridors, and a maximum Height of 6 Storeys or 20 m. **(BL 13/004)**

- (b) The Setback Building Frontage is characterized by a façade which is set behind the Build-To Line and a Building entry Threshold, such as a Porch or Terrace, set between the Building and the Build-To Line. The Threshold may be elevated above or may be sunken below grade. The Building entry is accessed from this Threshold. Landscaping may be provided in the setback area between the Building and the sidewalk.

5. Podium Wrap Building Frontage

- (a) The Podium Wrap Building Frontage, as set out in Figure 9.10.5-4, is a façade that forms the perimeter of a large single use Building that occupies an entire block, or most of a block. It must meet the Linear, Forecourt, or Porch/ Stoop/Terrace frontage requirements. The Podium Wrap Building has a minimum depth of 10m from the Build-To Line. It has a minimum Height of 2 Storeys or 6 m, and a maximum Height of 6 Storeys or 20 m.

6. Low Wall and Trellis Landscape Frontage

- (a) As set out in Figure 9.10.5-5, Street-facing Lot lines not occupied by Buildings, driveways, or pedestrian paths must be screened with a low masonry or concrete wall and overhanging trellis structure

7. Urban Wall or Fence (**BL 13/004**)

- (a) As set out in Figure 9.10.5-6, Street-Facing Lot lines not occupied by Buildings, driveways, or pedestrian paths must be screened with an open framework low wall or fence in either metal, wood, masonry, or a combination. (**BL 13/004**)

9.10.5.2 Medium sized Developments on existing Sites

1. The Building and Landscape Frontage types shall be provided as set out in this Bylaw for Development that meets the lesser of the following criteria:

- (a) the total cumulative additions or new Buildings on the Site exceeds 30% of the Gross Floor Area of the Building that existed on the Site as of the date of adoption of this Part 9; or
- (b) additions and/or new Buildings exceed 2,000m² in Gross Floor Area.

2. For Developments greater than 100 m² and less than or equal to 1,000m² in Gross Floor Area, or where the total cumulative additions and/or new Buildings on the Site is greater than 5% and less than or equal to 15% of the Gross Floor Area of the Building that existed on the Site as of the date of adoption of this Part 9, the following requirements apply:

- (a) As an exception to providing the Building or Landscape Frontage Type for the entire site. A Low Wall and Trellis Landscape Frontage or an Urban Fence or Wall Landscape Frontage may be provided along the boundary of surface parking lots or accessory

surface parking lots adjacent to streets or adjacent to a through block connection.

3. For Developments between 1,000m² and 2000 m² in Gross Floor Area, or where the total cumulative additions and/or new Buildings on the Site is between 15% and 30% of the Gross Floor Area of the Building that existed on the Site as of the date of adoption of this Part 9, the following requirements apply:
 - (a) As an exception to providing the Building Frontage Type on the entire Site, the Building Frontage Type is only required on the front of the addition and /or new Building; and
 - (b) As an exception to providing the Landscape Frontage Type for the entire Site, the Landscape Frontage Type is only required along the length of the Site along the entire Street frontage faced by the addition and/or new Building; or
 - (c) If the Site is adjacent to a Corridor, as an exception to providing the Landscape Frontage Type for the entire Site, the Landscape Frontage Type is only required along the length of the Site along the Corridor.

(BL 13/004)

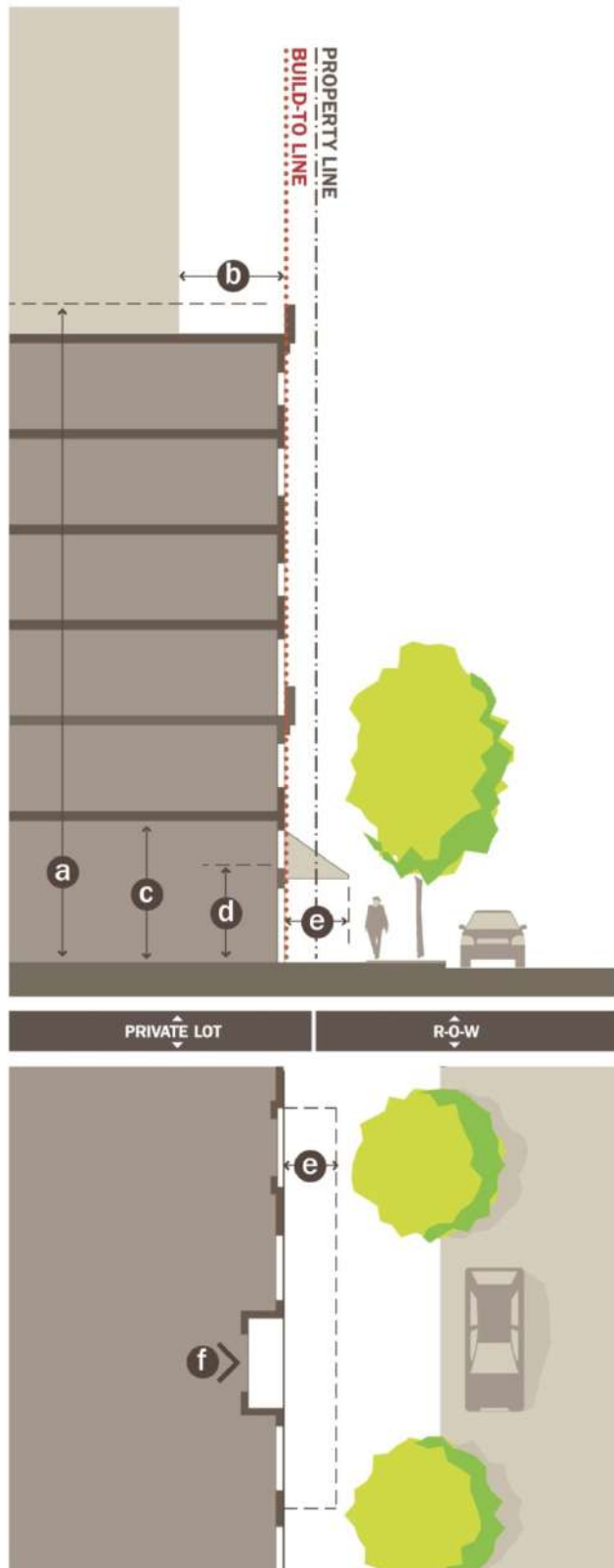
9.10.5.3 Podium Linear Building Frontage

Podium Linear Building Frontages shall conform to Figure 9.10.5-1 and the following standards:

1. Front Setback: The front façade of the Building must be built to the Street Facing Build-To Line. If the Site lies at the corner of two Streets, the façades facing each of the Streets must be built to the Street Facing Build-To Lines for both Street Frontage Lot lines.
 2. Ground Floor height: The Ground Floor must measure a minimum of 4.5 m, floor to ceiling.
 3. Minimum Building Height along Corridors: 2 Storeys or 6m. **(BL 13/004)**
 4. Minimum Building depth: Buildings must be a minimum of 12m deep in order to accommodate retail uses on the Ground Floor.
 5. Weather Protection: Awnings or canopies must be provided for a minimum of 80% of the overall Building frontage and must comply with the following:
 - (a) Awnings or canopies must project a minimum of 1.5m and a maximum of 2.5 m over the sidewalk along a Corridor.
 - (b) Awnings or canopies must project a minimum of 1.0m and a maximum of 2.5 m over the sidewalk not located along a Corridor.
 - (c) Awnings or canopies must provide a minimum of 2.5m and a maximum of 4 m of vertical clearance over the sidewalk.
- (BL 13/004)**
6. Windows: Transparent Ground Floor windows shall be provided along a minimum of 60% of the Ground Floor, Street-facing façade area.

7. Primary Entry Doors: Primary Building entries must face the Street, and a minimum of 40% of each primary entry shall be transparent.

Figure 9.10.5-1 Podium Linear Frontage



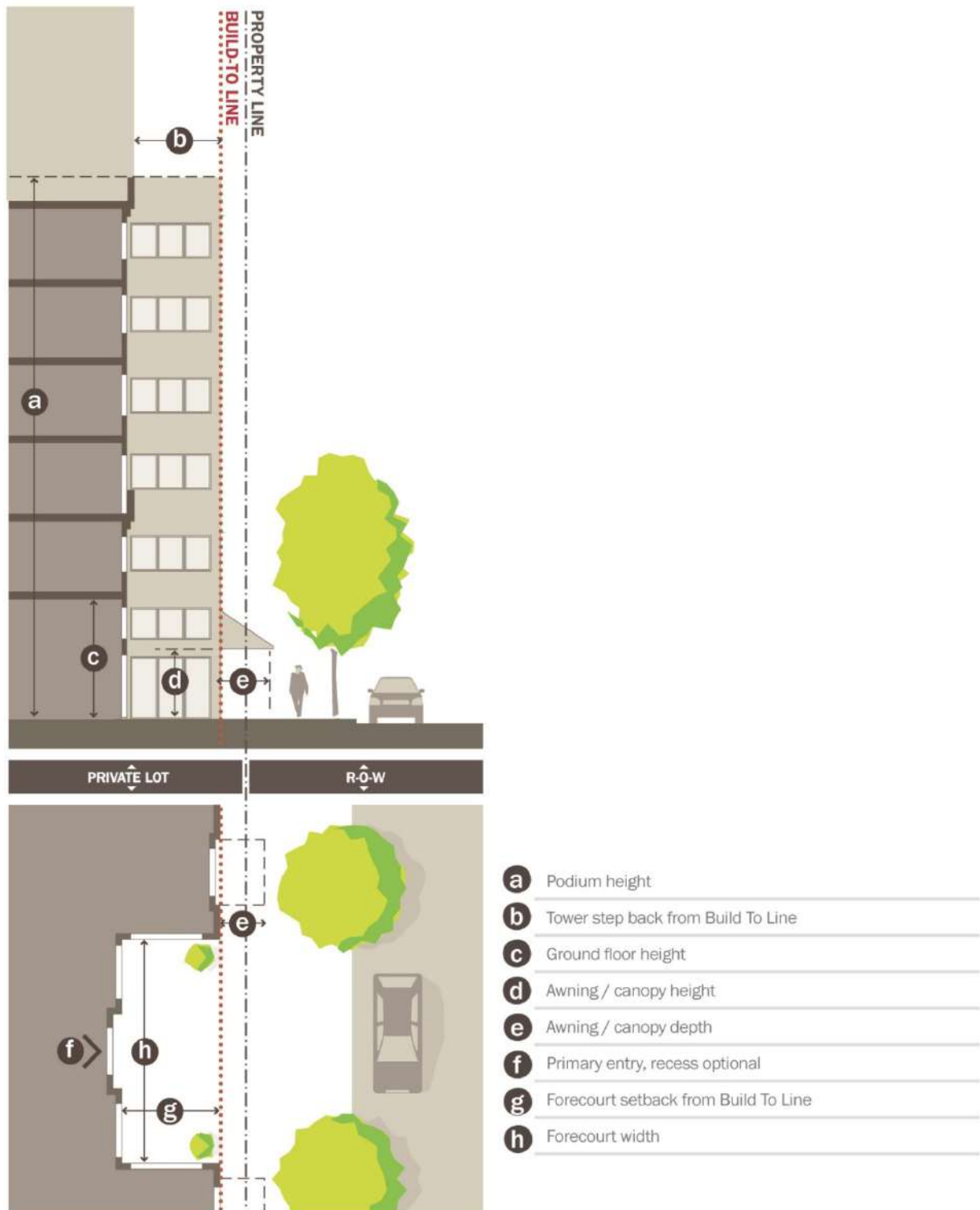
- a** Podium height
- b** Tower step back from Build To Line
- c** Ground floor height
- d** Awning / canopy height
- e** Awning / canopy depth
- f** Primary entry, recess optional

9.10.5.4 Podium Forecourt Building Frontage

Podium Forecourts shall conform to Figure 9.10.5-2 and the following standards:

1. Courtyard Setback: The Courtyard portion of a Forecourt shall be set back from the Build-To Line a minimum of 3 m and a maximum of 10 m. The Courtyard portion of a Forecourt shall be open to the sky. Courtyards shall be landscaped and/or hardscaped.
2. Courtyard Length: The Courtyard portion of a Forecourt shall span a minimum of 6 m along the Primary Street Frontage façade and shall comprise no more than 50% of the Primary Street Building Frontage. **(BL 13/004)**
3. Forecourt Frontage: The Forecourt frontage shall incorporate the Linear Frontage type for Building faces that are not part of the Courtyard.
4. Ground floor height: The Ground Floor shall measure a minimum of 4.5 m, floor-to-ceiling.
5. Minimum Building Height along Corridors: 2 Storeys or 6m. **(BL 13/004)**
6. Weather Protection: Awnings or canopies must be provided for a minimum of 80% of the overall Building frontage and must comply with the following: **(BL 13/004)**
 - (a) Awnings or canopies must project a minimum of 1.5m and a maximum of 2.5 m over the sidewalk or Courtyard along a Corridor.
 - (b) Awnings or canopies must project a minimum of 1.0m and a maximum of 2.5 m over the sidewalk or Courtyard not located along a Corridor.
 - (c) Awnings or canopies must provide a minimum of 2.5 m and a maximum of 4m of vertical clearance over the sidewalk.
7. Windows: Transparent windows shall be provided along at least 50% of the Courtyard-facing Ground Floor façade area. See “Linear Frontage” for window requirements for the remainder of the façade.
8. Primary Entry Doors: Primary Building entries shall face the Street and/or the Courtyard, and a minimum of 40% of each primary entry shall be transparent.
9. Fences: Fences and walls with pedestrian openings are permitted within the Courtyard setback but each fence or wall may be no greater than 0.9 m in height and must be a minimum of 20% transparent.
10. Surface Parking: Surface Parking is not allowed in the Courtyard portion of a Forecourt; nor is surface parking allowed on the Site between the Building and the Street.

Figure 9.10.5-2 Podium Forecourt

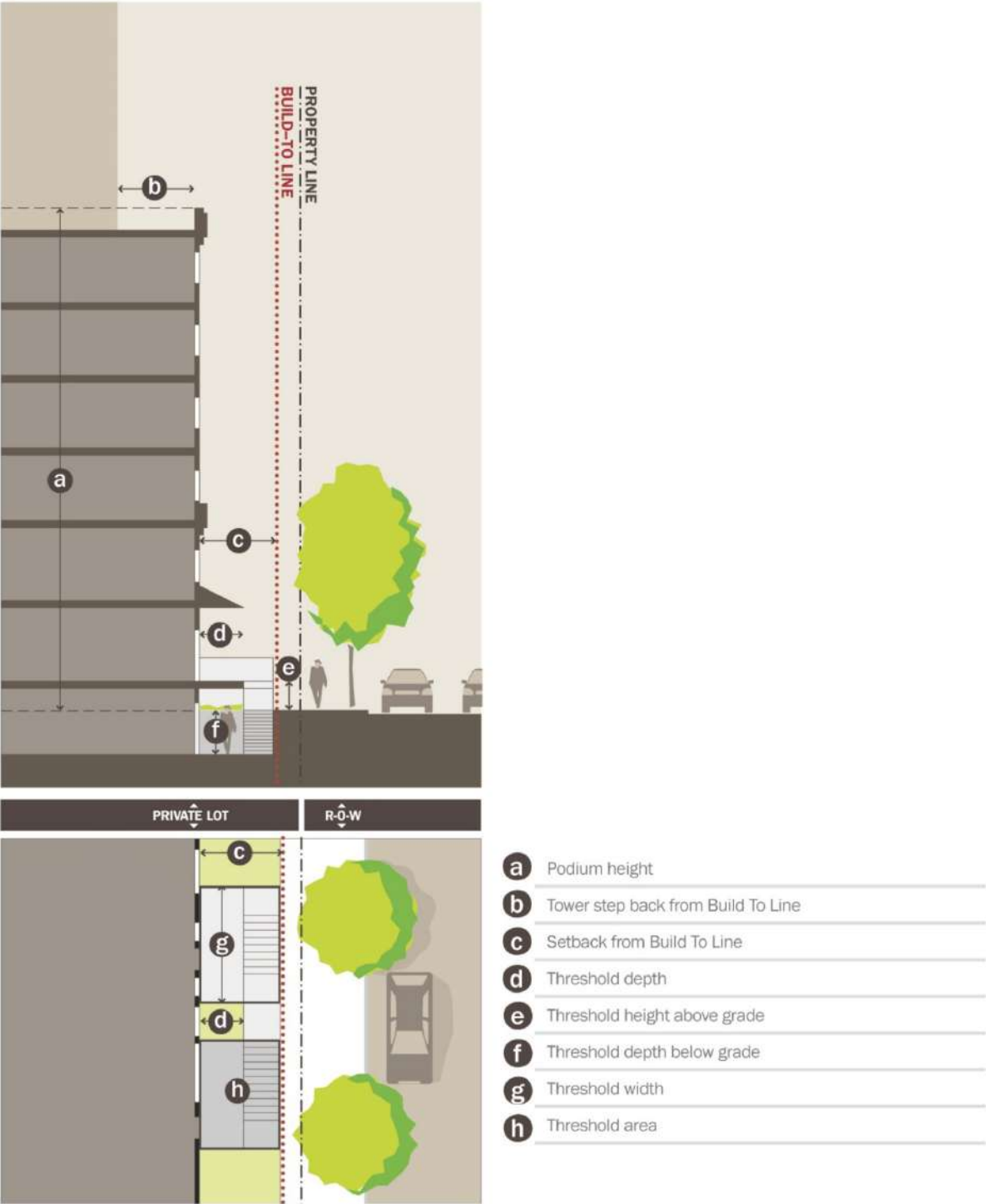


9.10.5.5 Podium Porch/Stoop/Terrace Frontage

Porch/Stoop/Terrace Frontages shall conform to Figure 9.10.5-3 and to the following standards:

1. Street-Facing Setback: The Building shall be set back a minimum of 1.5 m and a maximum of 4.5 m from the Build-To Line. The entry Threshold, including a roof over the Threshold, and steps to the Threshold may extend up to the Build-To Line.
2. Threshold Dimensions: The entry Threshold (such as a Porch, Stoop, Terrace, patio, or light court) shall conform with the following minimum standards (note: dimensions may vary from the standards below to accommodate universal access if necessary):
 - (a) Minimum of 1.5m depth (clear) from Building façade to front of Threshold.
 - (b) Minimum 1.8m width (clear) along the Building façade.
 - (c) The Threshold shall be no more than 1.8 m above grade. An additional Threshold may be provided to access a lower level and shall be no more than 1.5 m below grade.
 - (d) The Threshold shall cover an area of no more than 15 m² per Building entry. **(BL 13/004)**
 - (e) The entry Threshold may be covered by a roof no larger than the Threshold itself.
3. Minimum Building Height along Corridors: 2 Storeys or 6m. **(BL 13/004)**
4. Primary Entry Doors: In order to provide adequate “eyes” on the Street, Ground Floor Residential uses shall provide individual Building entries to individual Residential units. Building entries shall face the Street and be a minimum 10% transparent.
5. Windows: Transparent windows shall be provided along at least 20% of the Street-facing façade area. Windows shall be vertically oriented. Vertical windows may be grouped together to create square or horizontally-oriented rectangular windows.
6. Fences: Fences are permitted within the Primary Frontage Setback and Secondary Frontage Setback but shall be no greater than 0.9 m high and shall be a minimum of 50% transparent.
7. Landscaping: Landscaping shall be provided in the Primary Frontage Setback and Secondary Frontage Setback. Hardscaping is permitted only to provide access to the Threshold; all other areas shall be planted.
8. Surface Parking: Surface Parking shall not be permitted on the Site in between the Building and the Street.

Figure 9.10.5-3 Podium Porch/Stoop/Terrace Frontage



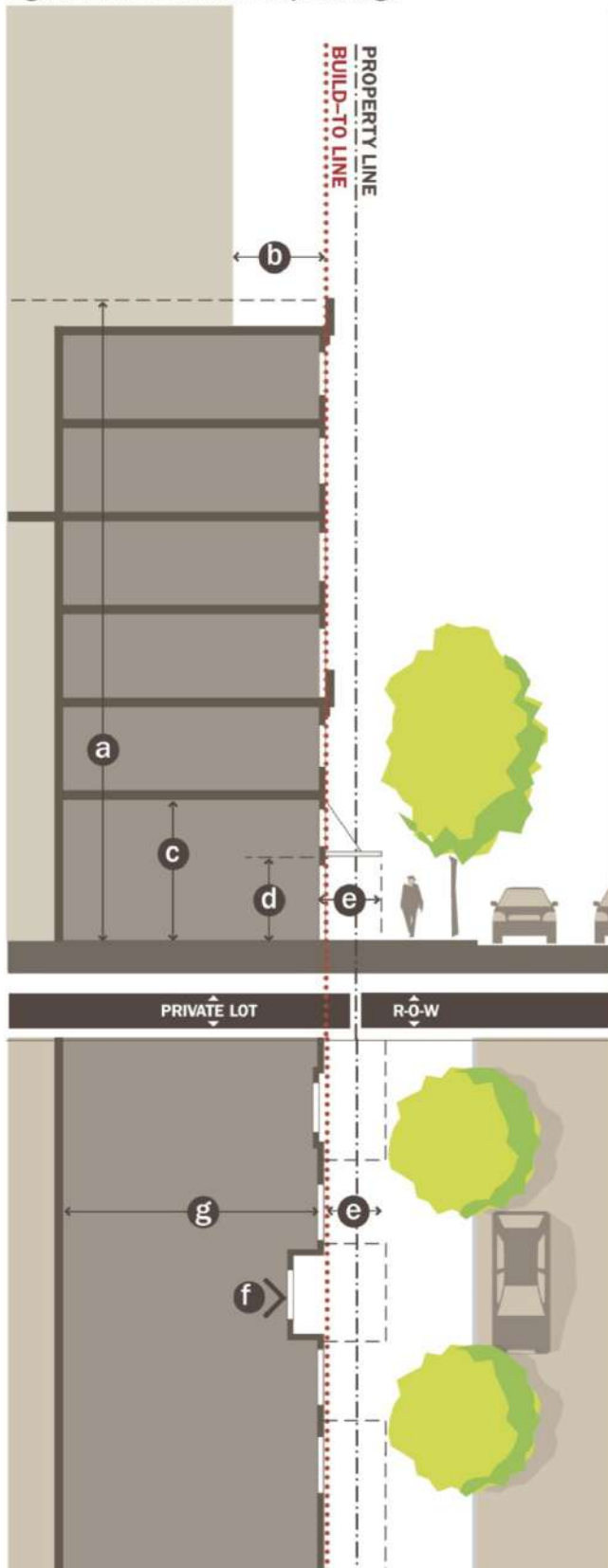
9.10.5.6 Podium Wrap Building Frontage

Podium Wrap Buildings shall conform to Figure 9.10.5-4 and the following standards:

1. Frontage Type: The Wrap Frontage shall incorporate the Linear Frontage, the Forecourt Frontage Type or the Porch/Stoop/Terrace Frontage Type standards for Building façades adjacent to the Build-To Line.
2. Ground floor height: The Ground Floor must measure a minimum of 4.5m, floor-to-ceiling.
3. Minimum Building Height along Corridors: 2 Storeys or 6 m. **(BL 13/004)**
4. Ground floor height: The Ground Floor shall measure a minimum of 4.5 m, floor-to-ceiling.
5. Minimum Depth: The Ground Floor shall have a minimum depth of 10 m.
6. Weather Protection: Awnings or canopies must be provided for a minimum of 80% of the overall Building frontage and must comply with the following:
 - (a) Awnings or canopies must project a minimum of 1.5 m and a maximum of 2.5 m over the sidewalk along a Corridor.
 - (b) Awnings or canopies must project a minimum of 1.0 m and a maximum of 2.5 m over the sidewalk not located along a Corridor.
 - (c) Awnings or canopies must provide a minimum of 2.5 m and a maximum of 4 m of vertical clearance over the sidewalk.

(BL 13/004)
7. Windows: Transparent windows must be provided along at least 50% of the Courtyard-facing Ground Floor façade area. See “Linear Frontage” for window requirements for the remainder of the façade.
8. Primary Entry Doors: Primary Building entries must face the Street and/or the Courtyard and, and a minimum of 40% of each primary entry shall be transparent.
9. Fences: Fences and walls with pedestrian openings are permitted within the Courtyard setback but may be no greater than 0.9m high and must be a minimum of 20% transparent.
10. Surface Parking: Surface Parking is not allowed in the Courtyard portion of a Forecourt; nor is surface parking allowed on the Site between the Building and the Street.

Figure 9.10.5-4 Podium Wrap Frontage



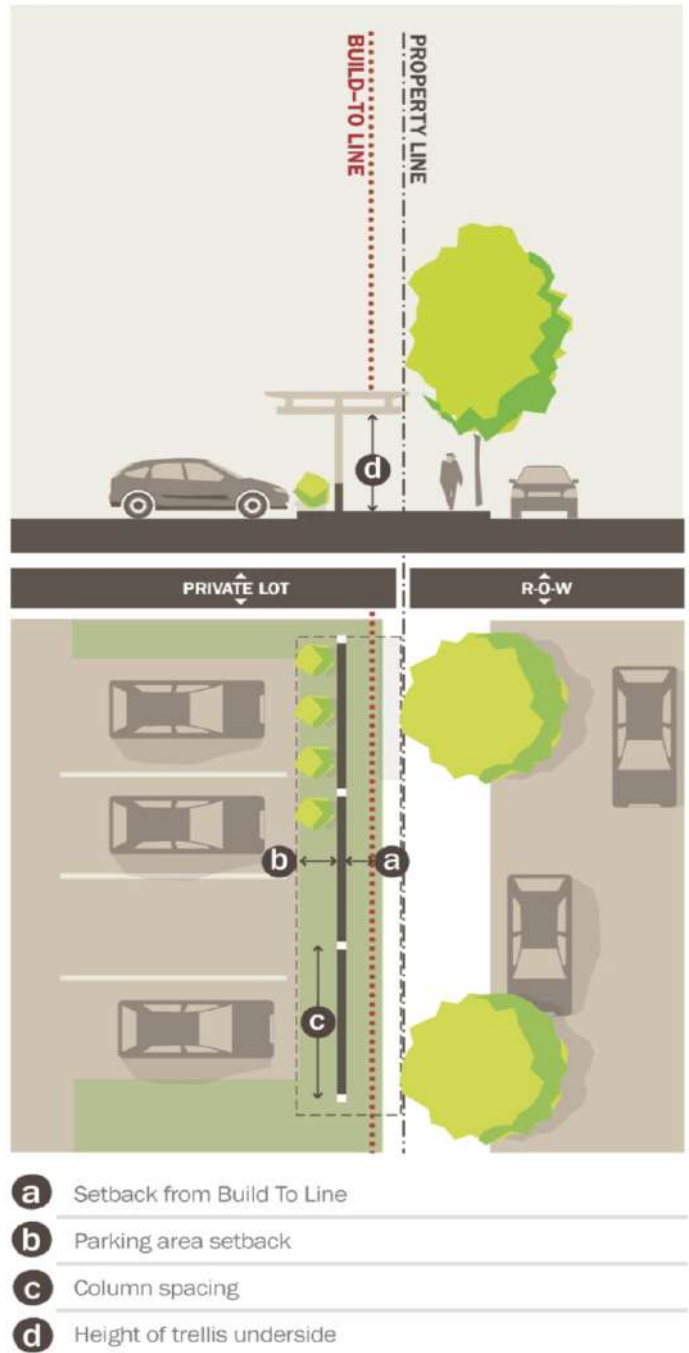
- a** Podium height
- b** Tower step back from Build To Line
- c** Ground floor height
- d** Awning / canopy height
- e** Awning / canopy depth
- f** Primary entry, recess optional
- g** Ground floor depth

9.10.5.7 Low Wall and Trellis Landscape Frontage

Low Wall and Trellis Screening shall conform to Figure 9.10.5-5 and the following standards:

1. Along all public or private Street-facing frontage, surface parking areas shall be screened with a Low Wall and Trellis along the Build-To Line. The Low Wall and Trellis shall be set back a minimum of 0m and a maximum of 1.5 m from the Build-To Line. Any setback area between the sidewalk along the Public Road and the wall shall be planted or paved with stamped concrete or masonry pavers.
2. The underside of the Trellis portion of a Low Wall and Trellis shall be a minimum of 2.4 m above grade and a maximum of 4.1 m above grade. The Trellis shall be constructed of heavy timber or steel (or a similar material) and shall consist of open structure with no decking or awning material. The Trellis shall have masonry, heavy timber, or steel (or similar metal) supporting columns spaced no more than 9 m on center.
3. The Low Wall portion of a Low Wall and Trellis shall be a minimum of 0.5 m high and a maximum of 0.9 m high and have a minimum depth of 0.4m. The Low Wall shall be constructed of wood, masonry, and/or concrete.
4. Parking shall be set back a minimum of 1.0 m from the Low Wall and Trellis. Low shrubs, groundcover, and climbing plants shall be provided in this set back area.
5. Openings in the Low Wall and Trellis are allowed for pedestrian pathways, sidewalks, plazas, and driveways.

Figure 9.10.5-5 Low Wall and Trellis Landscape Frontage



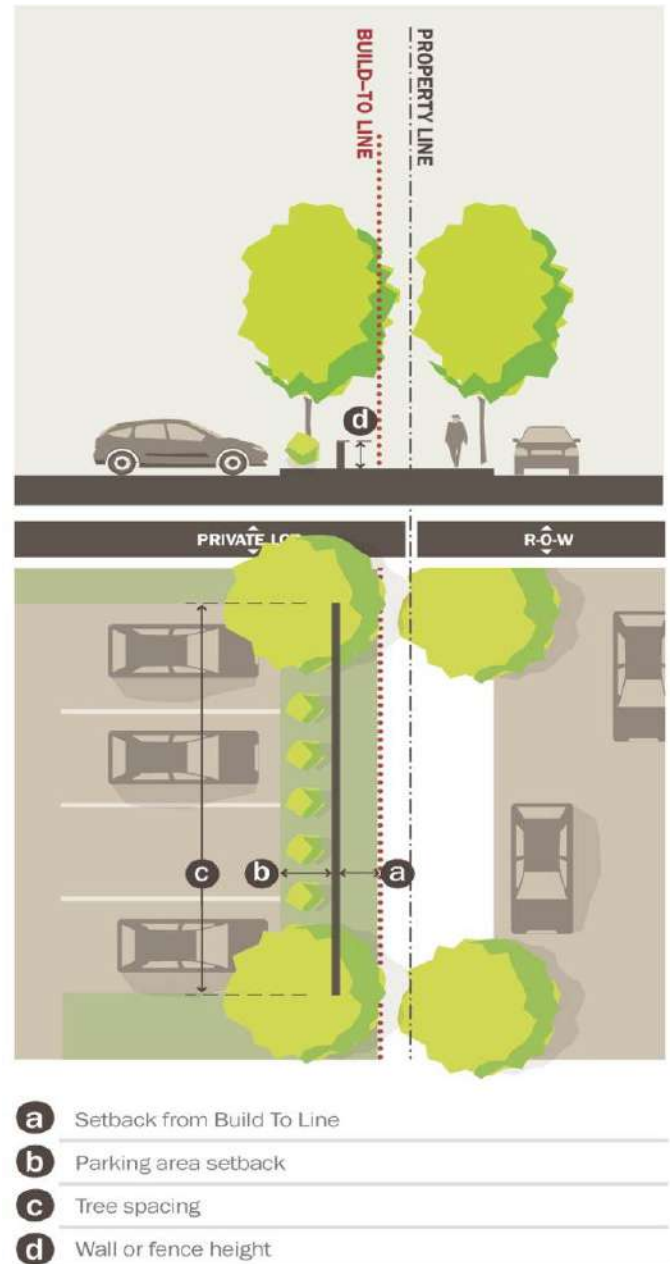
9.10.5.8 Urban Fence or Wall Landscape Frontage (BL 13/004)

Urban Fence or Wall Landscape Frontage shall conform to Figure 9.10.5-6 and the following standards:

1. Along all public or private Street-facing frontage, surface parking areas shall be screened with a wall and/or fence along the Build-To Line. Walls shall be wood masonry, and/or concrete; fences shall be made of wrought iron, steel, or a similar material (but not chain-link) and must be dark in color. The fence shall be at least 0.6m high and no more than 0.9 m high. Fences may be no more than 50% sight obscuring. The wall shall be at least 0.6 m high and no more than 0.9 m high.
2. The Urban Fence or Wall shall be set back a maximum of 1.5 m from the sidewalk. The area between the Urban Fence or Wall shall be hardscaped with either masonry pavers or stamped concrete.
3. The surface parking area shall be set back, at a minimum, an additional 1.5 m to provide room for required landscaping and stormwater infiltration and/or retention.
4. In addition to the required fence or wall, trees and shrubs shall be provided. One large tree is required every 9 linear metres minimum along all public or private Street-facing frontages, except where it is necessary to ensure adequate traffic visibility. The minimum shrub height shall be the same as the height of the wall or fence, and the maximum height shall be no more than 1.8m.
5. Openings in the Urban Fence or Wall are allowed for pedestrian pathways, sidewalks, plazas, and driveways.
6. Ground cover plants must fully cover any remaining landscaped area between the parking area and the Urban Fence or Wall.

(BL 13/004)

Figure 9.10.5-6 Urban Fence or Wall Landscape Frontage



9.11 Franklin Avenue Re- Urbanization Development Standards (BL 12/013)

9.11.1 General Standards Required for All Development in the Franklin Avenue Re-Urbanization Zone

1. Introduction

- (a) The following standards apply to all Development in the Franklin Avenue Re-Urbanization Zone unless noted otherwise in the Table for Specific Development Standards - Table 9.11-1 - for Franklin Avenue Re-Urbanization.

2. Connectivity

- (a) **Maximum Block Length:** New Streets are intended to create blocks with a maximum block length of 180m, and a perimeter no greater than 530 m, unless otherwise noted on the Table of Specific Development Standards for Franklin Avenue Re-Urbanization. Exact location of these new Streets may vary up to 16 m, provided this provision is met. See Section 9.11.4 “Street Types” for further requirements.
- (b) **Through Block Connections:** In addition to the mapped Streets (existing and future) illustrated in the Districts and Corridors Map, any block face longer than 140 linear metres must provide an additional connection through the block as illustrated in Figure 9.11.3-1. Existing East –West aligned lanes shall also be utilized for Through Block Connections as illustrated in Figure 9.11.3-1. These new connections should align with existing Streets or planned new Streets. See Section 9.11.4 “Street Types” for further requirements for Through Block Connections.

3. Site Access

- (a) **Vehicular Entrances:** A Site may have vehicular entrances that meet the Development Standards shown in the Table of Specific Development Standards.
- (b) **Vehicular Entrance Width:** 8 m maximum width, not including any sidewalks or landscaping.
- (c) **Pedestrian Access:** All Buildings must provide at least one Building entrance that is directly connected to the public sidewalk by a walkway that is a minimum of 1.8 m wide. This Building entrance must be operable during normal business hours (See Figure 9.11.3-3)

4. Frontage Requirements

- (a) **Minimum Building Frontage along Street-Facing Build-To Line:** All Street or path-facing Build-To Lines not occupied by Buildings or driveways are required to provide Building or Landscape Frontage between the sidewalk and the remainder of the Lot. See the Table of Specific Development Standards for permitted Building and Landscape Frontage Types.

- (b) Primary Street Frontage: The Primary Street Frontage shall be defined as the portion of the Building facing the Street (or the higher order Street Corridor if on a corner). The front façade of the Building shall be built to the Primary Street Frontage Build-To Line.
- (c) Secondary Street Frontage: The Secondary Street Frontage shall be defined as the portion of the Building facing the lower order Street, if on a corner. The front façade of the Building shall be built to the Secondary Street Frontage Build-To Line for a minimum of 30 m from the corner or the Lot width, whichever is shorter. The Building Frontage Standards of this section shall apply to the portion of the Building that occupies the Build-To Line for 30 m from the corner or the Lot width, whichever is shorter.

5. Building Setbacks

- (a) Front Street Facing Setback: Varies according to Building and Landscape Frontage Type. See Section 9.11.5. “Building and Landscape Frontage Types” for Development Standards.
- (b) Side yard setback, adjoining another Lot: See Table of Specific Development Standards.
- (c) Rear yard setback, adjoining another Lot: See Table of Specific Development Standards.
- (d) Rear yard setback, adjoining a lane: See Table of Specific Development Standards.
- (e) Building siting requirements are illustrated in figures 9.11.3-2 and 9.11.3-3.

6. Parking Siting and Screening

- (a) Parking Structure Setbacks: Parking Structure setbacks are the same as Principal Building setbacks. Parking Structures must comply with all Building Frontage requirements outlined in Section 9.11.5 “Building and Landscape Frontage Types.”
- (b) Surface Parking: Street-facing setbacks: See Section 9.11.5 “Building and Landscape Frontage Types” for setback and Landscaping requirements for surface parking areas.
- (c) Parking siting requirements are illustrated in figures 9.11.3-2 and 9.11.3-3.

7. Amenity Spaces (**BL 13/004**)

- (a) A minimum Amenity Space of 3% of Gross Floor Area of Residential Uses, shall be required for Buildings over 2,000 m² to the satisfaction of the Development Authority, but in no case shall the Amenity Space be less than an average of 3 m² of Private Outdoor Amenity Space per Dwelling Unit. Some units may have less than 3 m² of Private Outdoor Amenity Space, but the amount of Private Outdoor Amenity Space divided by the number of units shall be a minimum of 3 m².

- (b) Amenity Spaces for Residential Uses may include but are not limited to meeting rooms, fitness facilities, outdoor space, Balconies, and the mid-block Public Open Spaces adjacent to Through Block Connections, and shall be exempt from Floor Area Ratio calculations.

(BL 13/004)

8. Dwelling Units Permitted

- (a) The maximum number of Dwelling Units permitted is the number of Dwelling Units that can be achieved while complying with the Uses and applicable development standards, which may include but are not limited to, the maximum Height, maximum Floor Area Ratio, Building Frontage type, parking requirements, Permitted Uses and Discretionary Uses, and all other regulations that may apply to the Development.

9.11.2 Tables of Specific Development Standards for Franklin Avenue Re-Urbanization

1. Introduction

Tables 9.11-1 and 9.11-2 set out specific Development Standards for Sites fronting each of the Corridors within the Franklin Avenue Re-Urbanization Zone as set out in the City Centre Districts and Corridors Map, Appendix 1. See Section 9.11.5 for an expanded presentation of regulations pertaining to Building and Landscape Frontage Types.

See Section 9.11.3 Development Standards Illustrations for a graphic illustration of the Development Standards within the Development Standards Table.

The Franklin Re-Urbanization General column applies to all Sites not fronting on a Corridor set out in the City Centre Districts and Corridors Map, Appendix 1.

Table 9.11-1

Regulating Plan Areas
Franklin Avenue Re-Urbanization Zone

| Specific Development Standards by Area | Franklin Re-Urbanization General | Franklin Ave East | Prairie Loop Boulevard East | Hospital Street | King Street North |
|---|--|---|--|--|--|
| Connectivity and Urban Structure Standards | | | | | |
| Maximum Block Length | 185 m block length 530 m block perimeter, except where noted | 180 m block length 530 m block perimeter | 250 m block length 750 m block perimeter | 185 m block length 530 m block perimeter | 85 m block length 530 m block perimeter |
| Additional Through-Block Connections | Required for block faces longer than 140 m | Required for block faces longer than 140 m | Required for block faces longer than 140 m | Required for block faces longer than 140 m | Required for block faces longer than 140 m |
| Lot Area | Min. 360 m ² for single detached | n/a | n/a | n/a | n/a |
| Lot Width | Min. 12 m (single det.) | n/a | n/a | n/a | n/a |
| Site Access | | | | | |
| Vehicular Entrances Permitted | Driveways permitted | Driveways permitted | Driveways permitted | Driveways permitted | Driveways permitted |
| Vehicular Entrances | Min. 12 m separation from intersection. Max. avg. 1 driveway per 30 m of block frontage | Min. 12 m separation from intersection. Max. avg. 1 driveway per 30 m of block frontage, right-in right-out only | Min. 12 m separation from intersection. Max. avg. 1 driveway per 30 m of block frontage | Min. 12 m separation from intersection. Max. avg. 1 driveway per 30 m of block frontage | Min. 12 m separation from intersection. Max. avg. 1 driveway per 30 m of block frontage |
| Vehicular Entrance Width | Max. 9m (surface) Max. 14 m (garage) | Max. 9m (surface) Max. 14 m (garage) | Max. 9m (surface) Max. 14 m (garage) | Max. 9m (surface) Max. 14 m (garage) | Max. 9m (surface) Max. 14 m (garage) |
| Pedestrian Accesses Req'd | Min. 1 | Min. 1 | Min. 1 | Min. 1 | Min. 1 |
| Through Block Connection Types Permitted | Parking Street; Narrow Street 1; Narrow Street 2; Multi-Use Path; Lane / Universal Access Street | Parking Street; Narrow Street 1; Narrow Street 2; Multi-Use Path; Lane / Universal Access Street | Parking Street; Narrow Street 1; Narrow Street 2; Multi-Use Path; Lane / Universal Access Street | Parking Street; Narrow Street 1; Narrow Street 2; Multi-Use Path; Lane / Universal Access Street | Parking Street; Narrow Street 1; Narrow Street 2; Multi-Use Path; Lane / Universal Access Street |

Table 9.11-1

| Regulating Plan Areas Franklin Avenue Re-Urbanization Zone | | | | | |
|---|--|--|--|--|--|
| Specific Development Standards by Area | Franklin Re-Urbanization General | Franklin Ave East | Prairie Loop Boulevard East | Hospital Street | King Street North |
| Building Sitting and Massing | | | | | |
| Front Street Facing Setback | See Building Frontage Types to determine applicable setback | See Building Frontage Types to determine applicable setback | See Building Frontage Types to determine applicable setback | See Building Frontage Types to determine applicable setback | See Building Frontage Types to determine applicable setback |
| Side Yard Setback | Min. 0 m (BL 13/004) | Min. 0 m (BL 13/004) | Min. 0 m (BL 13/004) | Min. 0 m (BL 13/004) | Min. 0 m (BL 13/004) |
| Rear Yard Setback | Min. 0m (BL 13/004) Min. 4.5 m for single detached, duplex, semi-detached, townhouse. | Min. 0m (BL 13/004) Min. 4.5 m for single detached, duplex, semi-detached, townhouse. | Min. 0m (BL 13/004) Min. 4.5 m for single detached, duplex, semi-detached, townhouse. | Min. 0m (BL 13/004) Min. 4.5 m for single detached, duplex, semi-detached, townhouse. | Min. 0m (BL 13/004) Min. 4.5 m for single detached, duplex, semi-detached, townhouse. |
| Minimum Building Height (BL 13/004) | na | 2 Storeys or 6 m | 2 Storeys or 6 m | 2 Storeys or 6 m | 2 Storeys or 6 m |
| Lot Coverage | Max. 45% including accessory Buildings for single detached, duplex, semi-detached. N/A for other uses. | Max. 45% including accessory Buildings for single detached, duplex, semi-detached. N/A for other uses. | Max. 45% including accessory Buildings for single detached, duplex, semi-detached. N/A for other uses. | Max. 45% including accessory Buildings for single detached, duplex, semi-detached. N/A for other uses. | Max. 45% including accessory Buildings for single detached, duplex, semi-detached. N/A for other uses. |

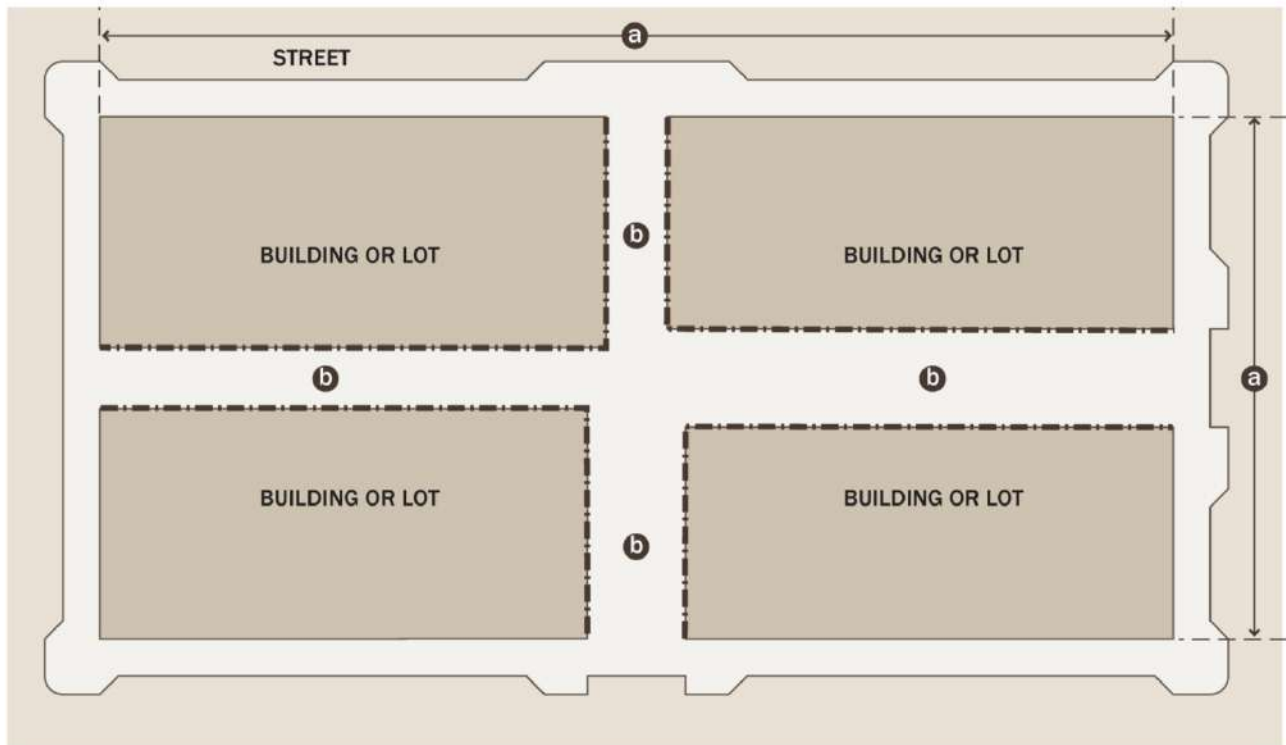
Table 9.11-2

Regulating Plan Areas
Franklin Avenue Re-Urbanization Zone

| Specific Development Standards by Area | Franklin Re-Urbanization General | Franklin Ave East | Prairie Loop Boulevard East | Hospital Street | King Street North |
|--|--|--|--|--|--|
| Parking Siting | | | | | |
| Structured Parking Setback | Same as primary building setback. Must comply with Building Frontage requirements. | Same as primary building setback. Must comply with Building Frontage requirements. | Same as primary building setback. Must comply with Building Frontage requirements. | Same as primary building setback. Must comply with Building Frontage requirements. | Same as primary building setback. Must comply with Building Frontage requirements. |
| Street-facing Surface Parking Lot Setback | See Landscape Frontage Types | Street-facing surface parking is not permitted | See Landscape Frontage Types | See Landscape Frontage Types | See Landscape Frontage Types |
| Side Yard Surface Parking Lot Setback | Min. 1.5 m Min. 0m for attached Buildings and/or shared lots | Side yard surface parking is not permitted | Min. 1.5 m Min. 0m for attached Buildings and/or shared lots | Min. 1.5 m Min. 0m for attached Buildings and/or shared lots | Min. 1.5 m Min. 0m for attached Buildings and/or shared lots |
| Frontage Requirements | | | | | |
| Minimum Building or Landscape Frontage Along Street-facing Build-To Line | 100% | 100% | 100% | 100% | 100% |
| Building and Landscape Frontage Types Permitted | Linear Forecourt Porch/Stoop /Terrace Wrap Landscape Low Wall and Trellis Urban Wall or Fence Landscape Setback | Linear Forecourt Porch/Stoop /Terrace Wrap Landscape Low Wall and Trellis | Linear Forecourt Porch/Stoop /Terrace Wrap Landscape Low Wall and Trellis Urban Wall or Fence Landscape Setback | Linear Forecourt Porch/Stoop /Terrace Wrap Landscape Low Wall and Trellis Urban Wall or Fence Landscape Setback | Linear Forecourt Porch/Stoop /Terrace Wrap Landscape Low Wall and Trellis Urban Wall or Fence Landscape Setback |

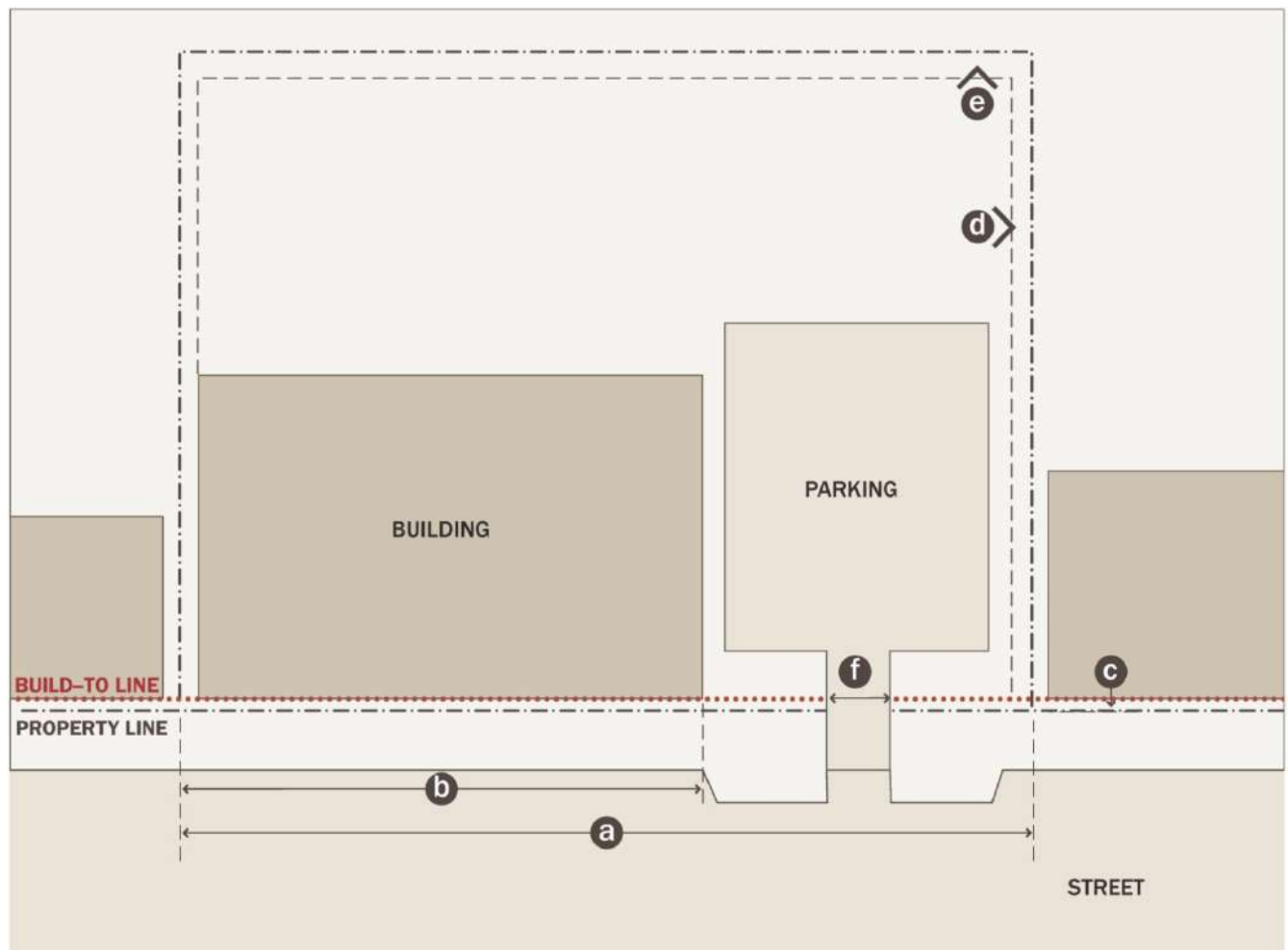
9.11.3 Development Standards Illustrations

Figure 9.11.3-1 Through Block Pedestrian Connection



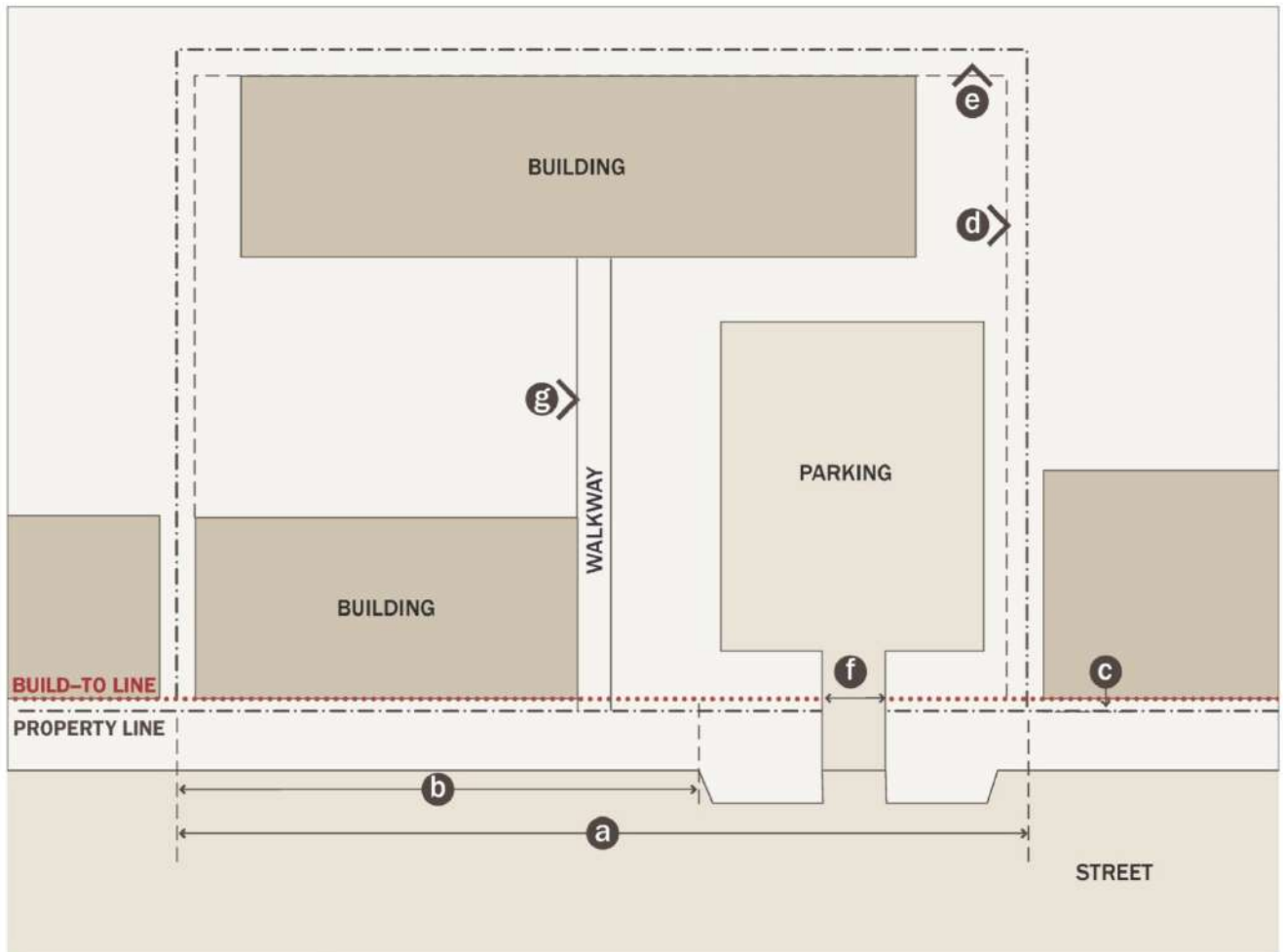
- a** Through Block Connection required on block faces longer than 140 linear metres
- b** Through Block Connection

Figure 9.11.3-2 Building Siting



- a** Total street-facing frontage along the Build-To Line
- b** Minimum Building or Landscape Frontage
- c** Build-To Line distance from the Property Line. The building or parking lot screening front setback is determined by the Building or Landscape Frontage Type
- d** Side yard setback determined by the Table of Specific Development Standards
- e** Rear yard setback determined by the Table of Specific Development Standards
- f** Maximum driveway width determined by the Table of Specific Development Standards

Figure 9.11.3-3 Building Siting for Buildings at the Rear of a Lot



9.11.4 Street Types

1. Purpose

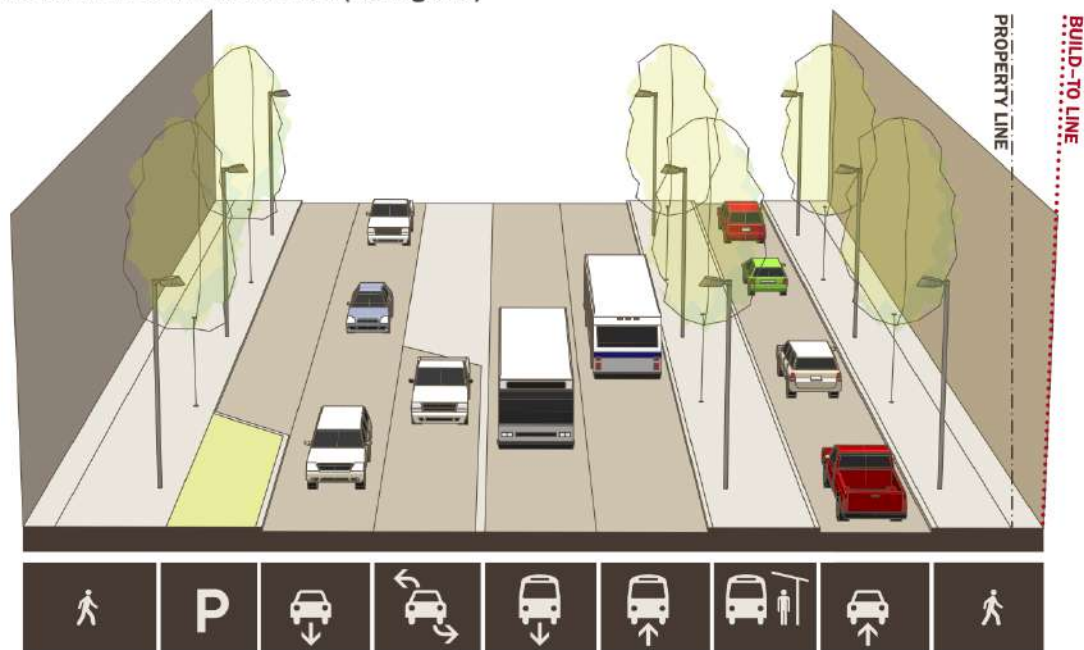
- (a) The purpose of the streetscape standards in this Section is to facilitate each Corridor and Through Block Connection in creating an ordered and well-designed public realm, an inviting environment for pedestrians, and a functional, well connected environment that supports transit-oriented development.

2. General Standards

- (a) Existing and New Street Requirements: Existing and new Streets within the Franklin Avenue Re-Urbanization Zone shall be constructed to meet the standards set out in this section 9.11.4. Each Corridor is named on the Districts and Corridors Map - Appendix 1. The regulations that apply to each Corridor are set out in this section, where the applicable Corridor name is set out in the title of the figure, and the specific standards are set out below the figure.
- (b) Upon Subdivision or Development, the Development Authority may require that, as a condition of issuing a Development Permit the applicant enter into an agreement with the Municipality to construct Public Roads required to provide access to the Development, to the standards set out in this section.
- (c) The exact alignment of New Streets may vary by up to 16 m from the locations shown on the Districts and Corridors Map, provided that they fully connect/intersect with each of the Streets and intersections shown on the map.
- (d) In addition to the mapped Streets (existing and future) illustrated in the Districts and Corridors Map, the Development Authority may require, for any development within a block face longer than 140m block length, the applicant enter into an agreement with the Municipality to provide an additional connection through the block, as illustrated in figure 9.11.3-1. This additional connection may be any one of the permitted Through Block Connections in accordance with this section, and should be located no closer than 15m to an adjacent Street intersection. These new connections should align with other existing Streets or planned new Streets to facilitate the development and continuity of the pedestrian network. **(BL 13/004)**
- (e) Through Block Connections must comply with the Through Block Connection cross section designs in this Section. For Through Block Connections, the Development Authority may require, as a condition of issuing a Development Permit, that the applicant enter into an agreement with the Municipality to construct the Through Block Connection as part of a pedestrian walkway system. See Specific Development Standards for Development Standards for the Through Block Connections.
- (f) The minimum setback from the Front Lot line to the Build-To Line is 1 m along Public Roads designated as Corridors, except Prairie

Loop Boulevard. The minimum setback from the Front Lot line to the Build-To Line is 0m along Prairie Loop Boulevard and Public Roads that are not designated as Corridors. The maximum setback from the Front Lot line to the Build-To Line is 3 m along Public Roads. **(BL 13/004)**

Figure 9.11.4-1 Franklin Avenue East (looking east)

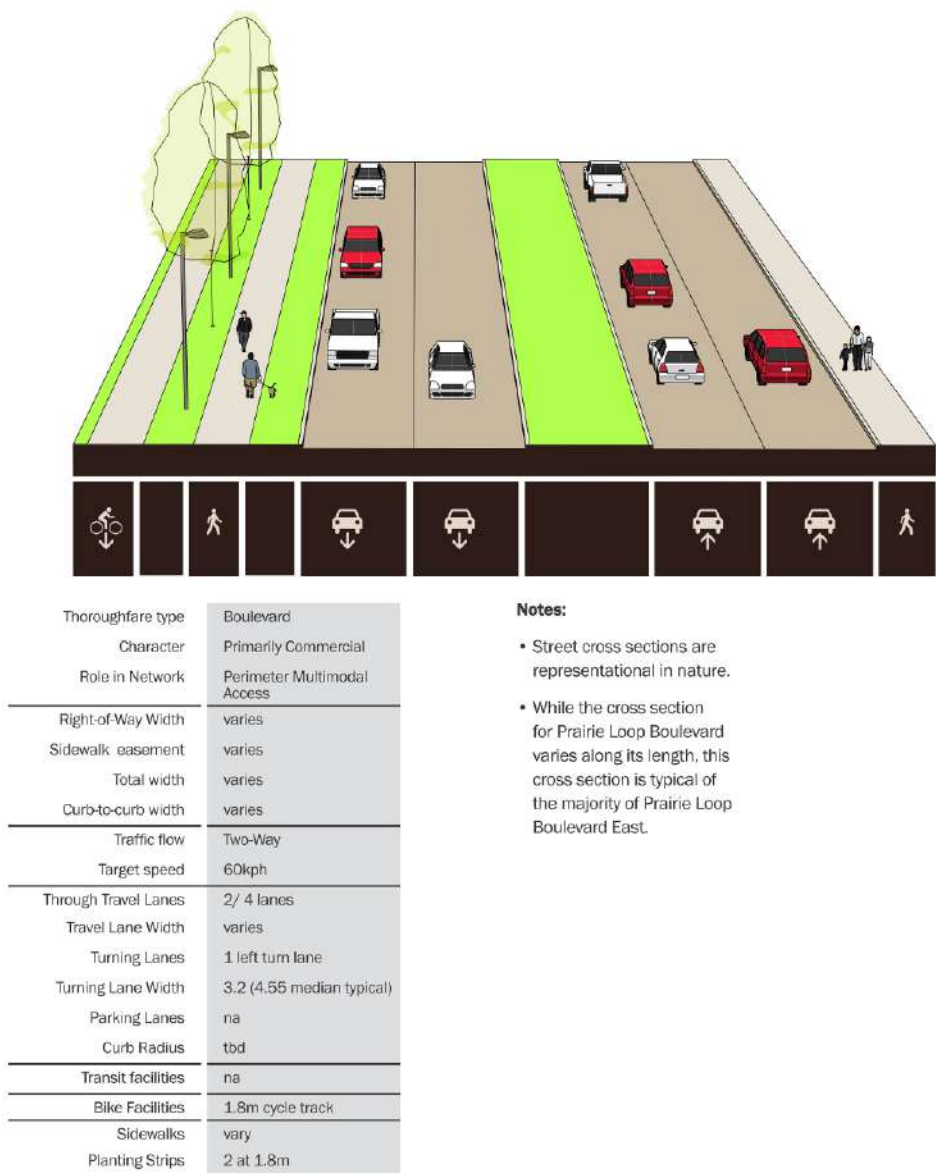


| | |
|----------------------|--|
| Thoroughfare Type | Boulevard |
| Character | Mixed-Use |
| Role in Network | Transit Spine |
| Right-of-Way Width | 30m |
| Sidewalk Easement | 1m – each side of street |
| Total Width | 32m – Build-To Line to Build-To Line |
| Curb-to-Curb Width | 21m |
| Traffic Flow | Two-Way |
| Target Speed | 30kph |
| Through Travel Lanes | 2 |
| Travel Lane Width | 3.5m |
| Turning Lanes | 1 left turn lane |
| Turning Lane Width | 3.5m |
| Parking Lanes | 3m between curb flares (north side only) |
| Curb Radius | tbd |
| Transit Facilities | BRT two lanes |
| Bike Facilities | none |
| Sidewalks | 3.5m, south 4.5m, north (incl. easement)/ 3.5m |
| Planted Boulevard | 3m, where occurs |

Notes:

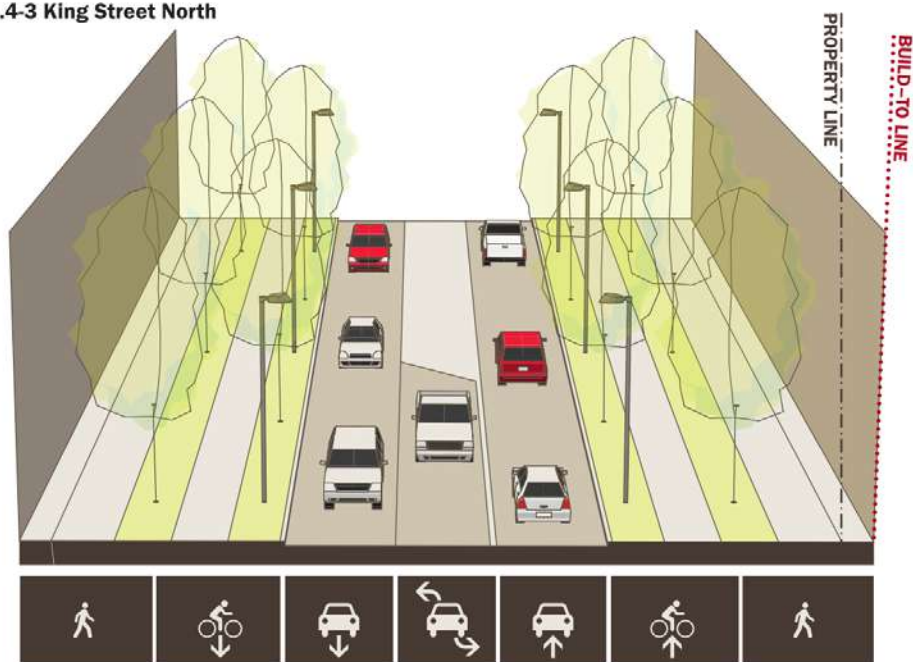
- Within the curb-to-curb width specified, the travel lane configuration may vary at intersections.
- Street cross sections are representational in nature.

Figure 9.11.4-2 Prairie Loop Boulevard East (BL 13/004)



(BL 13/004)

Figure 9.11.4-3 King Street North



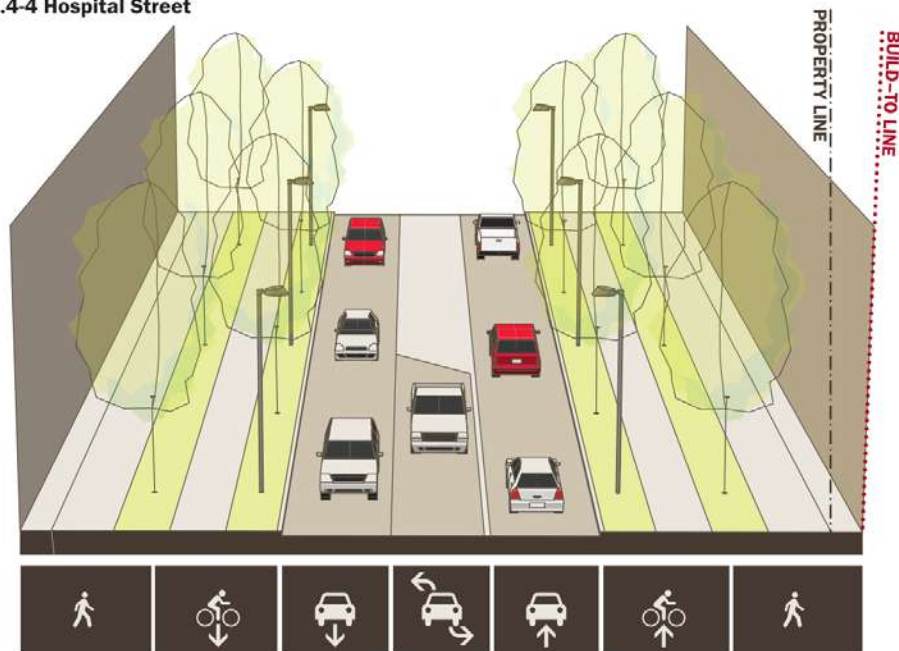
| | |
|----------------------|---|
| Thoroughfare Type | Street |
| Character | |
| Role in Network | |
| Right-of-Way Width | 25m |
| Sidewalk Easement | 1m |
| Total Width | 27m |
| Curb-to-Curb Width | 10.2m |
| Traffic Flow | Two-Way |
| Target Speed | 30kph |
| Through Travel Lanes | 2 |
| Travel Lane Width | 3.5m |
| Turning Lanes | 1 left turn lane |
| Turning Lane Width | 3.2m |
| Parking Lanes | none |
| Curb Radius | tbd |
| Transit Facilities | n/a |
| Bike Facilities | 1.8m cycle track – each side of street |
| Planting Strips | 1.8m – each side of street |
| Sidewalks | 3.0m – each side of street (incl. easement) |
| Planted Boulevard | 1.8m – each side of street at curb |

Notes:

- Within the curb-to-curb width specified, the travel lane configuration may vary at intersections.
- Street cross sections are representational in nature.
- Planted Boulevard and Planting Strip may be interrupted with paved surfaces to provide pedestrian access from parked car to sidewalk.

(BL 13/004)

Figure 9.11.4-4 Hospital Street

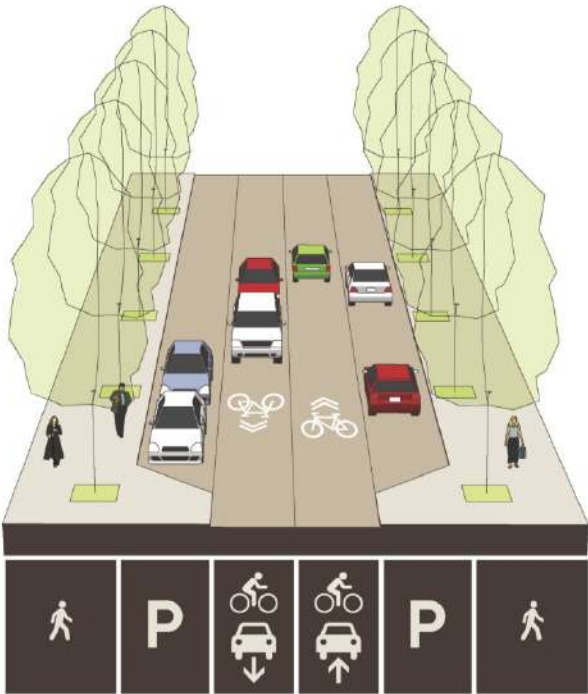


| | |
|----------------------|---|
| Thoroughfare Type | Street |
| Character | |
| Role in Network | |
| Right-of-Way Width | 25m |
| Sidewalk Easement | 1m |
| Total Width | 27m |
| Curb-to-Curb Width | 10.2m |
| Traffic Flow | Two-Way |
| Target Speed | 30kph |
| Through Travel Lanes | 2 |
| Travel Lane Width | 3.5m |
| Turning Lanes | 1 left turn lane |
| Turning Lane Width | 3.2m |
| Parking Lanes | none |
| Curb Radius | tbd |
| Transit Facilities | n/a |
| Bike Facilities | 1.8m cycle track – each side of street |
| Planting Strips | 1.8m – each side of street |
| Sidewalks | 3.0m – each side of street (incl. easement) |
| Planted Boulevard | 1.8m – each side of street at curb |

Notes:

- Within the curb-to-curb width specified, the travel lane configuration may vary at intersections.
- Street cross sections are representational in nature.
- Planted Boulevard and Planting Strip may be interrupted with paved surfaces to provide pedestrian access from parked car to sidewalk.

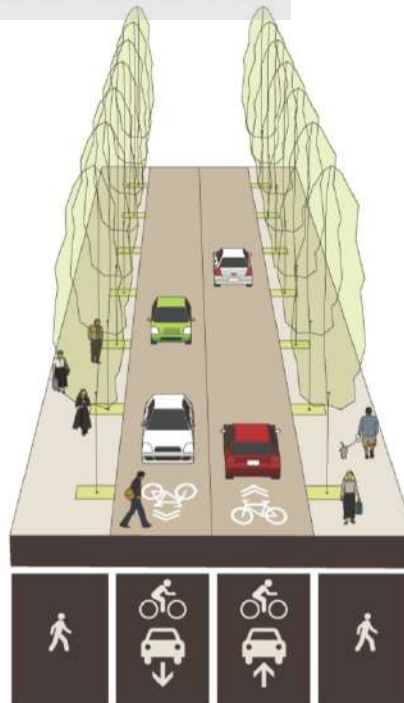
Figure 19.11.4-5 Narrow Street 1 (Through Block Connection)



| | |
|-------------------------------|--|
| Type | Multimodal |
| Character | Mixed-Use |
| Role in Network | Through Block Connection; Emergency Access |
| Right-of-Way Width / Easement | 17.2m - 18.2m |
| Curb-to-curb width | 10m - 11m |
| Travel Lanes | 1.5 - 2 |
| Travel Lane Width | 5m - 6m |
| Parking Lanes | 2.5m between mountable curb flares |
| Bike Facilities | Shared lanes |
| Sidewalks | 3.6m |
| Planting Strips | 1.5m |

- Notes:**
- “Narrow Street 1” may be used as a public or private street or private drive aisle. Private drive aisles are public or private streets on commercial or residential developments which access either buildings or parking areas. These streets are used to improve connectivity and pedestrian access on large development sites, and must connect at both ends to any one of the Street Types listed in this section.
 - Provide landscaping and add pedestrian-scaled lighting to improve safety and attractiveness.
 - Provide a parking lane on either side of the street to support retail, office, and residential developments.

Figure 19.11.4-6 Narrow Street 2 (Through Block Connection)

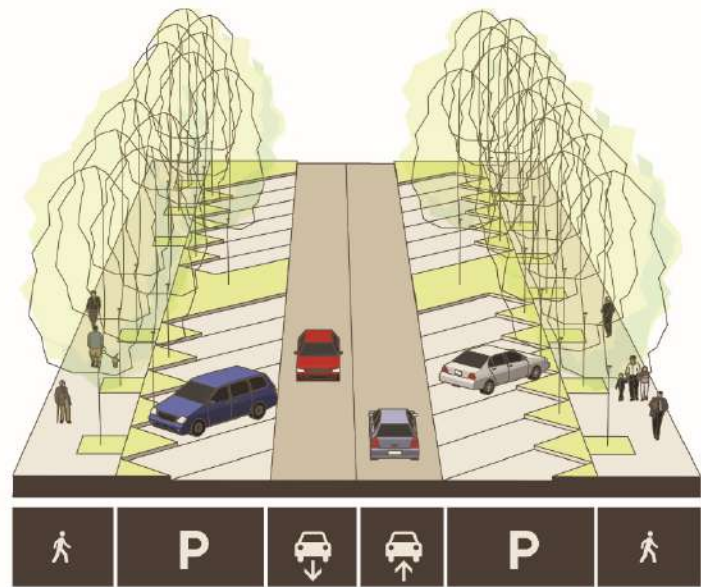


| | |
|-------------------------------|--|
| Type | Multimodal |
| Character | Mixed-Use |
| Role in Network | Through Block Connection; Emergency Access |
| Right-of-Way Width / Easement | 12m |
| Shared lane width | 6.1m (curbs optional) |
| Travel Lanes | 2 |
| Travel Lane Width | na |
| Parking Lanes | none |
| Bike Facilities | Shared lanes |
| Sidewalks | 3m |
| Planting Strips | 1.5m |

Notes:

- “Narrow Street 2” may be used as a private street or drive aisle. Private drive aisles are private streets on commercial or residential developments which access either buildings or parking areas. These streets are used to improve connectivity and pedestrian access on large development sites, and must connect at both ends to any one of the Street Types listed in this section.
- Travel lanes are narrow and travel speeds are slow, to improve pedestrian and bicycle safety and the safety of turning movements.
- Street lighting and landscaping shall be designed at a pedestrian scale.

Figure 9.11.4-7 Parking Street (Through Block Connection)



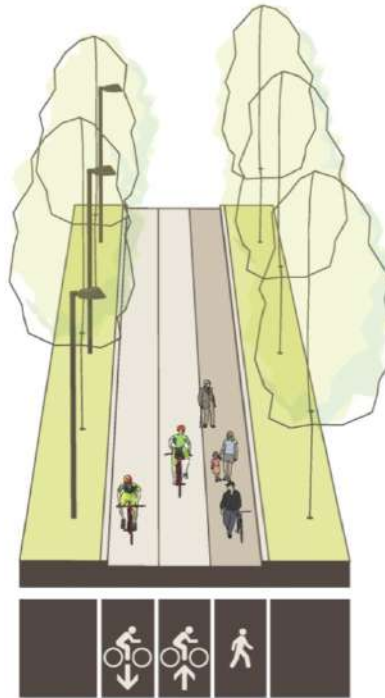
| | |
|-------------------------------|--|
| Type | Multimodal |
| Character | Mixed-Use |
| Role in Network | Through Block Connection; Emergency Access |
| Right-of-Way Width / Easement | 24.4m |
| Curb-to-curb width | 17m |
| Travel Lanes | 2 |
| Travel Lane Width | 3m |
| Parking Lanes | 5.5m |
| Bike Facilities | Shared lanes |
| Sidewalk | 2.0m min |
| Planting Strips | 1.7m min |

Notes:

- “Parking Street” may be used as a public or private street or private drive aisle. Private drive aisles are public or private streets on commercial or residential developments which access either buildings or parking areas. These streets are used to improve connectivity and pedestrian access on large development sites, and must connect at both ends to any one of the Street Types listed in this section.
- Turning movements typically occur from within the main travel lanes; however, short (1 to 2 car-length) turn pockets may be provided at some intersections in lieu of parking on one side of the street.
- Street lighting and landscaping shall be designed at a pedestrian scale.
- The parking street illustration is representational in nature. Landscaping may be provided on one side only, parking may be angled, perpendicular, or parallel, drive lanes may be two way, or one way. While a range of configurations are possible, the parking street should provide a pedestrian corridor, landscaping and access to parking.

(BL 13/004)

Figure 19.11.4-8 Multi-Use Path (Through Block Connection)

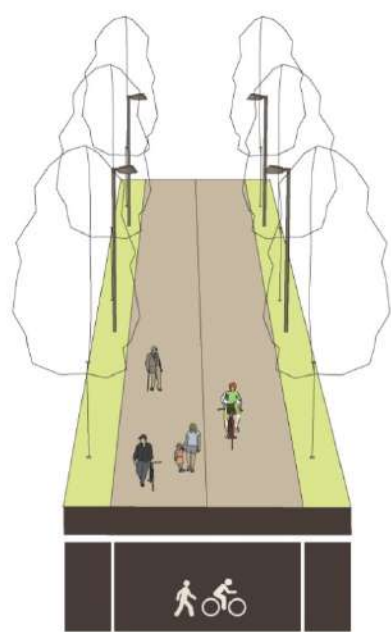


| | |
|-------------------------------|--|
| Type | Bike and Pedestrian Only |
| Character | Mixed-Use |
| Role in Network | Through Block Connection; Emergency Access |
| Right-of-Way Width / Easement | 9.1m |
| Shared lane width | 6.1m (curbs optional) |
| Travel Lanes | na |
| Travel Lane Width | na |
| Parking Lanes | na |
| Bike Facilities | Shared lanes |
| Sidewalks | na |
| Planting Strips | 1.5m |

Notes:

- “Multi-Use Paths” are private pedestrian and bicycle only pathways which cross through large development sites. These pathways are used to improve connectivity and to satisfy the requirement for “Through-Block Connections.” A “Multi-Use Path” shall connect at both ends to any one of the Street Types listed in this section.
- Provide landscaping and add pedestrian-scaled lighting to improve safety and attractiveness.

Figure 19.11.4-9 Lane/Universal Access Street (Through Block Connection)



| | |
|-------------------------------|--|
| Type | Bike and Pedestrian Only |
| Character | Mixed-Use |
| Role in Network | Through Block Connection; Emergency Access |
| Right-of-Way Width / Easement | 9.1m |
| Curb-to-curb width | 6.1m (curbs optional) |
| Travel Lanes | na |
| Travel Lane Width | na |
| Parking Lanes | na |
| Bike Facilities | Shared lanes |
| Sidewalks | 6.1m |
| Planting Strips | 1.5m |

- Notes:**
- Lanes and/or “Universal Access Streets” are private or public multi-use pathways designed for pedestrian and bicycle users, while simultaneously allowing for occasional vehicular access to individual buildings within the same street/alley space.
 - Space shall be provided for landscaping, trees, lighting, and street furniture. These streetscape elements should reinforce the shared nature of these streets.
 - Street lighting and landscaping shall be designed at a pedestrian scale.

9.11.5 Building and Landscape Frontage Types

9.11.5.9 Overview of Building and Landscape Frontage Types

Refer to the Regulating Plan and the Development Standards tables to determine which Building and Landscape Frontage Types are permitted along each Street. Each Street-facing Build-To Line shall comply with the Development Standards listed under the applicable Building and Landscape Frontage Type.

1. Linear Building Frontage

- (a) A Linear Building Frontage, as set out in Figure 9.11.5.1, is characterized by a façade that is built up to the Build-To Line. The Building entrance is at sidewalk grade. Linear Building Frontages have substantial glazing on the Ground Floor, and often provide awnings or canopies cantilevered over the sidewalk. Building entries must either provide a canopy or awning and/or be recessed behind the front Building façade.
- (b) Along Corridors in the Franklin Re-Urbanization Zone, the Linear Building has a minimum Height of 6 m or 2 Storeys.

2. Podium Forecourt Building Frontage

- (a) A Forecourt Building Frontage, as set out in Figure 9.11.5.2, may be created by recessing a portion of the façade for a portion of the Building frontage. The Forecourt Building Frontage should be used in conjunction with the Linear Building Frontage. A Forecourt Building Frontage may be suitable for gardens and/or outdoor seating.
- (b) Along Corridors in the Franklin Re-Urbanization Zone, the Forecourt Building has a minimum Height of 6 m or 2 Storeys.

3. Podium Porch/Stoop/Terrace Building Frontage

- (a) The Setback Building Frontage, as set out in Figure 9.11.5.3, is characterized by a façade which is set behind the Build-To Line and a Building entry Threshold, such as a porch or terrace, set between the Building and the Build-To Line. The Threshold may be elevated above or sunken below grade. The Building entry is accessed from this Threshold. Landscaping may be provided in the setback area between the Building and the sidewalk.
- (b) Along Corridors in the Franklin Re-Urbanization Zone, the Porch/Stoop/Terrace Building has a minimum Height of 2 Storeys or 6 m, and a maximum Height of 6 Storeys or 20 m.

4. Wrap Building Frontage

- (a) The Wrap Building Frontage, as set out in Figure 9.11.5.4, is a façade that forms the perimeter of a large single use Building that occupies an entire block, or most of a block. It can meet the Linear, Forecourt or Porch /Stoop/Terrace frontage requirements. The Wrap Building has a minimum depth of 10m from the Build-To Line. It

has a minimum Height of 2 Storeys or 6 m, and a maximum Height of 6 Storeys or 20 m.

- (b) Along Corridors in the Franklin Re-Urbanization Zone, the Wrap Building has a minimum Height of 2 Storeys or 6m, and a maximum Height of 6 Storeys or 20 m.

5. Landscape Building

- (a) A Landscape Building Frontage, as set out in Figure 9.11.5.5, is set back from the Street-facing Lot line by a wide landscaped strip between the Building and the sidewalk. This frontage type is appropriate along Streets where the existing streetscape may not be conducive to pedestrian-oriented Ground Floor retail or Residential, such as where there is no on-street parking or where Streets are very wide. Ground floor entries must still be provided along and connected to the sidewalk.
- (b) Along Corridors in the Franklin Re-Urbanization Zone the Landscape Building has a minimum Height of 2 Storeys or 6 m, and a maximum Height of 6 Storeys or 20 m.

6. Low Wall and Trellis Landscape Frontage

- (a) As set out in Figure 9.11.5-6, Street-facing Lot lines not occupied by Buildings, driveways, or pedestrian paths must be screened with a low masonry or concrete wall and overhanging trellis structure.

7. Urban Wall or Fence

- (a) As set out in Figure 9.11.5.7, Street-Facing Lot lines not occupied by Buildings, driveways, or pedestrian paths must be screened with an open framework wall or fence of either metal, wood, masonry, or a combination.

8. Landscape Setback

- (a) As set out in Figure 9.11.5.8, Street-facing Lot lines not occupied by Buildings, driveways, or pedestrian paths must be set back behind a planted landscape area consisting of trees, shrubs, and groundcover plants.

9.11.5.10 Medium sized Developments on existing Sites (**BL 13/004**)

- 1. The Building and Landscape Frontage types shall be provided as set out in this Bylaw for Development that meets the lesser of the following criteria:
 - (a) the total cumulative additions or new Buildings on the Site exceeds 30% of the Gross Floor Area of the Building that existed on the Site as of the date of adoption of this Part 9; or
 - (b) additions and/or new Buildings exceed 2,000 m² in Gross Floor Area.
- 2. For Developments greater than 100 m² and less than or equal to 1,000 m² in Gross Floor Area, or where the total cumulative additions and/or new

Buildings on the Site is greater than 5% and less than or equal to 15% of the Gross Floor Area of the Building that existed on the Site as of the date of adoption of this Part 9, the following requirements apply:

- (a) As an exception to providing the Landscape or Building Frontage Type on the entire Site, A Low Wall and Trellis Landscape Frontage or an Urban Fence or Wall Landscape Frontage may be provided along the boundary of surface parking lots or accessory surface parking lots adjacent to streets or adjacent to a through block connection.
3. For Developments between 1,000 m² and 2000 m² in Gross Floor Area, or where the total cumulative additions and/or new Buildings on the Site is between 15% and 30% of the Gross Floor Area of the Building that existed on the Site as of the date of adoption of this Part 9, the following requirements apply:
- (a) As an exception to providing the Building Frontage Type on the entire Site, the Building Frontage Type is only required on the front of the addition and /or new Building; and
 - (b) As an exception to providing the Landscape Frontage Type for the entire Site, the Landscape Frontage Type is only required along the length of the Site along the entire Street frontage faced by the addition and/or new Building; or
 - (c) If the Site is adjacent to a Corridor, as an exception to providing the Landscape Frontage Type for the entire Site, the Landscape Frontage Type is only required along the length of the Site along the Corridor.

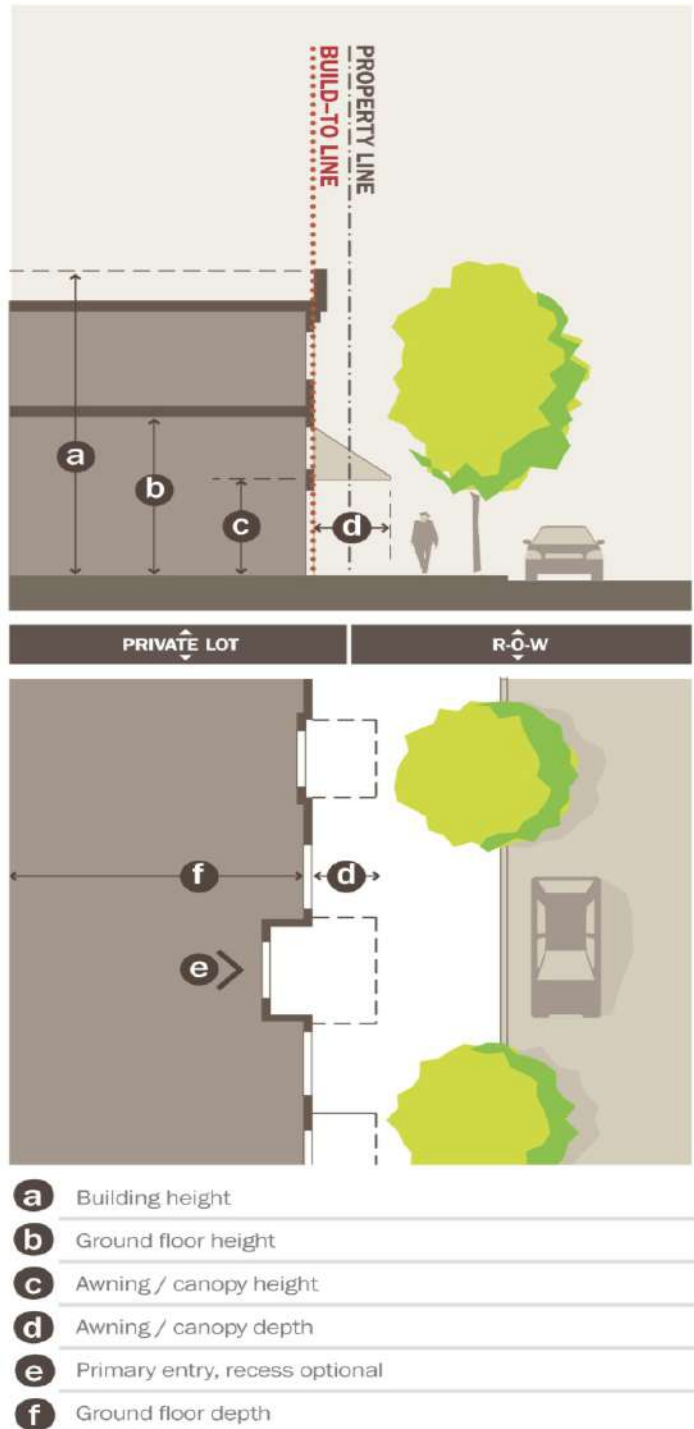
(BL 13/004)

9.11.5.11 Linear Building Frontage

Linear Building Frontages shall conform to Figure 9.11.5-1 and the following standards:

1. Ground Floor height: The Ground Floor must measure a minimum of 4.5 m, floor to ceiling.
2. Minimum Building Height along Corridors: 6m. **(BL 13/004)**
3. Ground Floor. The Ground Floor shall have a minimum depth of 10m.
4. Weather Protection: Awnings or canopies must be provided for a minimum of 50% of the overall Building frontage and must comply with the following:
 - (a) Awnings or canopies must project a minimum of 1.5 m and a maximum of 2.5 m over the sidewalk along a Corridor.
 - (b) Awnings or canopies must project a minimum of 1.0 m and a maximum of 2.5 m over the sidewalk not located along a Corridor.
 - (c) Awnings or canopies must provide a minimum of 2.5 m and a maximum of 4 m of vertical clearance over the sidewalk. **(BL 13/004)**
5. Building Entrances: Building entrances must either be covered by an awning or canopy or be covered by being recessed behind the front Building façade. If only a recessed entry is provided, it must be recessed behind the front façade a minimum of 1m and a maximum of 1.8m.
6. Windows: Transparent Ground Floor windows must be provided along a minimum of 60% of the Ground Floor, Street-facing façade area.
7. Primary Entry Doors: Primary Building entries must face the Street, and a minimum of 40% of each primary entry shall be transparent.

Figure 9.11.5-1 Linear Building Frontage



9.11.5.12 Forecourt Building Frontage

Forecourts shall conform to Figure 9.11.5-2 and the following standards:

1. **Courtyard Setback:** The Courtyard portion of a Forecourt shall be set back from the Primary Street Frontage (and Secondary Street Frontage) Lot line/Principal Building façade a minimum of 3 m and a maximum of 9 m. The Courtyard portion of a Forecourt shall be open to the sky. Courtyards shall be landscaped and/or hardscaped.

2. **Courtyard Length:** The Courtyard portion of a Forecourt shall span a minimum of 6 m along the Primary Street Frontage façade and shall comprise no more than 50% of the Primary Street Building Frontage. Courtyards may also span a minimum of 6m along the Secondary Street Frontage façade and shall comprise no more than 50% of the overall Secondary Street Building Frontage.

3. **Forecourt Frontage:** The Forecourt Frontage shall incorporate the Linear Frontage type for Building faces on the Primary and Secondary Street Frontages that are not part of the Courtyard.

4. **Ground Floor height:** The Ground Floor must measure a minimum of 4.5m, floor-to-ceiling.

5. **Minimum Building Height along Corridors:** 6 m or two Storeys. **(BL 13/004)**

6. **Weather Protection:** Awnings or canopies must be provided for a minimum of 50% of the overall building frontage and must comply with the following: **(BL 13/004)**

(a) Awnings or canopies must project a minimum of 1.5 m and a maximum of 2.5 m over the sidewalk or Courtyard along a Corridor

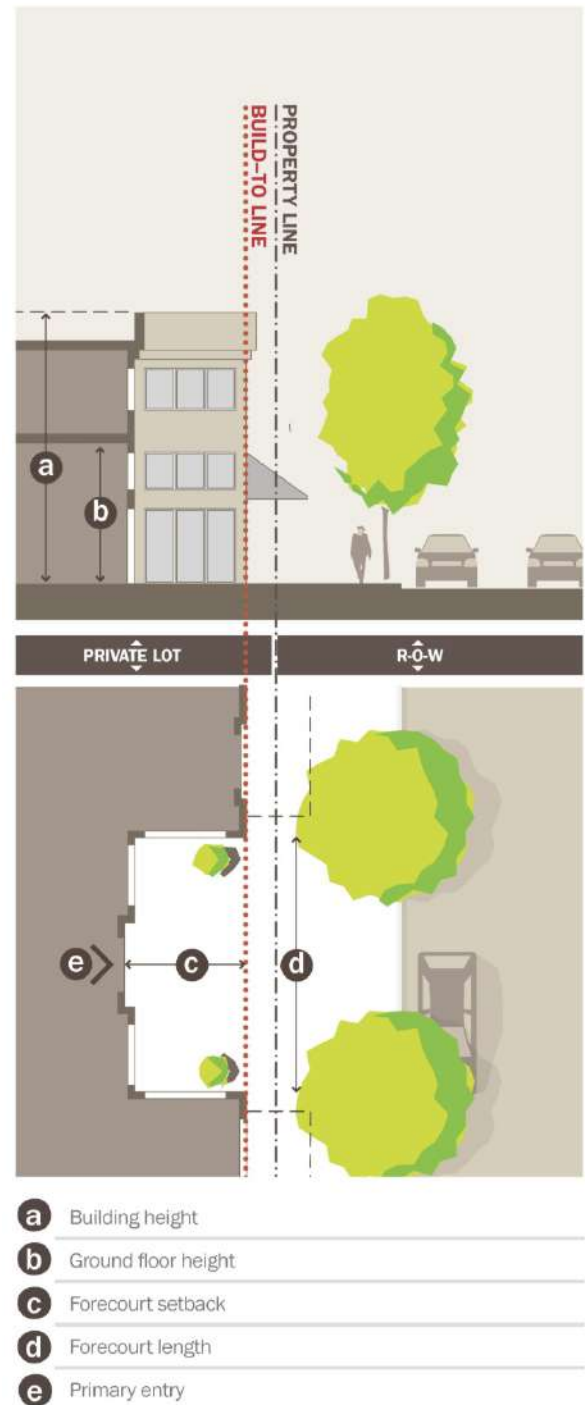
(b) Awnings or canopies must project a minimum of 1.0 m and a maximum of 2.5 m over the sidewalk or Courtyard not located along a Corridor.

(c) Awnings or canopies must provide a minimum of 2.5 m and a maximum of 4 m of vertical clearance over the sidewalk.

(BL 13/004)

7. **Windows:** Transparent windows must be provided along at least 50% of the Courtyard-facing Ground Floor

Figure 9.11.5-2 Forecourt Building Frontage



façade area. See “Linear Frontage” for window requirements for the remainder of the façade.

8. Primary Entry Doors: Primary Building entries must face the Street and/or the Courtyard, and a minimum of 40% of each primary entry shall be transparent.

9. Fences: Fences and walls with pedestrian openings are permitted within the Courtyard setback but may be no greater than 0.9m high and must be a minimum of 20% transparent.

10. Parking: Parking is not allowed in the Courtyard portion of a Forecourt; nor is parking allowed on the Lot between the Building and the Street.

9.11.5.13 Porch/Stoop/Terrace Frontage

Porch/Stoop/Terrace Frontages shall conform to Figure 9.11.5-3 and the following standards:

1. Street-Facing Setback: The Building shall be set back a minimum of 1.5 m and a maximum of 4.5 m from the Build-To Line. The entry Threshold, including a roof over the Threshold, and steps to the Threshold may extend up to the Build-To Line.

2. Threshold Dimensions: The entry Threshold (such as a Porch, Stoop, Terrace, patio, or light court) shall conform with the following minimum standards (note: dimensions may vary from the standards below to accommodate universal access ramps if necessary):

(a) Minimum of 1.5 m depth (clear) from Building façade to front of Threshold.

(b) Minimum 1.8 m width (clear) along the Building façade.

(c) The Threshold height shall be no more than 1.8 m above grade. An additional Threshold may be provided to access a lower level and shall be no more than 1.5 m below grade.

(d) The Threshold shall cover an area of no more than 15 m² per Building entry. **(BL 13/004)**

(e) The entry Threshold may be covered by a roof no larger than the Threshold itself.

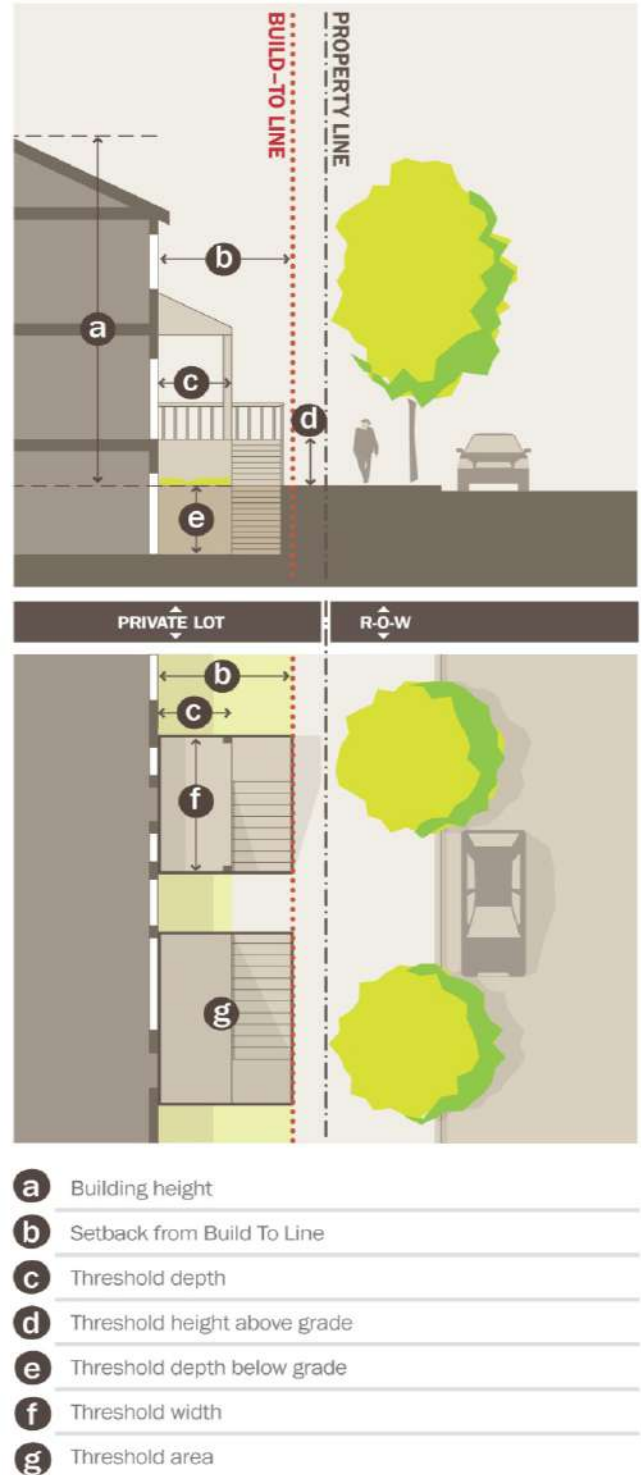
3. Minimum Building Height along Corridors: 6m or 2 Storeys. **(BL 13/004)**

4. Primary Entry Doors: In order to provide adequate “eyes” on the Street, Ground Floor Residential Uses shall provide individual Building entries to individual Residential Dwelling Units. Building entries shall face the Street and be a minimum 10% transparent.

5. Windows: Transparent windows shall be provided along at least 20% of the Street-facing façade area. Windows shall be vertically oriented. Vertical windows may be grouped together to create square or horizontally-oriented rectangular windows.

6. Fences: Fences are permitted within the Primary

Figure 9.11.5-3 Porch/Stoop/Terrace Frontage



Frontage Setback and Secondary Frontage Setback but shall be no greater than 0.9 m high and shall be a minimum of 50% transparent.

7. Landscaping: Landscaping shall be provided in the Primary Frontage Setback and Secondary Frontage Setback. Hardscaping is permitted only to provide access to the Threshold; all other areas shall be planted.

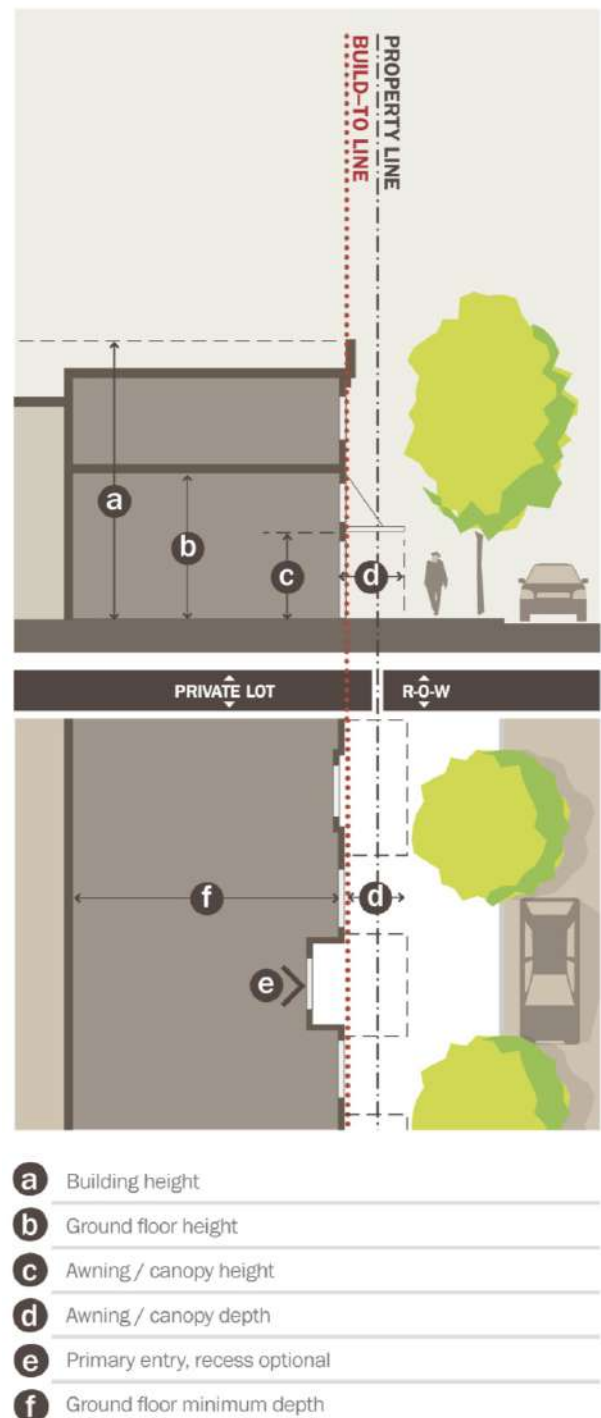
8. Surface Parking: Surface Parking shall not be permitted on the Lot in between the Building and the Street.

9.11.5.14 Wrap Building Frontage

Wrap Buildings shall conform to Figure 9.11.5-4 and the following standards:

1. Frontage Type: The Wrap Frontage shall incorporate the Linear Frontage, the Forecourt Frontage Type or the Porch/Stoop/Terrace Frontage Type standards for Building façades adjacent on the Build-To Line.
2. Minimum Building Height along Corridors: 6 m or 2 Storeys. **(BL 13/004)**
3. Ground floor height: The Ground Floor shall measure a minimum of 4.5 m, floor-to-ceiling.
4. Minimum depth: The Ground Floor shall have a minimum depth of 10 m.
5. Weather Protection: Awnings or canopies must be provided for a minimum of 50% of the overall Building frontage and must comply with the following:
 - (a) Awnings or canopies must project a minimum of 1.5 m and a maximum of 2.5 m over the sidewalk along a Corridor.
 - (b) Awnings or canopies must project a minimum of 1.0 m and a maximum of 2.5 m over the sidewalk not located along a Corridor.
 - (c) Awnings or canopies must provide a minimum of 2.5 m and a maximum of 4 m of vertical clearance over the sidewalk. **(BL 13/004)**
6. Windows: Transparent windows must be provided along at least 50% of the Courtyard-facing Ground Floor façade area.
7. Primary Entry Doors: Primary Building entries must face the Street and/or the Courtyard, and a minimum of 40% of each primary entry shall be transparent.
8. Fences: Fences and walls with pedestrian openings are permitted within the Courtyard setback but may be no greater than 0.9 m in height and must be a minimum of 20% transparent. Fences used to screen parking areas shall follow the Surface Parking Screening Options standards.
9. Parking: Parking is not allowed in the Courtyard portion of a Forecourt; nor is parking allowed on the Lot between the Building and the Street.

Figure 9.11.5-4 Wrap Building Frontage



9.11.5.15 Landscape Building Frontage

1. Landscape Building Frontages shall conform to Figure 9.11.5-5 and the following standards:

Front Setback: The front façade of the Building must be set back from the Street-facing Lot line a minimum of 1m and a maximum of 4.5 m. **(BL 13/004)**

2. Ground Floor height: The Ground Floor shall measure a minimum of 4.5 m, floor-to-ceiling.

3. Minimum Building Height along Corridors: 6 m. **(BL 13/004)**

4. Minimum Building Depth: Buildings must be a minimum of 10 m deep.

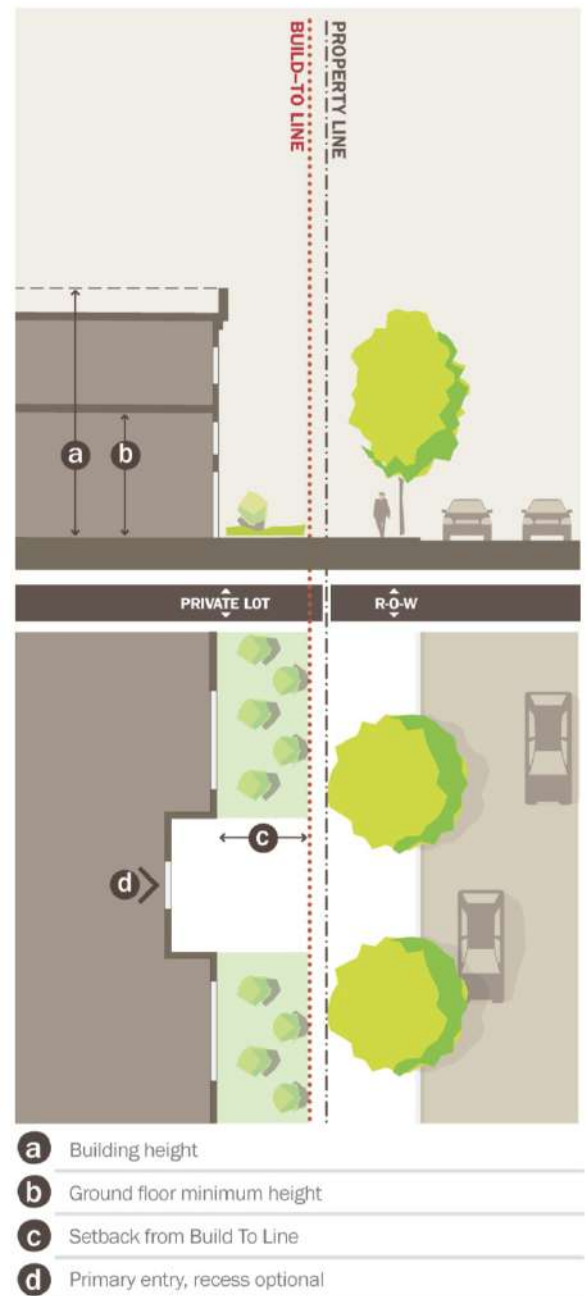
5. Building Entrances: Building entrances must either be covered by an awning or canopy or be covered by being recessed behind the front Building façade. If an awning or canopy is provided, it must provide a minimum vertical clearance of 2.5 m and a maximum clearance of 4.5 m. If only a recessed entry is provided, it must be recessed behind the front facade a minimum of 1m and a maximum of 1.8 m.

6. Windows: Transparent Ground Floor windows must be provided along a minimum of 60% of the Ground Floor, Street-facing façade area.

7. Primary Entry Doors: All Buildings must provide at least one Building entrance that faces the Street and is directly connected to the public sidewalk via a sidewalk measuring a minimum of 1.8 m wide. A minimum of 40% of each primary entry shall be transparent.

8. Service and Utility Equipment: Building service and utility equipment and outdoor storage of garbage and/or recycling is not permitted along the Street-facing Building façade or within the required setback from Build-To Line.

Figure 9.11.5-5 Landscape Building Frontage

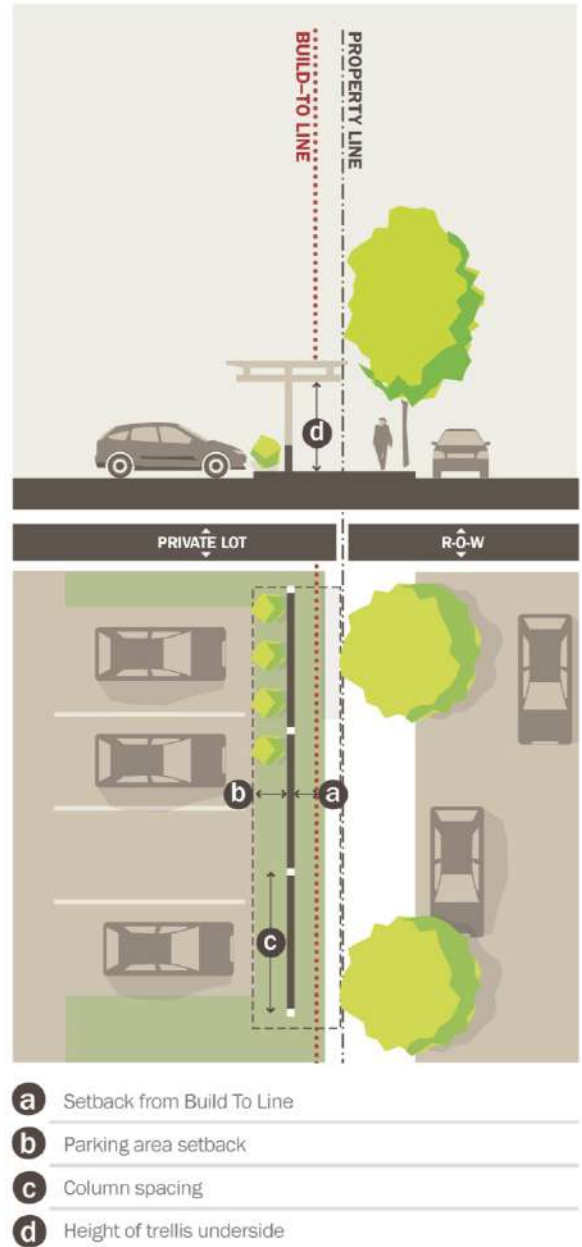


9.11.5.16 Low Wall and Trellis Landscape Frontage

Low Wall and Trellis Landscape Frontage shall conform to Figure 9.11.5-6 and the following standards:

1. Along all public or private Street-facing frontages, surface parking areas shall be screened with a Low Wall and Trellis along the Build-To Line. The Low Wall and Trellis shall be set back a minimum of 0m and a maximum of 1.5 m from the Build-To Line. Any setback area between the sidewalk and the wall shall be planted or paved with stamped concrete or masonry pavers.
2. The underside of the Trellis portion of a Low Wall and Trellis shall be a minimum of 2.4 m above grade and a maximum of 4.1 m above grade. The Trellis shall be heavy timber or steel (or a similar material) and shall consist of open structure with no decking or awning material. The Trellis shall have masonry, heavy timber, or steel (or similar metal) supporting columns spaced no more than 9 m on center.
3. The Low Wall portion of a Low Wall and Trellis shall be a minimum of 0.5 m and a maximum of 0.9 m and have a minimum depth of 0.4 m. The Low Wall shall be wood, masonry, and/or concrete.
4. Surface Parking shall be set back a minimum of 1.0 m from the Low Wall and Trellis. Low shrubs, groundcover, and climbing plants shall be provided in this area.
5. Openings in the Low Wall and Trellis are allowed for pedestrian pathways, sidewalks, plazas, and driveways.

Figure 9.11.5-6 Low Wall and Trellis Landscape Frontage

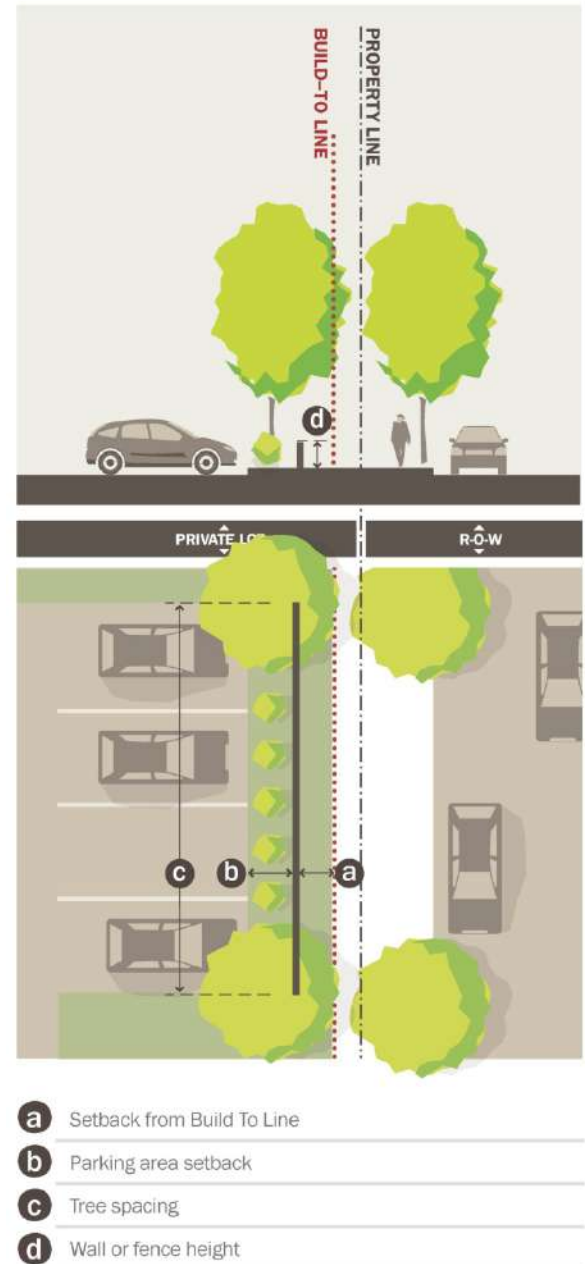


9.11.5.17 Urban Fence or Wall Landscape Frontage

Urban Fence or Wall Screening shall conform to Figure 9.11.5-7 and the following standards:

1. Along all public or private Street-facing frontage, surface parking areas shall be screened with a wall and/or fence along the Build-To Line. Walls shall be wood masonry, and/or concrete; fences shall be made of wrought iron, steel, or a similar material (but not chain-link) and must be dark in color. The fence shall be at least 0.6 m high and no more than 0.9 m high. Fences may be no more than 50% sight obscuring. The wall shall be at least 0.6 m high and no more than 0.9 m high.
2. The Urban Fence or Wall shall be set back a maximum of 1.5 m from the sidewalk. The area between the Urban Fence or Wall shall be hardscaped with either masonry pavers or stamped concrete.
3. The surface parking area shall be set back, at a minimum, an additional 1.5 m to provide room for required landscaping and stormwater infiltration and/or retention.
4. In addition to the required fence or wall, trees and shrubs shall be provided. One large tree is required every 9 linear metres minimum along all public or private Street-facing frontages, except where it is necessary to ensure adequate traffic visibility. The minimum shrub height shall be the same as the height of the wall or fence, and the maximum height shall be no more than 1.8 m.
5. Openings in the Urban Fence or Wall are allowed for pedestrian pathways, sidewalks, plazas, and driveways.
6. Ground cover plants must fully cover any remaining landscaped area between the parking area and the Urban Fence or Wall.

Figure 9.11.5-7 Urban Fence or Wall Landscape Frontage

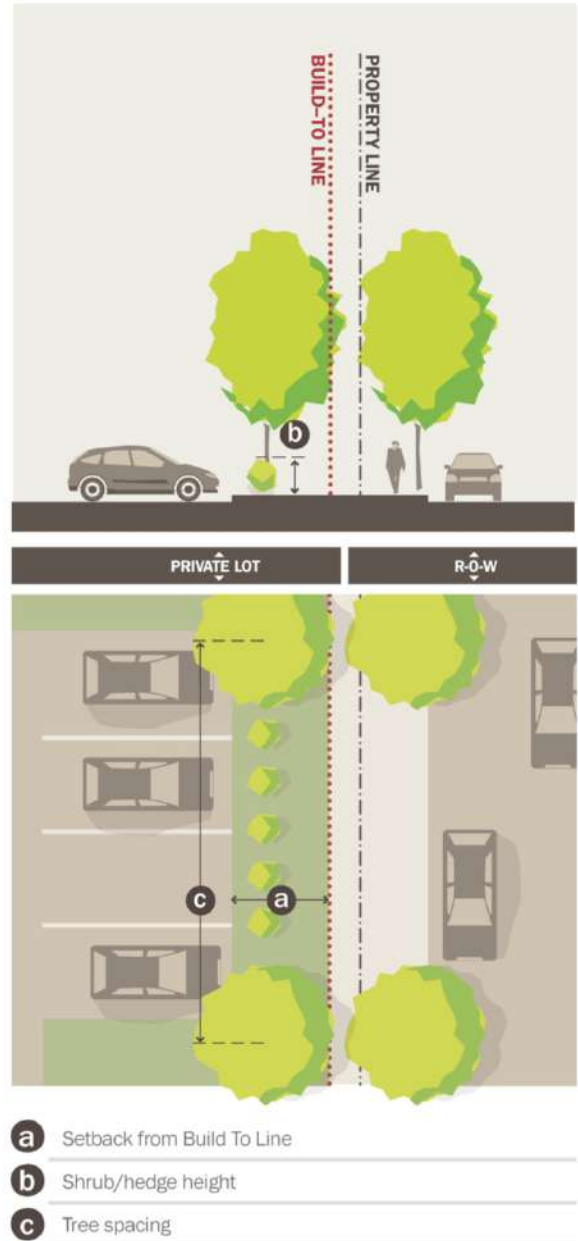


9.11.5.18 Landscape Setback Frontage

Landscape Setback Frontages shall conform to Figure 9.11.5-8 and the following standards:

1. Along all public or private Street-facing frontages, surface parking shall be set back a minimum of 3 m behind the Build-To Line.
2. The surface parking area shall be screened with a continuous row of hedges or shrubs immediately adjacent to the parking area, except where there is a driveway. The shrubs shall be a minimum of 0. m high and must be mostly opaque year round.
3. In addition to the required shrubs, one large tree is required every 9 linear metres minimum along all public or private Street-facing frontages. The shrubs/hedge shall be interrupted with a gap of up to 0.6 m wide in order to accommodate trees.
4. Grass or ground cover plants must fully cover the remainder of the landscaped area between the parking area and the sidewalk.
5. A 0.9 m high masonry wall may be substituted for the shrubs but the trees and groundcover plants are still required.
6. Openings in the Setback are allowed for pedestrian pathways, sidewalks, plazas, and driveways.

Figure 9.11.5-8 Setback Landscape Frontage



9.12 Neighbourhood Stabilization Zone Development Standards (BL 12/013)

9.12.1 General Standards Required for all Development in the Neighbourhood Stabilization Zone.

1. Introduction

- (a) Notwithstanding that it is contained in this Part 9, the development standards and regulations set out in Parts 1 to 8 of this Bylaw apply to the Neighbourhood Stabilization Zone.
- (b) Except as specifically set out in this Section 9.12.1., the standards and regulations set out in this Part 9 do not apply to the Neighbourhood Stabilization Zone.
- (c) The Control of Development regulations set out in section 9.5 of this Part 9, and the City Centre General Regulations set out in section 9.7 of this Part 9, apply to the construction of new Buildings with a Gross Floor Area in excess of 1,000 m² in the Neighbourhood Stabilization Zone, except that the following Districts are exempt from Sections 9.5 and 9.7:
 - (d) LDL-R4 – Longboat Landing District.
 - (e) The standards that apply to the Development on Prairie Loop Boulevard and Franklin Re-Urbanization General set out in table 9.11-1 shall apply to Development in the SR1 South Riverfront District.
 - (f) The standards set out in section 9.11.1 – General Standards Required for All Development in the Franklin Avenue Re-Urbanization Zone, apply to Development in the SR1 South Riverfront District.
 - (g) The standards that apply to the Development on Prairie Loop Boulevard, Franklin Avenue East, and Franklin Re-Urbanization General set out in table 9.11-1 shall apply to Development in the LBL-C Longboat Landing Commercial District. **(BL 14/032)**

2. Dwelling Units Permitted

- (a) For the SR1 South Riverfront District, the maximum number of Dwelling Units permitted is the number of Dwelling Units that can be achieved while complying with the Uses and applicable development standards, which may include but are not limited to, the maximum Height, maximum Floor Area Ratio, Building Frontage type, parking requirements, Permitted Uses and Discretionary Uses, and all other regulations that may apply to the Development.

9.13 Recreation Zone Development Standards (BL 12/013)

9.13.1 General Standards Required for all Development in the Recreation Zone

1. Introduction

- (a) Notwithstanding that it is contained in this Part 9, the development standards and regulations set out in Parts 1 to 8 of this Bylaw apply to the Recreation Zone.
- (b) Except as specifically set out in this section 9.13.1., the standards and regulations set out in this Part 9 do not apply to the Recreation Zone.
- (c) The Control of Development regulations set out in section 9.5 of this Part 9, and the City Centre General Regulations set out in section 9.7 of this Part 9, apply to the construction of new Buildings with a Gross Floor Area in excess of 1,000m² in the Recreation Zone.

2. Dwelling Units Permitted

No Dwellings are permitted in the Recreation Zone.

9.14 Height

- 1. The maximum Height of Buildings is set out in the City Centre Height Map in Appendix 3. On the City Centre Height map:
 - (a) For areas indicated with Height as Up to 3 Storeys, the maximum Height is 3 Storeys.
 - (b) For areas indicated with Height as Up to 5 Storeys, the maximum Height is 5 Storeys.
 - (c) For areas indicated with Height as Up to 10 Storeys, the maximum Height is 10 Storeys.
 - (d) For areas indicated with Height as Up to 15 Storeys, the maximum Height is 15 Storeys.
 - (e) For areas indicated with Height as Up to 25 Storeys, the maximum Height is 25 Storeys.
 - (f) For areas indicated with Height as unlimited, no maximum Height shall apply.

(BL 13/004)

- 2. As an exception to the maximum Heights set out on the City Centre Height Map, in order to create a gateway feature, one tall Building, of unlimited Height, is permitted in each of the following locations:
 - (a) Within 100 m of the Highway 63 Right of Way for Sites fronting on Hardin Street at the intersection of Hardin Street and Highway 63;
 - (b) Within 100 m of the Highway 63 Right of Way for Sites fronting on Morrison Street at the intersection of Morrison Street and Highway 63; and
 - (c) Within 100 m of the Macdonald Drive Right of Way for Sites fronting on Franklin Avenue at the intersection of Franklin Avenue and Macdonald Drive.

3. After one tall Building, higher than the maximum Height set out on the City Centre Height Map, is approved within 100m of the Highway 63 Right of Way for Sites fronting on Hardin Street at the intersection of Hardin Street and Highway 63, no further Buildings that exceed the maximum Height are permitted in this location.
4. After one tall Building, higher than the maximum Height set out on the City Centre Height Map, is approved within 100 m of the Highway 63 Right of Way for Sites fronting on Morrison Street at the intersection of Morrison Street and Highway 63, no further Buildings that exceed the maximum Height are permitted in this location.
5. After one tall Building, higher than the maximum Height set out on the City Centre Height Map, is approved within 100 m of the Macdonald Drive Right of Way for Sites fronting on Franklin Avenue at the intersection of Franklin Avenue and Macdonald Drive, no further Buildings that exceed the maximum Height are permitted in this location.

9.15 Floor Area Ratio

1. The maximum permitted Floor Area Ratio is set out in the City Centre Floor Area Ratio Map - Appendix 2. On the City Centre Floor Area Ratio Map:
 - (a) For areas indicated with a maximum Floor Area Ratio of 5, the maximum Floor Area Ratio is 5.0.
 - (b) For areas indicated with a maximum Floor Area Ratio of 7.5, the maximum Floor Area Ratio is 7.5.
 - (c) For areas indicated with a maximum Floor Area Ratio of 10, the maximum Floor Area Ratio is 10.0.
2. For buildings located within the area identified with a maximum Floor Area Ratio of 10, as shown on the City Centre Floor Area Ratio Map – Appendix 2, the Maximum Floor Area ratio is as follows:
 - (a) For sites greater than 0.3 hectares in area, the maximum Floor Area Ratio is 10.0.
 - (b) For sites less than or equal to 0.3 hectares in area, where an addition is proposed to an existing building that has a floor area ratio of 2.0 or greater, the maximum Floor Area Ratio is 5.0.
 - (c) For sites less than or equal to 0.3 hectares in area, where no building exists or where the existing building has a floor area ratio of less than 2.0, the maximum Floor Area Ratio is 2.0.

(BL 13/004)

3. For buildings located within the area identified with a maximum Floor Area Ratio of 7.5, as shown on the City Centre Floor Area Ratio Map – Appendix 2, the Maximum Floor Area ratio is as follows.
 - (a) For sites greater than 0.3 hectares in area, the maximum Floor Area Ratio is 7.5.

- (b) For sites less than or equal to 0.3 hectares in area, where an addition is proposed to an existing building that has a floor area ratio of 2.0 or greater, the maximum Floor Area Ratio is 5.0.
- (c) For sites less than or equal to 0.3 hectares in area, where no building exists or where the existing building has a floor area ratio of less than 2.0, the maximum Floor Area Ratio is 2.0.

(BL 13/004)

- 4. In cases where Floor Area Ratio boundaries do not follow Lot lines, the Floor Area Ratio that applies to a specific portion of the Site shall be calculated by scaling the area from the City Centre Floor Area Ratio Map and applying the Floor Area Ratio to the portion of the Site scaled from the map. In these cases an averaging of Floor Area Ratios over the Site is not permitted.
- 5. The provisions limiting the maximum Floor Area Ratio to 2.0 for Sites less than or equal to 0.3 hectares in area, as set out in sections 9.15.2 and 9.15.3, do not apply when the City Block Area is less than 0.7 hectares.

(BL 13/004)

9.16 Downtown Major Redevelopment Zone Uses

9.16.1 Permitted and Discretionary Uses **(BL 13/004)**

- 1. The Permitted and Discretionary Uses for each Land Use District in the Downtown Major Redevelopment Zone are set out in Table 9.16-1, and 9.16-2. In the tables, the applicable Land Use Districts are stated at the top of each column, and the types of Permitted or Discretionary Uses at the left end of each row. A Permitted Use is indicated by a solid circle at the intersection of the Land Use District column and the Use row. A Discretionary Use is indicated by an open circle at the intersection of the Land Use District column and the Use row.
- 2. The applicable Land Use Districts are set out in the Regulating Plan: City Centre Districts and Corridors Map, Appendix 1.

Table 9.16-1

Land Use Districts within the Downtown Major Redevelopment Zone

| Land Uses | Land Use Districts | | | |
|--|--|--------------------|---|---|
| | CBD1 – Central Business District | BOR1 - Borealis | SCL1 – Snyeside /Clearwater Core | SCL2 – Snyeside /Clearwater High Density |
| | ● = Permitted Use ○ = Discretionary Use | | | |
| Food and Beverage Commercial | ● | ● | ○ | ○ |
| Institutional and Civic | ● | ● | ● | ● |
| Neighbourhood Commercial | ● | ● | ○ | ○ |
| Office Commercial | ● | ● | | |
| Park | ● | ● | ● | ● |
| Parking Structure | ● | ● | ● | ● |
| Recreation Commercial | ● | ● | ○ | ○ |
| Residential | ● | ● | ● | ● |
| Retail Commercial (<5,000 m ² GFA) | ● | ● | | ○ |
| Retail Commercial, Large Format (>5,000 m ² GFA) | ○ | | | |
| Restricted Commercial | ○ | | | |
| Service Commercial | ○ | | | |
| Tourism Commercial | ● | ● | ● | ● |
| Home Occupation | ● | ● | ● | ● |
| Home Business | ○ | ○ | ○ | ○ |
| Accessory Surface Parking | ○ | ○ | ○ | ○ |
| Accessory Building or Use | ● | ● | ● | ● |

Table 9.16-2

Additional Land Use Districts within the Downtown Major Redevelopment Zone

| Land Uses | Land Use Districts |
|---|---|
| | PR-CC Parks and Recreation City Centre |
| ● = Permitted Use ○ = Discretionary Use | |
| Cemetery | ○ |
| Community Recreation Facility | ○ |
| DELETED (BL 13/004) | |
| Food and Beverage Commercial | ○ |
| Institutional and Civic | ○ |
| Recreation Commercial | ○ |
| Recyclable Materials Drop-Off Centre | ○ |
| Retail Commercial (<5,000 m ² GFA) | ○ |
| Outdoor Recreation Facility | ○ |
| Park | ● |
| Parking Lot/Structure | ● |
| Public Use | ● |
| Public Utility | ● |
| Resort Facility | ○ |
| Accessory Surface Parking | ○ |
| Accessory Building or Use | ● |

9.16.2 Downtown Primary Office Employment Area

1. Within the area designated as Downtown Primary Office Employment Area on the City Centre Districts and Corridors Map, Appendix 1, the following regulations apply:
 - (a) Office Commercial shall be the Principal Use in any Building and shall occupy at least 60% of the Gross Floor Area.
 - (b) Residential, Food and Beverage Commercial, Institutional and Civic, Recreation Commercial, Retail Commercial (<5,000 m² GFA), Neighbourhood Commercial, Restricted Commercial, Service Commercial, and Tourism Commercial, and other uses not defined as Office Commercial will be considered at the discretion of the Development Authority only if secondary to Office Commercial use, where the Gross Floor Area of all these above named uses combined is less than 40% of the Gross Floor Area of the Building.

- (c) Retail Commercial, Large Format (>5,000 m² GFA) is not permitted within the Downtown Primary Office Employment Area.
- (d) Notwithstanding the foregoing, sections 9.16.2.1(a) and 9.16.2.1(b) do not apply to:
 - (i) The Lots within the Downtown Primary Office Employment Area on the lands bounded by Hardin Street, Franklin Avenue, Haineault Street, and Highway 63, if the primary use on the Ground Floor, and the Storey above the Ground Floor, continues to be Retail Commercial, Retail Commercial Large Format, or Food and Beverage Commercial, and these uses form part of a Shopping Centre.
 - (ii) Buildings existing at the date of adoption of this Part 9.
 - (iii) Buildings on Sites that, because of their size, are allowed a Maximum Floor Area Ratio of 2.0.
 - (iv) Buildings constructed to a Floor Area Ratio of 2.0 or less; **(BL 13/004)**
 - (v) Additions of less than 1,000 m² to Buildings existing at the date of adoption of this Part 9; **(BL 13/004)**
- (e) If only a portion of a Building is located within the Downtown Primary Office Employment Area, then:
 - (i) Office Commercial shall be the Principal Use occupying a portion of the Gross Floor Area of the entire Building in an amount equal to:
 - (ii) at least 60% of the Gross Floor Area of the portion of the Building that is located in the Downtown Primary Office Employment Area.

The minimum Office Commercial Use requirement may be met with the amount of Office Commercial Use located throughout the entire Building even though only a portion of the Building is located within the Downtown Primary Office Employment Area. [For example, if 10,000 m² of a 50,000 m² Building projects into the Downtown Primary Office Employment Area, then at least 60% of the 10,000 m² = 6,000 m² shall be Office Commercial in the entire 50,000 m² Building]. **(BL 13/004)**

9.16.3 Snyeside Clearwater Residential Area **(BL 13/004)**

1. Within the Snyeside Clearwater Residential area shown on the City Centre Districts and Corridors map, Appendix 1, the following regulations apply:
 - (a) The R1 Single Detached Residential District regulations shall apply to Sites that meet any one of the following conditions:
 - (i) a Site area of less than or equal to 0.3 hectares; or
 - (ii) a Lot frontage of less than or equal to 50 m; or
 - (iii) a Lot depth of less than or equal to 50 m.

- (b) A Site plan, to the satisfaction of the Development Officer, shall be submitted prior to Development of Sites that meet all of the following conditions:
 - (i) a Site area greater than 0.3 hectares; and
 - (ii) a Lot frontage greater than 50 m; and
 - (iii) a Lot depth greater than 50 m.

The Site plan shall show the ultimate build-out of the entire Site and demonstrate how the overall Development will meet the requirements of this Bylaw. The additional Uses, Heights, and Floor Area Ratios set out in Part 9, beyond those permitted in the R1 Single Detached Residential District, shall not be allowed until a Site plan has been submitted to the satisfaction of the Development Officer, in addition to all other requirements. **(BL 13/004)**

9.16.4 Site Provisions for PR-CC Parks and Recreation City Centre District

1. In addition to the General Regulations contained in Part 5, the following regulations shall apply to every Development in the PR-CC Parks and Recreation City Centre District.
 - (a) Front Yard (minimum): 6.0 m
 - (b) Side Yard (minimum): 6.0 m
 - (c) Rear Yard (minimum): 6.0 m
2. In addition to the above regulations, the development of a float plane base in the PR-CC Parks and Recreation City Centre District is subject to the following:
 - (a) Side Yard, Interior (minimum): 1.2 m
 - (b) Side Yard, Exterior (minimum): 3.0 m
 - (c) Accessory Development may include office Buildings, fuel storage, and maintenance facilities integral to the operation of the base.
 - (d) Notwithstanding Tables 9.16-1 and 9.16-2 even where Accessory to a Principal Use that is a Permitted Use, in all cases, fuel storage shall be considered to be a Discretionary Use.
 - (e) Further to Section 9.16.2.4, the Development Authority may require that any fuel storage be located and developed to the satisfaction of the Development Authority in accordance with Provincial Regulations.

9.17 Franklin Avenue Re-Urbanization Zone Uses **(BL 12/013)**

9.17.1 Permitted and Discretionary Uses **(BL 13/004)**

1. The Permitted and Discretionary Uses for each Land Use District in the Franklin Avenue Re-Urbanization Zone are set out in Table 9.17-1 and 9.17-2. In the tables, the applicable Land Use Districts are stated at the top of each column, and the types of Permitted or Discretionary Uses at the left end of each row. A Permitted Use is indicated by a solid circle at the intersection of the Land Use District column and the Use row. A

Discretionary Use is indicated by an open circle at the intersection of the Land Use District column and the Use row.

2. The applicable Land Use Districts are set out in the Regulating Plan: City Centre Districts and Corridors Map, Appendix 1.

Table 9.17-1

Land Use Districts within the Franklin Avenue Re-Urbanization Zone:

| Land Uses | Land Use Districts | | |
|--|---|---|-------------------------|
| | PRA1 – Prairie West of Queen Mixed Use | PRA2 – Prairie East of Queen Mixed Use | FRA1 – Franklin Core |
| | ● = Permitted Use ○ = Discretionary Use | | |
| Food and Beverage Commercial | ● | ● | ● |
| Institutional and Civic | ● | ● | ● |
| Limited Commercial | ○ | ○ | ○ |
| Office Commercial | ● | ● | ● |
| Park | ● | ● | ● |
| Parking Lot/ Structure | ● | ● | ● |
| Recreation Commercial | ● | ● | ● |
| Residential | ● | ● | ● |
| Restricted Commercial | ○ | ○ | ○ |
| Retail Commercial (<5,000 m ² GFA) | ● | ● | ● |
| Retail Commercial, Large Format (>5,000 m ² GFA) | ● | | ○ |
| Service Commercial | ● | ● | ● |
| Tourism Commercial | ○ | ○ | ● |
| Home Occupation | ● | ● | ● |
| Home Business | ○ | ○ | ○ |
| Accessory Surface Parking | ● | ● | ● |
| Accessory Building or Use | ● | ● | ● |

Table 9.17-2

Additional Land Use Districts within the Franklin Avenue Re-Urbanization Zone

| Land Uses | Land Use Districts | |
|--|--|-------------------------------------|
| | PR-CC – Parks and Recreation City Centre | PS-CC – Public Services City Centre |
| | ● = Permitted Use ○ = Discretionary Use | |
| Apartment Building | | ○ |
| Cemetery | ○ | ○ |
| Community Recreation Facility | ○ | |
| DELETED (BL 13/004) | | |
| Food and Beverage Commercial | ○ | ○ |
| Fuel sales associated with boating facilities (BL 13/004) | | ○ |
| Institutional and Civic | ○ | ● (BL 13/004) |
| Recreation Commercial | ○ | ○ |
| Recyclable Materials Drop-Off Centre | ○ | ○ |
| Retail Commercial (<5,000 m ² GFA) | ○ | ○ |
| Outdoor Recreation Facility | ○ | ● |
| On-site security | ● | ● |
| Park | ● | ● |
| Parking Lot/ Structure | ● | ● |
| Public Use | ● | ● |
| Public Utility | ● | ● |
| Resort Facility | ○ | |
| Accessory Surface Parking | ● | ● |
| Accessory Building or Use | ● | ● |

9.17.2 Site Provisions

- In addition to the regulations contained in Part 5 of this Bylaw, the following regulations shall apply to every Development in the PR-CC Parks and Recreation City Centre District, and the PS-CC Public Services City Centre district.
 - Front Yard (minimum): 6.0 m
 - Side Yard (minimum): 6.0 m
 - Rear Yard (minimum): 6.0 m
- In addition to the above regulations, the development of a float plane base in the PR-CC Parks and Recreation City Centre district is a discretionary use subject to the following: **(BL 13/004)**

- (a) Side Yard, Interior (minimum): 1.2 m
- (b) Side Yard, Exterior (minimum): 3.0 m
- (c) Accessory Development may include office Buildings, fuel storage, and maintenance facilities integral to the operation of the base.
- (d) Notwithstanding Tables 9.17-1 and 9.17-2 even where Accessory to a Principal Use that is a Permitted Use, in all cases, fuel storage shall be considered to be a Discretionary Use.
- (e) Further to Section 9.17.2.d, the Development Authority may require that any fuel storage be located and developed to the satisfaction of the Development Authority in accordance with Provincial Regulations.

9.18 Neighbourhood Stabilization Zone Uses (BL 12/013)

9.18.1 Permitted and Discretionary Uses (BL 13/004)

1. The applicable Land Use Districts are set out in the land use map incorporated as Appendix A referred to in Part 1 of this Bylaw, except that if a Land Use District is displayed on the City Centre Districts and Corridors Map Appendix 1, then the District on that map shall apply.
2. The Permitted and Discretionary Uses for each Land Use District in the Neighbourhood Stabilization Zone are set out in Part 6 of this Bylaw, except for those applicable Districts that are displayed on the City Centre Districts and Corridors Map Appendix 1.
3. The Permitted and Discretionary Uses for the applicable Land Use Districts in the Neighbourhood Stabilization Zone are set out in Table 9.18-1. In the table, the applicable Land Use Districts are stated at the top of each column, and the types of Permitted or Discretionary Uses at the left end of each row. A Permitted Use is indicated by a solid circle at the intersection of the Land Use District column and the Use row. A Discretionary Use is indicated by an open circle at the intersection of the Land Use District column and the Use row.

Table 9.18-1 Land Use Districts within the Neighbourhood Stabilization Zone (BL 14/032)

| Land Uses | Land Use Districts | |
|--|----------------------|------------------------------------|
| | SR1 South Riverfront | LBL-C Longboard Landing Commercial |
| | ● = Permitted Use | ○ = Discretionary Use |
| Food and Beverage Commercial | | ● |
| Institutional and Civic | ○ | ○ |
| Live-Work | | ○ |
| Office Commercial | ● | |
| Secondary Office Commercial | | ● |
| Park | ● | |
| Parking Lot/ Structure | ● | ● |
| Residential | ● | ● |
| Retail Commercial (<5,000m ² GFA) | ● | ● |
| Home Occupation | ● | ● |
| Home Business | ○ | ○ |
| Accessory Surface Parking | ● | ● |
| Accessory Building or Use | ○ | ○ |

9.19 Recreation Zone Uses and Regulations (BL 12/013)

9.19.1 Permitted and Discretionary Uses (BL 13/004)

1. The Permitted and Discretionary Uses for each Land Use District in the Recreation Zone are set out in Table 9.19-1. In the table, the applicable Land Use Districts are stated at the top of each column, and the types of Permitted or Discretionary Uses at the left end of each row. A Permitted Use is indicated by a solid circle at the intersection of the Land Use District column and the Use row. A Discretionary Use is indicated by an open circle at the intersection of the Land Use District column and the Use row.
2. The applicable Land Use Districts are set out in the Regulating Plan: City Centre Districts and Corridors Map, Appendix 1.

Table 9.19-1

Land Use Districts in Recreation Zone

| Land Uses | Land Use Districts |
|---|--|
| | RIVF - Riverfront |
| | ● = Permitted Use ○ = Discretionary Use |
| Community Recreation Facility | ○ |
| DELETED (BL 13/004) | |
| Food and Beverage Commercial | ○ |
| Fuel sales associated with boating facilities (BL 13/004) | ○ |
| Institutional and Civic | ○ |
| Recreation Commercial | ○ |
| Retail Commercial (<5,000m ² GFA) | ○ |
| Outdoor Recreation Facility | ● |
| Park | ● |
| Parking Lot and Parking Structure | ● |
| Public Use | ● |
| Public Utility | ● |
| Accessory Surface Parking | ○ |
| Accessory Building or Use | ● |

9.19.2 Site Provisions

1. In addition to the regulations contained in Part 5 of this Bylaw, the following standards shall apply to every Development in the RIVF Riverfront district:
 - (a) Front Yard (minimum): 6.0 m
 - (b) Side Yard (minimum): 6.0 m
 - (c) Rear Yard (minimum): 6.0 m
 - (d) Building Height (maximum): 12.2 m for principal Building.
2. In addition to the above regulations, the development of a float plane base in the RIVF Riverfront district is a discretionary use subject to the following: **(BL 13/004)**
 - (a) Side Yard, Interior (minimum): 1.2 m
 - (b) Side Yard, Exterior (minimum): 3.0 m
 - (c) Building Height (maximum): 6.0 m for principal Building
 - (d) Accessory Development may include office Buildings, fuel storage, and maintenance facilities integral to the operation of the base.
 - (e) Notwithstanding Table 9.19-1 even where Accessory to a Principal Use that is a Permitted Use, in all cases, fuel storage shall be considered to be a Discretionary Use.

- (f) Further to Section 9.19.2.e, the Development Authority may require that any fuel storage be located and developed to the satisfaction of the Development Authority in accordance with Provincial Regulations.

9.20 PARKING AND LOADING

9.20.1 Parking and Loading Facilities

1. Notwithstanding the provisions of Part 7 of this Bylaw pertaining to parking and loading requirements, each Development in any District in this Part shall provide vehicular and Bicycle Parking in accordance with Table 9.20-1 Number of On-site Parking Stalls Required, and Table 9.20-2 - Number of Bicycle Parking Spaces Required.
2. For specific uses set out in Part 7 that do not appear in this section 9.20, the parking requirements in Part 7 shall prevail. **(BL 13/004)**
3. In Table 9.20-1 The word 'Arena Spectator Seating and Floor Area', for which 0 parking spaces are required, only includes the spectator seating and the general floor area used by patrons; it does not include any Retail Uses, Food Service / Restaurant, Offices, Hotels, Commercial uses, or other uses that may be included as part of the Arena structure. These other uses are required to provide parking as set out in Table 9.20-1.

(BL 13/004)

9.20.2 Vehicular Parking

1. A Parking Structure that is part of the Building Podium shall be screened in a way that does not disrupt the continuity of the Street Wall and the character of the District. Screens may include, but are not limited to, public art and Street fronting Retail uses.
2. A Parking Structure developed below grade shall be permitted to be built to the Lot line.
3. Surface Parking Lots:
 - (a) The storage of materials inclusive of accumulated snow on non-Accessory Surface Parking Lots shall be in a location away from the Public Road to improve safety and visibility; and
 - (b) Lighting for the non-Accessory surface Parking Lots shall be a minimum of 6 LUX.

9.20.3 Access

1. Driveway ramps for underground Parking Structures shall not exceed a slope of 6% for the first 4.5m from the Lot line, or as may be prescribed by the Engineering Department of the Municipality from time to time.
2. For Residential, Hotel, and Institutional Uses, passenger drop-off areas and lay-bys may be located within the Front Setback, provided there is adequate space available and that sidewalk continuity is maintained to the satisfaction of the Engineering Department.

Table 9.20-1 - Number of On-Site Parking Stalls Required

| Residential Uses | | |
|---|---|--------------------------------|
| | Number of Required Parking Spaces by Zone | |
| Land Use Accommodation: | DRZ | FRZ; NSZ AND RZ (BL 13/004) |
| Bachelor Suite | | |
| Minimum parking requirement per unit | 0.5 | 0.5 |
| Maximum parking requirement per unit | 1 | 1 |
| 1 Bedroom Dwelling Unit | | |
| Minimum parking requirement per unit | 0.5 | 1 |
| Maximum parking requirement per unit | 1 | 1.5 |
| 2 Bedroom Dwelling Unit | | |
| Minimum parking requirement per unit | 1 | 1 |
| Maximum parking requirement per unit | 1.5 | 1.5 |
| 3 or more Bedroom Dwelling Unit | | |
| Minimum parking requirement per unit | 1 | 1 |
| Maximum parking requirement per unit | 2 | 2 |
| Cottage Cluster Residential (BL 13/004) | | |
| Minimum parking requirement per unit | 1 | 1 |
| Maximum parking requirement per unit | 1.5 | 1.5 |
| Secondary Suite (BL 13/004) | | |
| Minimum parking requirement per unit | 1 | 1 |
| Maximum parking requirement per unit | 1.5 | 1.5 |
| Visitor Parking | | |
| Minimum parking requirement per unit | 1.0 per 10 units | 1.0 per 10 units |
| Maximum parking requirement per unit | 1.0 per 5 units | 1.0 per 5 units |
| <i>Legend: DRZ - Downtown Major Redevelopment Zone</i> <i>FRZ – Franklin Avenue Re-Urbanization Zone</i> <i>NSZ – Neighbourhood Stabilization Zone (BL 13/004)</i> <i>RZ – Recreation Zone (BL 13/004)</i> | | |

| Non-Residential Uses | | |
|---|---|---|
| | Number of Required Parking Spaces by Zone | |
| Land Use | DRZ | FRZ; NSZ AND RZ (BL 13/004) |
| Food Service / Restaurant | | |
| Minimum parking space requirement | 1.0 per 100 m ² Public Floor Area | 1.0 per 100 m ² Public Floor Area |
| Maximum parking space requirement | 1.0 per 3.5 m ² Public Floor Area (BL 13/004) | 1.0 per 3.5 m ² Public Floor Area (BL 13/004) |
| Hotel | | |
| Minimum parking space requirement | 0.5 per guest room plus additional stalls in accordance with the parking requirements in this Part | 1.0 per guest room plus additional stalls in accordance with the parking requirements in this Part |
| All Retail Uses (goods and services) under 5,000 m ² GFA | | |
| Minimum parking space requirement | 1.0 per 100 m ² GFA | 1.0 per 100 m ² GFA |
| Maximum parking space requirement | 2.0 per 100 m ² GFA | 4.0 per 100 m ² GFA |
| Large Format Retail (5,000 m ² GFA and greater) | | |
| Minimum parking space requirement | 1.0 per 100 m ² GFA | 1.0 per 100 m ² GFA |
| Maximum parking space requirement | 4.0 per 100 m ² GFA | 4.0 per 100 m ² GFA |
| Shopping Centre | | |
| Minimum parking space requirement | 1.0 per 100 m ² GFA | 1.0 per 100 m ² GFA |
| Maximum parking space requirement | 4.0 per 100 m ² GFA | 4.0 per 100 m ² GFA |
| Offices / Professional Services | | |
| Minimum parking space requirement | 1.4 per 100 m ² GFA | 1.4 per 100 m ² GFA |
| Maximum parking space requirement | 2.8 per 100 m ² GFA | 2.8 per 100 m ² GFA |
| Elementary / Junior High Schools | | |
| Minimum parking space requirement | 1.4 per classroom, plus auditorium requirements set out below (BL 13/004) | 1.4 per classroom, plus auditorium requirements set out below (BL 13/004) |
| Senior High School | | |
| Minimum parking space requirement | 1.4 per classroom, plus 1.0 per 12 student capacity, plus auditorium requirements set out below (BL 13/004) | 1.4 per classroom, plus 1.0 per 12 student capacity, plus auditorium requirements set out below (BL 13/004) |
| College / University | | |
| Minimum parking space requirement | 1.0 per 12 classroom seats plus auditorium requirements set out below (BL 13/004) | 1.0 per 10 classroom seats plus auditorium requirements set out below (BL 13/004) |

| Non-Residential Uses | | |
|--|--|--|
| | Number of Required Parking Spaces by Zone | |
| Land Use | DRZ | FRZ; NSZ AND RZ (BL 13/004) |
| Government Services / Library Minimum parking space requirement Maximum parking space requirement | 1.4 per 100 m ² GFA 2.8 per 100 m ² GFA | 1.4 per 100 m ² GFA 2.8 per 100 m ² GFA |
| Hospital Minimum parking space requirement | 1.0 per bed | 1.0 per bed |
| Nursing Home / Congregate Care Minimum parking space requirement | 0.2 per bed | 0.2 per bed |
| Church Minimum parking space requirement Maximum parking space requirement | 5 per 100 m ² GFA 10 per 100 m ² GFA | 5 per 100 m ² GFA 10 per 100 m ² GFA |
| Auditorium / Conference Centre / Exhibition Hall (BL 13/004) Minimum parking space requirement Maximum parking space requirement | 1 space per 10 seats or 1 per 5 m ² of floor area used by patrons, whichever is less 1 space per 3.5 seats or 1 per 3 m ² of floor area used by patrons, whichever is greater | 1 space per 10 seats or 1 per 5 m ² of floor area used by patrons, whichever is less 1 space per 3.5 seats or 1 per 3 m ² of floor area used by patrons, whichever is greater |
| Arena Spectator Seating and Floor Area (BL 13/004) Minimum parking space requirement Maximum parking space requirement | 0 parking spaces (no minimum is required) 1 space per 3.5 seats or 1 per 3 m ² of floor area used by patrons, whichever is greater | 0 parking spaces (no minimum is required) 1 space per 3.5 seats or 1 per 3 m ² of floor area used by patrons, whichever is greater |
| <i>Legend: DRZ - Downtown Major Redevelopment Zone FRZ – Franklin Avenue Re-Urbanization Zone NSZ – Neighbourhood Stabilization Zone (BL 13/004) RZ – Recreation Zone (BL 13/004)</i> | | |

9.20.4 Number of Bicycle Spaces Required

1. In addition to the required vehicular parking, Bicycle Parking shall be provided in accordance with Table 9.20.2.

9.20.5 Size and Location of Bicycle Parking Facilities

1. Each Bicycle Parking space shall be a minimum of 0.6 m in width with a minimum clear length of 1.8 m. Bicycle Parking spaces shall have a vertical clearance of at least 2.0 m.
2. Required Bicycle Parking spaces shall be wholly provided on the same Site as the Development for which the Bicycle Parking is being provided.
3. Adequate access to and exit from individual Bicycle Parking spaces shall be provided with an aisle of not less than 1.5 m in width, to be provided and maintained beside or between each row of Bicycle Parking.
4. Required Bicycle Parking spaces and accesses shall be located on hard paved surfaces.
5. Bicycle Parking shall be separated from vehicular parking by a physical barrier or a minimum 1.5 m of open space.
6. Bicycle Parking spaces shall be visibly located where possible and provided in one or more of the following ways:
 - (a) Secure bicycle storage rooms, lockers, racks, railings or other such device inside the Building, preferably at the ground level;
 - (b) Secure bicycle storage rooms, lockers, racks, railings or other such device in any Accessory Parking Structure or surface Parking Lot; or
 - (c) Within any Yard of a Site but not more than 15.0 m from a principal entrance of the Building.
7. Where Bicycle Parking is not visibly located on Site, directional signage shall be displayed indicating its location.
8. All Bicycle Parking spaces shall be situated to maximize visibility so as to discourage theft and vandalism, and shall be illuminated.

9.20.6 Off Site Parking in City Centre Special Area (**BL 13/004**)

Notwithstanding Section 130.5(a) of Part 7, in the City Centre Special Area, except for Residential uses, the Development Authority may allow for the provision of required parking stalls on a site other than the proposed development site provided that the following conditions are met:

1. the alternative site is within 180 m of the approved use, and can be secured for a time period equal to that of the approved use;
2. there is a convenient walkway from the off-site parking to the development that is the subject of the development permit application;
3. the owner of the development proposing to use an off-site parking space has ownership and control of the site where the parking is proposed and has dedicated the site to parking for the benefit of the development in question.

In such cases, a condition of the development permit for the development may require that a restrictive covenant or caveat be registered against the title to the site on which parking spaces are located. The restrictive covenant or caveat shall stipulate that the parking spaces shall be maintained exclusively for the parking requirements of the development. The

restrictive covenant or caveat may only be discharged with the Development Authority's approval.

Table 9.20-2 - Number of Bicycle Parking Spaces Required

| Land Use: | Number of Required Bicycle Parking Spaces by Zone | |
|--|--|--|
| | DRZ | FRZ |
| All Residential Uses of 20 Dwellings or more. | 10% of the number of vehicular parking spaces required under Table 9.20-1 to a maximum of 50 Bicycle Parking spaces. | 5% of the number of vehicular parking spaces required under Table 9.20-1 to a maximum of 50 Bicycle Parking spaces |
| All Non-Residential Uses except for Educational Service Facilities | 10% of the number of vehicular parking spaces required under Table 9.20-1, with 5 Bicycle Parking spaces being the minimum to be provided. | 5% of the number of vehicular parking spaces required under Table 9.20-1, with 5 Bicycle Parking spaces being the minimum to be provided. |
| Education Service Facilities | 10% of the number of vehicular parking spaces required under Table 9.20-1, with 5 Bicycle Parking spaces being the minimum to be provided. | 10% of the number of vehicular parking spaces required under Table 9.20-1, with 5 Bicycle Parking spaces being the minimum to be provided. |

9.21 Urban Design Regulations

9.21.1 Fundamental Design Regulations (BL 14/032)

Within the Downtown Major Redevelopment Zone the Franklin Avenue Re-Urbanization Zone, and the Longboat Landing Commercial District (LBL-C) where a Development follows the Fundamental Design Regulations (set out below), the Development Officer may vary the Building and Landscape Frontage types required in section 9.10 and 9.11 and set out in sections 9.10.5 and 9.11.5.

The Fundamental Design Regulations are as follows:

1. High quality public realm. Create a high quality public realm that supports the culture of walking. This means that the pedestrian access is convenient, and the environment is comfortable, memorable and attractive. Streets, Through Block Connections and public spaces work together to provide opportunities for civic, cultural, economic and social activities.
2. Pedestrian-friendly features. Create a pedestrian-friendly environment by orienting façades, entrances, outdoor seating areas, canopies, Landscaping and other features that lend visual interest and a human scale to the Street.
3. Visual and physical connections. Develop visual and physical connections into Buildings' active interior spaces from adjacent sidewalks. Face main entries, lobbies and other pedestrian-oriented Building elements to the sidewalk. Use architectural elements such as atriums, grand entries and large ground-level windows to reveal important interior spaces and activities.
4. Flexible sidewalk-level spaces. Develop flexible spaces at the sidewalk-level of Buildings that can accommodate a variety of active uses.

5. Corners. On corner Lots wrap the façade treatment around the side of the Building to provide a consistent profile facing both Streets.

9.21.2 Special Urban Design Regulations

The regulations in this Section are required for all Development in the Downtown Major Redevelopment Zone and the Franklin Avenue Re-Urbanization Zone. The regulations in this section are also required for Buildings greater than 1,000m² in the Neighbourhood Stabilization Zone and the Recreation Zone. These regulations are applied in addition to the Development Standards for Site design, Street Types, Through Block Connections and Building and Landscape Frontage Types. In conjunction with the other applicable Development Standards, the purpose of these Design Regulations is to ensure achievement of a high quality public realm and Building design.

The Special Urban Design Regulations are as follows:

1. Regulations for high quality public realm
 - (a) Design quality. Plan rights-of-way, Through Block Connections and public open space as if they were outdoor rooms, designed with the same care to circulation, proportion of space, quality of materials, comfort, safety and attractiveness as indoor rooms.
 - (b) Through Block Connection frontage. Orient Building elements such as main entries, lobbies, windows, and balconies to face Through Block Connections and public open space. Create a pedestrian-friendly environment within Through Block Connections and adjoining public spaces by orienting façades, entrances, outdoor seating areas, canopies, Landscaping and other features that lend visual interest and a human scale.
 - (c) Seating opportunities. Include a wide variety of seating opportunities in the design of public open space, including benches, widened windowsills, widened edges of landscape planters, or wide steps. Integrated seating for pedestrians should be oriented to the active edge of the Site, the main entry of the Building, or toward a corner.
 - (d) Through Block Connection weather protection. Develop integrated weather protection systems at the sidewalk-level to mitigate the effects of harsh weather, glare, shadow and reflection on pedestrian environment.
 - (e) Public Art. Consider Including public art that meets a high standard of quality and permanence as part of a through block connection, ensuring that while the public art may be located on private land, it is visible and accessible to the public. Encourage Public Art as an integral part of larger developments and sites. **(BL 13/004)**
2. Regulations for Buildings
 - (a) Quality and permanence. Use design principles, construction techniques and building materials that promote quality, permanence and adaptability in Buildings.

- (b) Location of services and equipment. Building mechanical equipment that produces offensive odours, noise, and/or air movement should be located so as not to negatively impact the pedestrian environment. Incorporate service areas for large vehicle access in a manner that does not detract from the pedestrian environment. These service and equipment areas include loading areas, recycling dumpsters, trash collection and storage areas, and vehicle access locations.
- (c) Pedestrian-scaled signage and lighting. Develop integrated identification, sign, and sidewalk oriented night-lighting systems that offer safety, interest, and diversity to the pedestrian.
- (d) Barrier free access. Integrate access systems for all people with the Building's overall design concept. Ensure barrier-free design features that facilitate movement for all people, such as elevators, lifts, and ramps, are well integrated into the overall design concept.
- (e) Parking Structure design. Orient and screen Parking Structures to minimize exposure and visibility of parking floors along the Street-facing façade. Incorporate materials, colours and façade articulation to de-emphasize the visual difference between Parking Structure screening and habitable space within the same or adjacent Buildings.
- (f) Building location. Locate Buildings to frame the public spaces and Streets, and create strong edges to the outdoor urban realm. Locate Buildings in the perimeter of the block, allowing for Courtyards in the interior.
- (g) Weather protection. Incorporate features like covered sidewalks, walkways and atriums that provide shelter from the extreme cold weather conditions that characterize the local climate.
- (h) Skyline. Design individual Building roofs to create visual interest and to ensure they work together to form a cohesive and attractive skyline. Consider tall Buildings that cluster together, particularly in the Downtown unlimited Height area, the Franklin transit nodes and gateways, as sculptural peaks that mark a specific neighborhood in the City Centre Special Area. These neighborhood markers work together as sculptural features to create a sense of drama, enhance the image of and call attention to the City Centre Special Area as a whole.
- (i) Building rooftops. Design rooftops to contribute positively to the skyline and to establish a signature image for the District and the city as a whole. Locate necessary Building functions such as heating, ventilating and air conditioning systems, elevator penthouses, and other structures such as transmission towers to mitigate visual impacts, and to integrate them into the design of rooftop architecture. Develop rooftops as habitable space to offer special view opportunities from the tops of Buildings.
- (j) Corners. Highlight Building corners by varying Building Heights, changing the façade plane, with large windows, awnings, canopies,

marquees, signs, or pedestrian entrances. Locate flexible sidewalk-level retail opportunities at Building corners.

- (k) Towers. Design and orient Towers to maximize views, sun exposure at the Street level, Through Block Connection and adjoining open space, and to articulate the downtown skyline.
- (l) Podiums. Enhance Podium roofs when they are visible from adjacent Developments through the use of patios, gardens or green roofs.
- (m) Within the SCL 2 areas, encourage development of buildings of various heights to create variation along the skyline in these areas, and to reduce shadow impacts on adjacent parkland. Development of rows of buildings with similar heights in these areas is not encouraged. **(BL 13/004)**

3. Regulations for Specific Streets and Gateways

- (a) MacDonald Avenue. Locate Buildings along MacDonald Avenue to provide a rhythm of fine-grained retail establishments with direct access to the Street that contain numerous shop fronts, entrances, and a variety of textures and Building materials to enhance the pedestrian environment. **(BL 13/004)**
- (b) Gateways. Orient Building and Landscaping features toward designated gateways to identify district entrances and transitions from one Land Use District to another. Building features such as arches, arcades, columns and landscape features such as fountains, planting and sculptural art can be used to define gateways.

9.21.3 The Longboat Landing Commercial Urban Design Regulations **(BL 14/032)**

The regulations in this Section are required for all Development in the Longboat Landing Commercial District. In conjunction with the other applicable Development Standards, the purpose of these Design Regulations is to ensure achievement of a high quality public realm and building design.

The Longboat Landing Commercial Urban Design Regulations are as follows:

1. Site Development Plans

- (a) Development within the LBL-C Land Use Area will orient buildings to minimize 100 % rear exposure of buildings to Prairie Loop Boulevard. Development will incorporate regular access to municipal walkways that are abutting Prairie Loop Boulevard and incorporate design elements such as building articulation every 20.0 m to create visual breaks in the face of buildings abutting Prairie Loop Boulevard.
- (b) In compliance with Part 9 of the Land Use Bylaw the setback along Prairie Loop Boulevard is established as a maximum of 3.00 m and a minimum of 3.00 m, except the parcels identified on the City Centre Floor Area Ratio Map as “Intensification Nodes” where the minimum is setback is 0 m.

- (c) Special paving, landscaping and seating must be provided to create pedestrian interest along Prairie Loop Boulevard and to promote human-scale dimensions.
- (d) Design sites and buildings to improve pedestrian comfort (microclimatic conditions) along Prairie Loop Boulevard and amenity or commercial areas. Encourage use of awnings, canopies, overhangs, colonnades, arcades and landscaping.
- (e) Create an integrated transition between public and private realm (3.00 m front and side yard setbacks) through landscape treatment and site design to facilitate pedestrian movement and interaction resulting in pedestrian walkways and public open spaces.
- (f) Pedestrian-scale lighting must be included in public-private transition areas or as an organizing element in larger surface parking areas; such as low-high lighting bollards and columns.
- (g) Additional tree planting along the curbsides in the boulevard strip between the road and sidewalk is required.

2. Regulations for Building Façade Location and Form

- (a) The design of sites and buildings will contribute to animated streetscapes. Design buildings with articulated building facades facing public streets and publically oriented spaces.
- (b) Any development within the Intensification nodes will have windows directly facing Prairie Loop Boulevard.
- (c) Pedestrian entrances will have a more prevailing and predominant design than the vehicle entrances, to remark human-scale access and composition of façade. Some elements to reach this can be entry porches, colonnades decks, and enhancing materials or colours around the pedestrian entrances.
- (d) Where possible, blank, flat walls will be avoided along street frontages.

3. Intensification Nodes

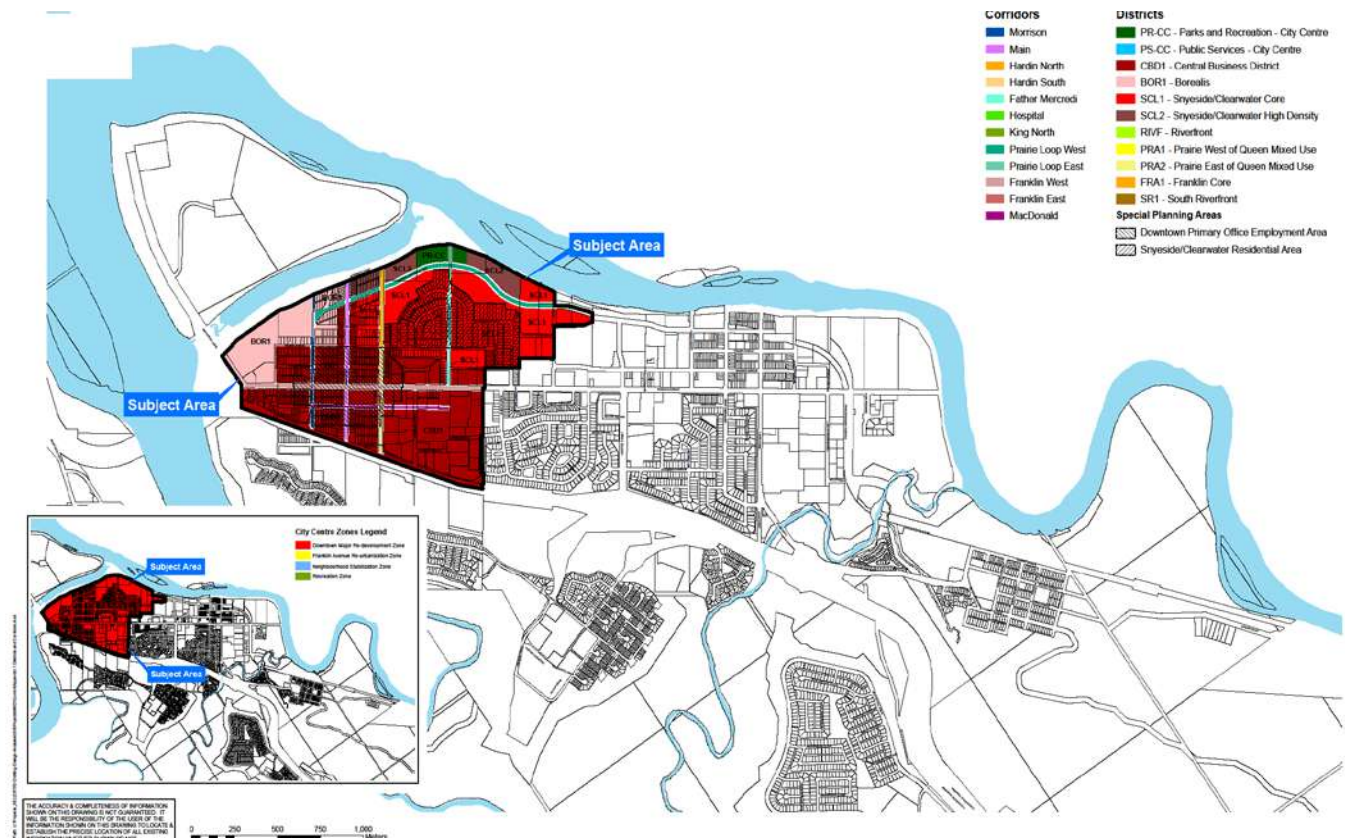
- (a) Two Intensification Nodes are herein defined: one at Franklin Avenue and Prairie Loop Boulevard, and another at Prairie Loop Boulevard and Saline Creek Parkway. Within those Nodes, the height limit is 15 storeys (see Appendix 3).
- (b) The Intensification Nodes are also considered as Urban Gateways in the sense and intention defined in the City Centre Area Redevelopment Plan. As such Public Art is encouraged that is intended to narrate/relate a historical them of Fort McMurray.

4. Parking Placements

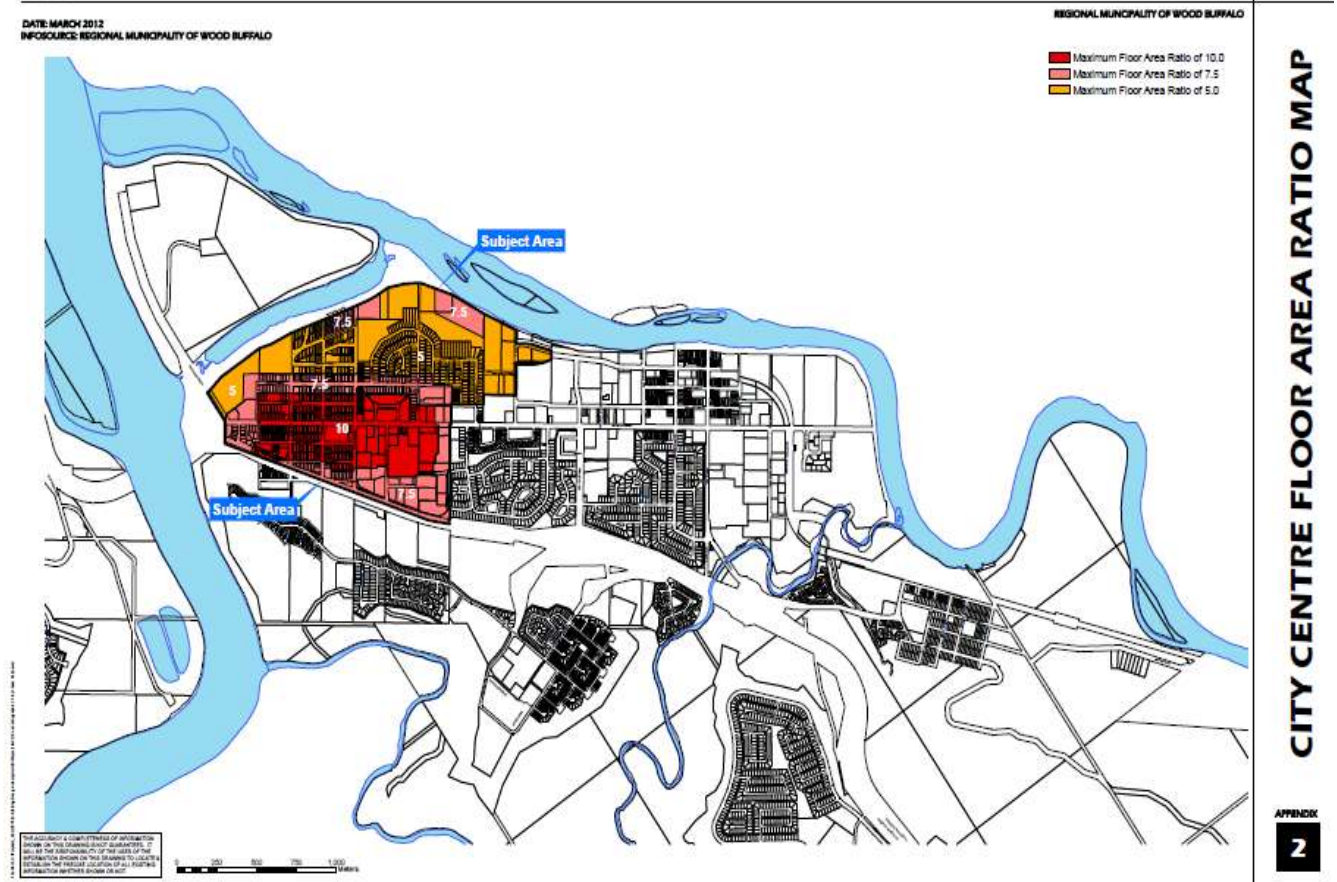
- (a) Surface Parking abutting Prairie Loop Boulevard is permitted but must be screened from public view from Prairie Loop Boulevard and municipal sidewalks through a landscape buffer treatment.
- (b) Underground parking is permitted and encouraged.

- (c) Above ground structure parking is permitted, but facades must be treated to avoid an excessive presence of cars on the streetscape.

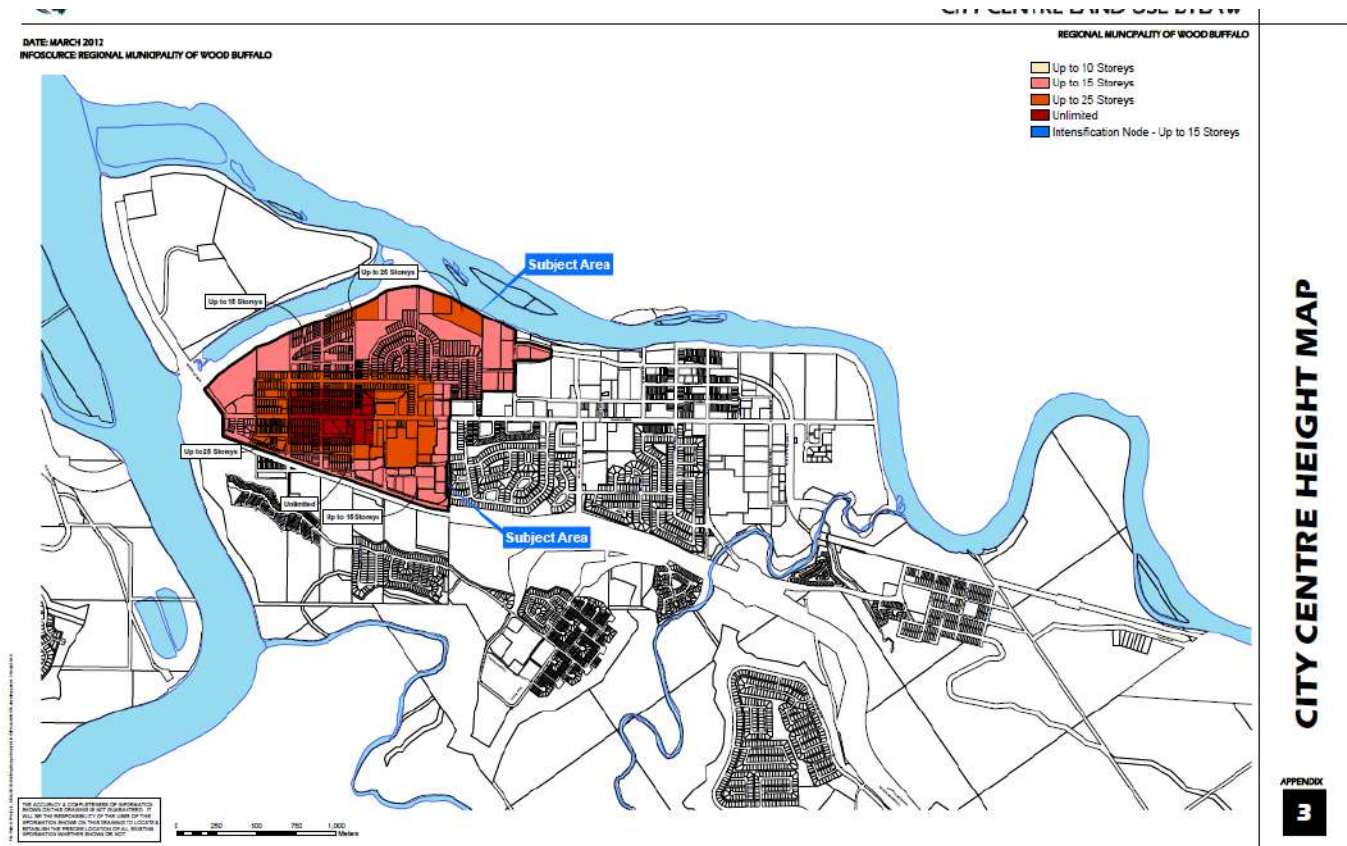
Appendix 1



Appendix 2



Appendix 3



Part 10 Appendices

****See link on website for Appendices****

Appendix A

Land Use District Maps

****See link on website for Mapping****

Appendix D

Fort McMurray Airport Protection Area Regulations (**DELETED BL 03/064**)

PART 11 WILDFIRE RECOVERY OVERLAY (BL 16/020, 17/006)

A. Purpose of Overlay and Intention of Council

The purpose of this Overlay is to address the situation that has arisen as a result of the widespread destruction of properties within the Overlay Area, caused by the wildfire of May 2016.

The intention of Council is to establish a legal and land use planning framework for the Overlay Area that will provide certainty to owners whose properties were destroyed or damaged beyond repair, with respect to their available re-development options and the requirements they must meet to be assured of obtaining development approval to rebuild.

B. Overlay Area

The Overlay Area consists of the areas shown within the heavy dotted black lines on the diagrams that are Schedule “A” to this Part 11.

C. Application

This Part 11 applies only to lots or parcels of land within the Overlay Area that are within the following land use classifications:

1. R1;
2. R1M;
3. R1P;
4. R1S;
5. R2;
6. C1 (in the Waterways area only)
7. DC (in the Waterways area only).

D. Over-riding Effect of Overlay

Within the Overlay area and in respect of lots or parcels of land that are zoned as set out in Section (C) above, the provisions of this Part 11 apply notwithstanding anything to the contrary in this Bylaw. The range of possible uses on lots or parcels of land within the Overlay area that are zoned as set out in Section (C) above are the uses described in other provisions of this Bylaw for the applicable land use classifications unless modified explicitly by, or by necessary implication from, a provision of this Part 11. If there is an inconsistency or conflict between any provision of this Part 11 and any other provision of this Bylaw, the provisions of this Part 11 shall prevail within the Overlay area.

E. Interpretation of Terms

In this Part 11:

1. a reference to an application for a Development Permit means an application for which all necessary supporting information and documentation (including all relevant agreements affecting the property in question and all instruments registered on title) has been provided by the Applicant to the satisfaction of the Development Authority, and in respect of which the Development Authority has notified the Applicant in writing that the application is complete.

2. “Building Footprint” means the area and configuration of the ground floor of a building, measured from the exterior walls, including an attached garage but not including any projections.
3. “Multi-Site Development” means a group of three or more contiguous lots upon which some or all of the Dwelling Units and Accessory Buildings (if any) are attached or semi-attached to each other and the total configuration of structures comprises a distinct Development separate and apart from any other Development outside the contiguous lot group;
4. “Multi-Site Rebuilding Plan–pre-existing” means a plan for rebuilding a Multi-Site Development in its entirety either just as it was immediately prior to the May 2016 wildfire, or with changes only to the location or size or configuration of any Accessory Buildings that were part of the pre-wildfire Multi-Site Development;
5. “Multi-Site Rebuilding Plan–new” means a plan for rebuilding a Multi-Site Development in its entirety on the same group of contiguous lots or parcels of land as immediately prior to the May 2016 wildfire but with changes to location of property lines or locations of Principal Buildings or involving conversion of some or all of the Multi-Site Development to different types of residential use (for example, from townhomes to detached or semi-detached Dwelling Units).
6. “New Building Footprint” means a building to be constructed that differs in size, location on the lot, or building type as compared to the development lawfully in existence on that lot immediately prior to the wildfire.
7. “Pre-Existing Building Footprint” means a building that is the same size, in the same location on the lot, and of the same building type as compared to the development lawfully in existence on that lot immediately prior to the wildfire.

For greater clarity and certainty: a Development Permit application to rebuild destroyed or damaged structures that does not impact more than two lots or parcels of land or Dwelling Units, is not a Multi-Site Rebuilding Plan even though it may involve or include, without limitation: conversion of pre-wildfire townhouse developments to either single detached or semi-detached dwellings, or conversion of all or a portion of a block, street or neighborhood to one or more new residential uses that may involve new property lines or subdivisions or different Building Footprints or different types of residential uses as compared to the property lines or subdivisions, building footprints or residential uses that existed immediately prior to the wildfire.

F. All Uses Discretionary subject to specific Council direction in this Part

All land uses within the Overlay area are discretionary uses but the discretion of the Development Authority to refuse to issue a Development Permit, or to issue a Development Permit with conditions, is subject to the specific directions of the Council set out in this Part.

G. Council Direction to the Development Authority – all parts of the Overlay area

1. The Development Authority, in exercising its authority and discretion to make decisions on Development Permit applications for lots or parcels of land within the Overlay area, may impose site-specific conditions upon a Development Permit as it deems advisable to address technical, planning or land use issues that are unique to a property or to a limited number of properties, including a requirement

to consolidate titles or obtain subdivision approval where appropriate, and including a requirement to obtain from an adjacent property owner any easement over the adjacent property that in the opinion of the Development Authority is necessary to provide adequate access for maintenance of a Development located anywhere in the Overlay Area, regardless of whether an instrument described as an easement or restrictive covenant is already registered either directly or by way of caveat on any relevant title.

2. The Development Authority shall not refuse to issue a Development Permit for a Single Detached Dwelling within the Overlay area, solely on the basis that the lot in respect of which the Development Permit is applied for is too small in width, length or area to meet the Development Regulations for such developments set out in other parts of this Bylaw. It is the intention of the Council that Single Detached Dwelling Developments on residential lots that meet the setback requirements of this Bylaw shall be allowed within the Overlay area.

H. Council Direction to the Development Authority – R1, R1M and C1 Zoning

An application for development approval to rebuild on a lot zoned R1, R1M or C1 must be approved by the Development Authority, with or without conditions as described in Section (G) of this Part:

1. regardless of whether the proposed rebuild Development conforms to the development regulations set out in other provisions of this Bylaw, if the Building Footprint of the proposed rebuild Development is the same as that of the Development that lawfully existed on that lot immediately prior to the wildfire; or
2. provided that the proposed rebuild Development conforms to the development regulations set out in other provisions of this Bylaw, if the Building Footprint of the proposed Development is not the same as that of the Development that lawfully existed on that lot immediately prior to the wildfire.

I. Council Direction to the Development Authority – R1P, R1S and R2 Zoning

1. Rebuilding to Pre-Existing Building Footprints - not more than two lots

When an application for approval to rebuild on a lot zoned R1P, R1S or R2 is for a proposed Development that:

- (a) would be constructed to a Pre-Existing Building Footprint that was lawfully in existence immediately prior to the wildfire; and
- (b) is not part of a Multi-Site Rebuilding Plan

then a Development Permit with or without conditions as described in Section (G) of this Part 11 must be issued by the Development Authority regardless of whether the proposed Development conforms to the development regulations set out in other provisions of this bylaw, provided that either:

- (c) the proposed rebuild Development would not be attached to another rebuild Development on an adjacent lot; or
 - (i) if the proposed rebuild Development would be attached to only one other rebuild Development on an adjacent lot that meets conditions (a) and (b) of this subsection (I)(1), the Development

Permits for the two rebuild Developments are being issued at the same time.

2. Rebuilding to New Building Footprints - not more than two lots

When an application for approval to rebuild on a lot or lots zoned R1P, R1S or R2 is for a proposed Development that:

- (a) may or may not be on a lot or lots that formed part of a Multi-Site Development immediately prior to the wildfire;
- (b) would be constructed to a New Building Footprint; and
- (c) is not part of a Multi-Site Rebuilding Plan

then a Development Permit with or without conditions as described in Section (G) of this Part 11 must be issued by the Development Authority if the proposed Development conforms to the development regulations, including but not limited to, setbacks, height restrictions on buildings and fences, maximum density and on-site parking requirements, as set out in other provisions of this Bylaw, provided that:

- (d) the proposed rebuild Development
 - (i) would not be attached to another rebuild Development on an adjacent lot, or
 - (ii) would be attached to only one other rebuild Development on an adjacent lot that meets conditions (a) and (b) of this subsection (I)(2) or of subsection (I)(1) and the Development Permits for the two rebuild Developments are being issued at the same time; and
 - (iii) in the case of a proposed rebuild Development on a lot or lots that formed part of a Multi-Site Development immediately prior to the wildfire, would not in the opinion of the Development Authority have the effect of removing all re-development options for any other lot or parcel of land that was part of the pre-wildfire Multi-Lot Development.

3. Rebuilding to a Multi-Site Rebuilding Plan

- (a) When a Development Permit application for approval to rebuild on lot zoned R1P, R1S or R2 is part of a Multi-Site Rebuilding Plan--Pre-Existing, then a Development Permit or Development Permits for the Multi-Site Rebuilding Plan--Pre-existing with or without conditions as described in Section (G) of this Part 11 must be issued by the Development Authority regardless of whether the proposed new Development conforms to the development regulations set out in other provisions of this bylaw.
- (b) When a Development Permit application for approval to rebuild on a lot zoned R1P, R1S or R2 is part of a Multi-Site Rebuilding Plan--New, then a Development Permit or Development Permits for the Multi-Site Rebuilding Plan--New with or without conditions as described in Section (G) of this Part 11 must be issued by the Development Authority, if:

- (i) the Multi-Site Rebuilding Plan-New as a whole conforms to development regulations, including but not limited to, setbacks, height restrictions on buildings and fences, maximum density and on-site parking requirements, as set out in other provisions of this Bylaw; and
- (ii) in the opinion of the Development Authority the proposed Multi-Site Rebuilding Plan-New would not have the effect of removing all re-development options for any lot or parcel of land that was part of the pre-wildfire Multi-Site Development but is not included within the Multi-Site Rebuilding Plan-New.

J. General Provisions

1. Voluntary Waiver of Claims

A development for which a Development Permit has been issued under this Part 11 may be commenced before the time period for appeal to the Subdivision and Development Appeal Board has expired, if

- (a) no appeal has been made by any person, including an appeal of conditions by the Development Permit holder; and
- (b) the Development Permit holder has executed and delivered to the Development Authority a Voluntary Waiver of Claims in the form set out in Schedule B to this Part 11.

2. Public Notice Provisions

When a Development Permit has been issued under the provisions of either subsection (I)(2) or subsection (I)(3)(b) of this Part 11, then in addition to any other applicable notice provision the Development Authority shall ensure that notice of the Development Permit is posted to the Municipality's public website with a specific notation that the approved Development is not to the same Building Footprint as existed prior to the wildfire, and the notice shall remain on the Municipality's public website until the time for appeal to the Subdivision and Development Appeal Board has expired.

3. Modifications to the application of certain provisions of land use classifications

Within the Overlay Area the following regulations or requirements of land use classifications shall prevail over provisions of this Land Use Bylaw that apply outside the Overlay Area:

- (a) In the R1M (Mixed Form Single Detached Residential) district, replacement of previously existing single detached dwellings with manufactured homes is allowed in the discretion of the Development Authority.
- (b) In the R1S (Single Detached Small Lot Residential) district the requirement of a minimum of 12 lots as set out in clause 96.5(b)(iii) of this Land Use Bylaw does not apply.
- (c) In the R2 (Low Density Residential) district the width of one only of the interior side yards of any lot may be reduced to zero if:

- (i) the building design and construction provides for all roof drainage to be directed to the lot itself (with subsequent flow to the municipal storm drainage system) and does not provide for drainage to any adjacent lot; and
 - (ii) a 1.0 metre wide maintenance easement is obtained from the owner of the lot adjacent to the reduced side yard, and is registered against the title to that adjacent lot.
- (d) In the RMH (Manufactured Home Residential) district:
 - (i) the requirement of a 3.0 metre private maintenance easement as set out in clause 100.5(a)(ii)(a) of this Land Use Bylaw is reduced to a 1.0 metre private maintenance easement, only in respect of residential lots located within Blocks 28, 29, 30 and 31 of Plan 1347TR, and subject to meeting all relevant requirements of the Alberta Building Code; and
 - (ii) the requirement of a minimum of 12 lots as set out in clause 100.5(a)(ii)(c) of this Land Use Bylaw does not apply.
- (e) In the C1 (Community Commercial) district:
 - (i) Front Yard setbacks must be not less than 1.0 metre and not more than 3.0 metres;
 - (ii) Rear Yard setbacks must be not less than 4.6 metres;
 - (iii) there is no restriction on Gross Floor Area for any individual business premises.
- (f) In the DC (Direct Control) district, a Development Permit to rebuild the same or substantially the same Development that lawfully existed immediately prior to the wildfire may be issued with or without conditions by the Development Authority, with no requirement to bring the application to the Council.

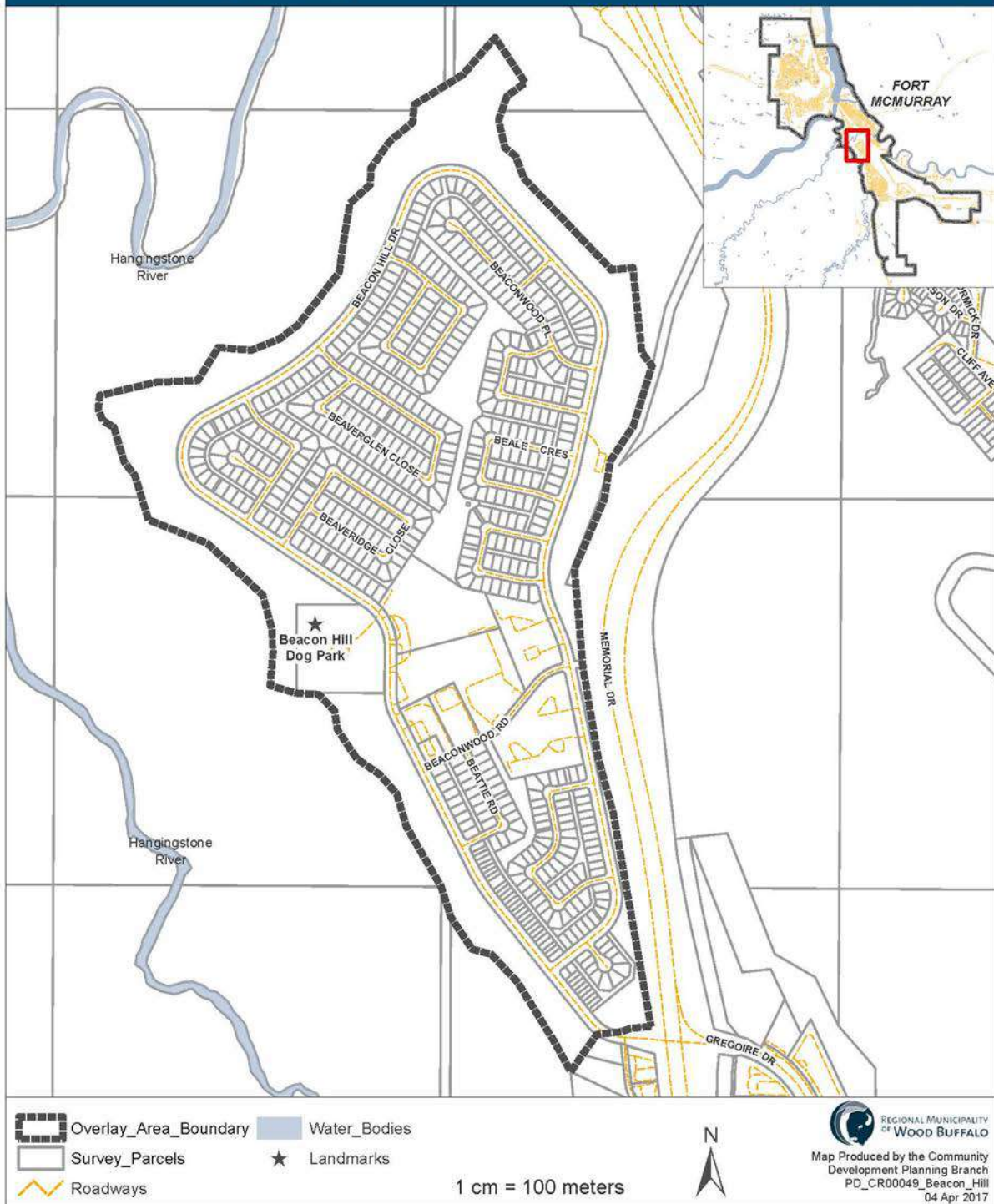
(BL 17/006)



SUBJECT AREA MAP

Wildfire Recovery Overlay Area - Beacon Hill

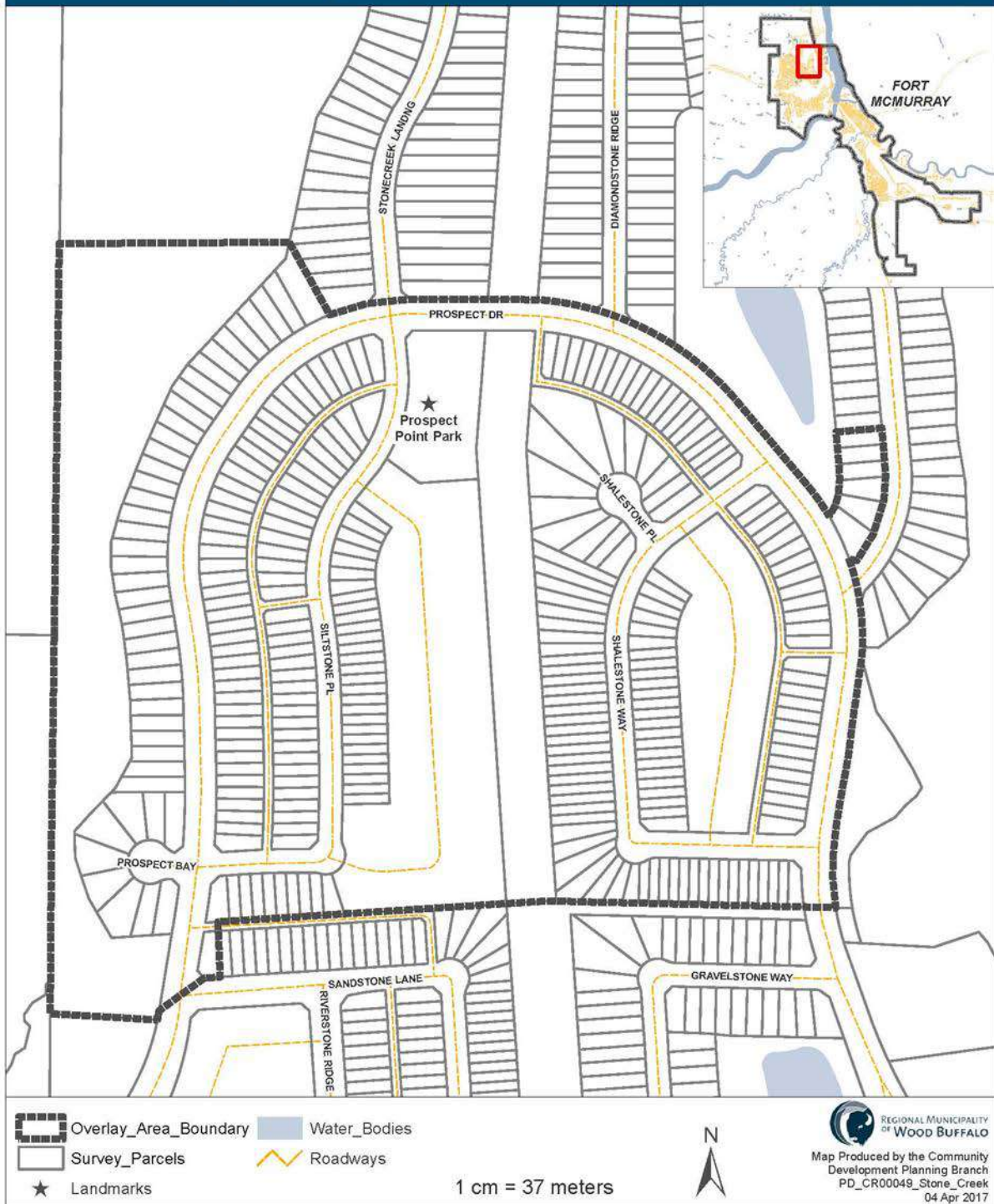
Part 11, Schedule A



SUBJECT AREA MAP

Wildfire Recovery Overlay Area - Stone Creek Area

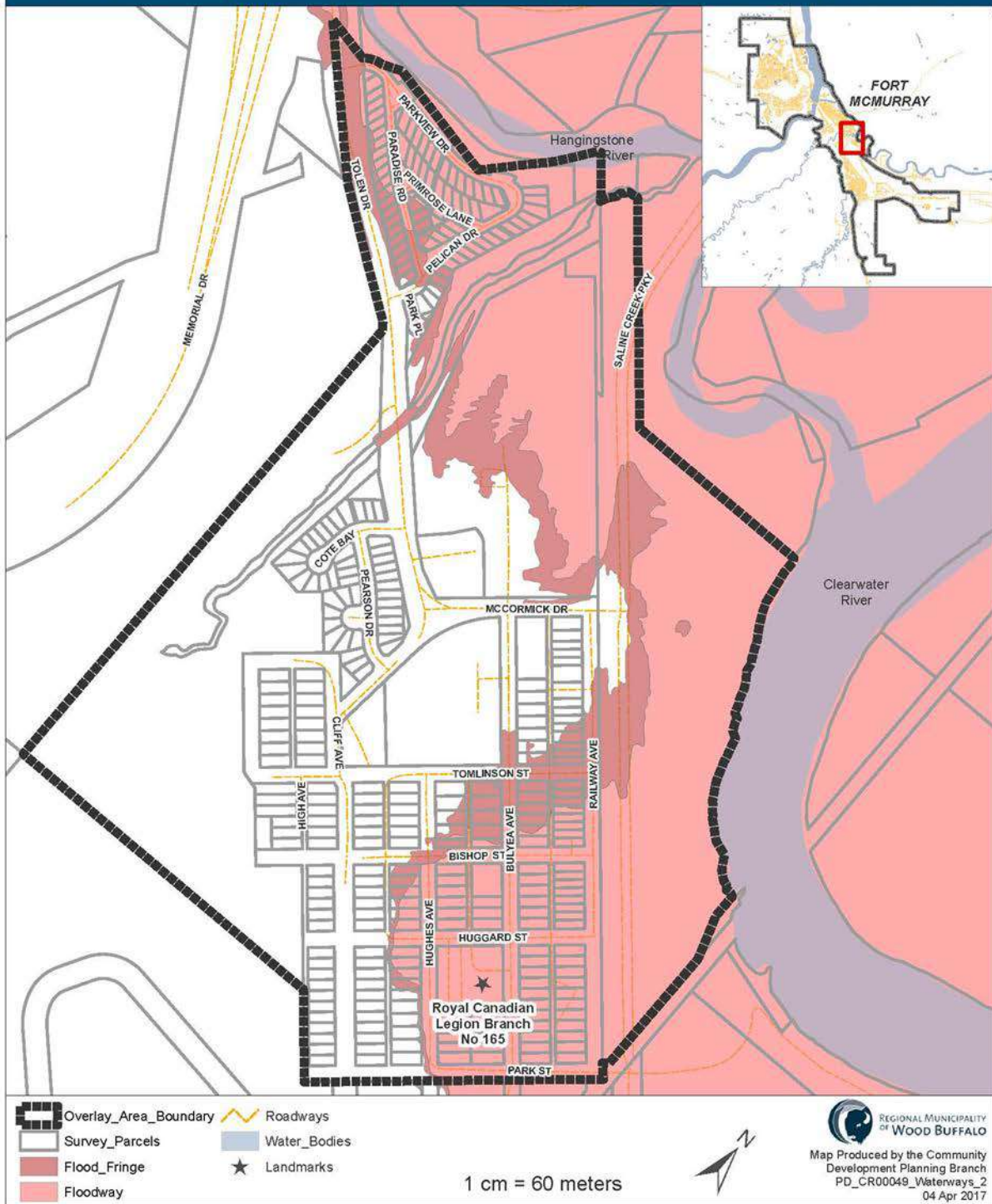
Part 11, Schedule A



SUBJECT AREA MAP

Wildfire Recovery Overlay Area - Waterways

Part 11, Schedule A

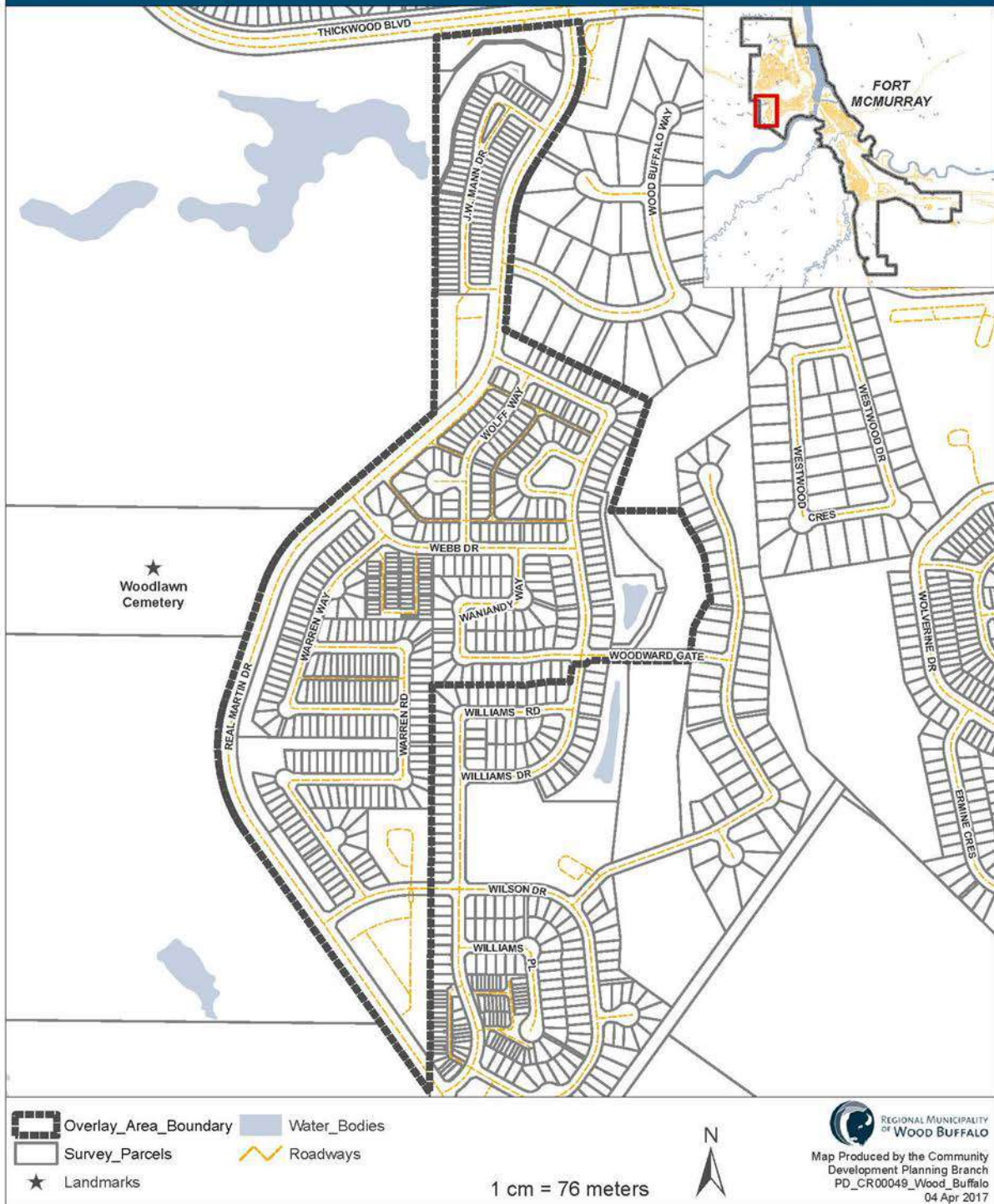


(BL 16/021)

SUBJECT AREA MAP

Wildfire Recovery Overlay Area - Wood Buffalo Area

Part 11, Schedule A



Schedule B

VOLUNTARY WAIVER OF CLAIMS

LEGAL DESCRIPTION OF PROPERTY:

| Lot | Block | Plan | Civic Address |
|-----|-------|------|---------------|
| | | | |

Development Permit Number: _____ **Permit Approval Date:** _____

This “Voluntary Waiver of Claims” allows the undersigned development permit holder (hereinafter called “Permit Holder”) to commence development in advance of expiry of the time within which an appeal of the development permit may be made to the Subdivision and Development Appeal Board (hereinafter called “the Appeal Period”). Execution of this document does not prevent Permit Holder from appealing some or all of the conditions of development approval.

Permit Holder hereby agrees that if an appeal of the development permit is made by a third party or if Permit Holder appeals any condition of the development permit, all work on the development will immediately cease pending the outcome of the appeal, and in such case Permit Holder waives all claims to compensation from the Regional Municipality of Wood Buffalo for any costs or damages whatsoever associated with: (a) commencement of work on the development prior to expiry of the Appeal Period; (b) cessation of work on the development pending disposition of the appeal; or (c) the outcome of the appeal.

Permit Holder acknowledges that execution of this Voluntary Waiver of Claims does not eliminate the need to comply with all conditions of the Development Permit, including conditions that must be satisfied before the development may commence.

Permit Holder further acknowledges that execution of this Voluntary Waiver of Claims does not eliminate any applicable requirements for a Business License, Building Permit or other required permits or approvals.

I HAVE READ, UNDERSTOOD AND AGREE TO THIS “VOLUNTARY WAIVER OF CLAIMS”

NAME OF DEVELOPMENT PERMIT HOLDER (Printed): _____

SIGNATURE OF DEVELOPMENT PERMIT HOLDER: _____

DATE: _____

The personal information on this form is being collected solely for the purpose of a Voluntary Waiver of Claims application and is protected from public disclosure pursuant to the *Freedom of Information and Protection of Privacy Act* of Alberta.