

Edmonton Land Use Bylaw 5996 Index

Version 7, August 1998 with:

·Text amendments to August 24, 1998,

·Selected DC1 Districts, and

·Part V bylaws.

Parts I, II and V.

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Edmonton Land Use Bylaw 5996

1. Title and Contents

**1. Title and Contents**

*Bylaw No. 6626*

*November 10, 1981*

**1.1 Title**

This Bylaw may be cited as the Edmonton Land Use Bylaw.

*Bylaw No. 6190*

*September 9, 1980*

**1.2 Contents of Bylaw**

*Bylaw No. 6626*

*November 10, 1981*

The contents of this Bylaw shall include:

- 1) Part I, comprising this Section 2 to Section 109, both inclusive and also all appurtenant Schedules and Appendices to those Sections;
- 2) Part II, comprising all of the District Clauses, being Section 110 to Section 990, both inclusive, and also all appurtenant Schedules and Appendices to those Sections;
- 3) Part III, comprising the Land Use District Map; and

*Bylaw No. 7728*

*March 12, 1985*

- 4) Part IV, comprising all Direct Control provisions adopted by City Council pursuant to the provisions of Section 750 of this Bylaw.

*Bylaw No. 11120*

*November 6, 1995*

- 5) Part V, comprising the following bylaws, in effect on January 1, 1982:

- i) Land Use Bylaw No. 388/81, Municipal District of Sturgeon;
- ii) Land Use Bylaw No. 32/79, City of St. Albert;
- iii) Land Use Bylaw 19 - 79, County of Parkland No. 31; and
- iv) Land Use Bylaw No. 44 - 80, County of Strathcona.

Each Land Use Bylaw shall apply to those lands which were annexed by the City of Edmonton from the respective municipality under Alberta Planning Board Order No. 14000 until such time as the annexed lands are districted under Part III of this bylaw. Only the land uses and development regulations of these bylaws shall apply to the annexed lands; however, the administration of these regulations shall be carried out in accordance with the relevant operative, interpretive and administrative sections of the City of Edmonton Land Use Bylaw No. 5996, as amended.

### **1.3 Headings and Titles**

Notwithstanding any other provision of this Bylaw or any other Bylaw passed by Council to the contrary, headings and titles within this Bylaw shall be deemed to form a part of the text of this Bylaw.

Edmonton Land Use Bylaw 5996

## 2. Previous Legislation

### **2.Previous Legislation**

**2.1**No provision of any other Bylaw with respect to zoning, development control, development schemes and Land Use Classifications shall hereafter apply to any parts of the City described in this Bylaw, subject to the transitional provisions of this Bylaw.

**2.2**The following legislation is hereby repealed:

1)Bylaw No. 2135, The Zoning Bylaw, as amended;

2)Bylaw No. 4949, The Development Control Bylaw, as amended; and

3)Development Control Resolution Number 1 and the Land Use Classification Guide and Schedule of Permitted Uses for Areas not included under the Zoning Bylaw.

**2.3**The following Development Scheme Bylaws are hereby repealed:

1)Bylaw No. 4761, Norwood Development Scheme Bylaw, as amended;

2)Bylaw No. 3975, Canora Neighbourhood Development Scheme Bylaw, as amended;

3)Bylaw No. 4640, Clarke Field Development Scheme Bylaw; and

4)Bylaw No. 2523, Industrial Ring Road Development Scheme Bylaw, as amended.

Edmonton Land Use Bylaw 5996

3. Effective Date

**3. Effective Date**

*Bylaw No. 6190*

*September 9, 1980*

This Bylaw came into force and took effect on July 3, 1980.

Edmonton Land Use Bylaw 5996

4. Transitional Provisions

#### **4. Transitional Provisions**

##### **4.1 District Equivalencies for the Purpose of Interpreting the Transitional Provisions**

Notwithstanding any differences in the regulations of the applicable District and for the sole purpose of interpreting the transitional provisions of this Section 4, the Land Use Districts of this Bylaw are deemed to be equivalent to the Zoning Districts of Bylaw No. 2135 and Land Use Classifications of the Land Use Classification Guide as specified below:

1) RF1 is deemed equivalent to RRA, RRB, RRC and R-1

2) RF2 is deemed equivalent to R1A

3) RF3 is deemed equivalent to RC1

4) RF4 is deemed equivalent to R2

5) RF5 is deemed equivalent to R2A

6) RA7 is deemed equivalent to R3 and R4

7) RA8 is deemed equivalent to R5 and R3A

8) RA9 is deemed equivalent to R6

9) RR is deemed equivalent to AR and AS

10) RMH is deemed equivalent to RMH-1 and RMH-2

11) CNC is deemed equivalent to C-1

12) CSC is deemed equivalent to C2

13) CB1 is deemed equivalent to C2A

14) CB2 is deemed equivalent to C3 and C9

15) CHY is deemed equivalent to C8

16) IB is deemed equivalent to M1

17) IM is deemed equivalent to M2

18)IH is deemed equivalent toM3

19)AG is deemed equivalent toAG

20)AGU is deemed equivalent toAG-UR and AG-U

21)AGI is deemed equivalent toAG-MR1

22)A is deemed equivalent toA

23)AP is deemed equivalent toAP

24)US is deemed equivalent toP-1 and P-2

25)PU is deemed equivalent to P-1

26)MA is deemed equivalent toMA

*Bylaw No. 6626*

*November 10, 1981*

27) DC2 is deemed equivalent toCD1

28)Residential Districts followed by a "p" designator are deemed equivalent to P-3

#### **4.2Special Provisions Respecting Conformity**

1)Notwithstanding its non-conformity with other provisions of this Bylaw regulating minimum site size or site dimensions, where a Development Permit has been issued in accordance with the regulations of a Zoning District of Bylaw No. 2135 or a Land Use Classification of the Land Use Classification Guide, the development shall be deemed conforming to the regulations governing site size and site dimensions of the equivalent Land Use District of this Bylaw. Where the dimensions of a site are larger than required under Zoning Bylaw No. 2135 or the Land Use Classification Guide, but less than required by the Land Use Bylaw, developments on the site shall not be deemed conforming if the dimensions of the site are reduced through subsequent consolidation or resubdivision.

*Bylaw No. 6190*

*September 9, 1980*

2)Notwithstanding its non-compliance with the development regulations governing site size or site dimensions of the Land Use District applying to it on the date this Bylaw came into effect, the Development Officer may issue a Development Permit for a site which would have conformed with the regulations governing minimum site size and site dimensions of the equivalent Zoning District of the Zoning Bylaw No. 2135 or Land Use Classification of the Land Use Classification Guide, provided that the subdivision creating the site was approved prior to the date this Bylaw came into effect.

3)Notwithstanding its non-conformity with provisions of this Bylaw regulating maximum Height, minimum setbacks, Yards, Separation Spaces, the provision of Amenity Areas, design requirements relating to the integration of uses within buildings, or the provision of access to building areas, where a Development Permit has been issued for a building in accordance with the regulations of a Zoning District of Bylaw No. 2135 or a Land Use Classification of the Land Use Classification Guide, the building shall be deemed conforming to the specified regulations of the equivalent Land Use District of this Bylaw. Where this allows such buildings to be enlarged or added to, any enlargement or addition shall conform to all of the provisions of this Bylaw.

4)If a Development Permit has been issued for a building in accordance with the development standards of a Zoning

District of Bylaw No. 2135 or a Land Use Classification of the Land Use Classification Guide, the building shall be deemed conforming to the equivalent development standards of the equivalent Land Use District of this Bylaw where, in the opinion of the Development Officer, any difference in the standards is due solely to metric conversion and any arithmetic roundingoff associated with such conversion. Where this allows such buildings to be enlarged or added to, any enlargement or addition shall conform to the metric standards of this Bylaw.

*Bylaw No. 6610*

*May 11, 1982*

#### **4.3 Deleted**

#### **4.4 Community and Neighbourhood Improvement Plans**

Wherever the regulations of this Bylaw require reference to the policies or provisions of a Statutory Plan, the Development Officer shall in the case of Calder, Canora, Groat Estate, Norwood and Riverdale also refer, for that purpose, to the policies and provisions of the applicable Community Plan or Neighbourhood Improvement Plan adopted prior to the effective date of this Bylaw. Where the provisions of plans refer to Districts of Zoning Bylaw No. 2135 or the Land Use Classification Guide, the Development Officer shall have regard to them, insofar as they are applicable, with respect to equivalent Land Use Districts as specified in Section 4.1.

#### **4.5 Transitional Use of the DC3, Temporary Holding District**

Where the DC3 District is applied to land on the effective date of this Bylaw, the term "previous land use designation" shall refer to the Land Use Classification under the Land Use Classification Guide applying to the land immediately prior to the effective date of this Bylaw. Any regulations respecting use or development previously applying to the land by virtue of this classification, whether contained in Bylaw No. 2135, Bylaw No. 4949, Development Control Resolution No. 1, the Land Use Classification Guide, or the Schedule of Permitted Uses for Areas not included under the Zoning Bylaw shall remain in force under this Bylaw in accordance with the provisions of the DC3 District.

*Bylaw No. 6472*

*June 24, 1981*

Notwithstanding the maximum period of application and reversion provisions of Section 730.2 Clause (2); where land is districted DC3 on the effective date of this Bylaw No. 5996, the DC3 District shall remain in effect until this Bylaw is amended to apply another Land Use District.

*Bylaw No. 11261*

*June 17, 1996*

#### **4.6 Deleted**

*Bylaw No. 11261*

*June 17, 1996*

#### **4.7 Deleted**

*Bylaw No. 10529*

*November 15, 1993*

#### **4.8 Special Provisions for Direct Control Districts with Office-in-the-Home and Homecraft Use Classes**

For all Direct Control Districts created prior to the passage of Bylaw 10529, which contain Office-in-the-Home and Homecraft Use Classes as listed uses, these Use Classes shall be replaced by the Use Classes Home Occupation, Minor and Home Occupation, Major and the development of such uses shall be in accordance with the regulations of Section 84. Minor Home Occupation and Section 85. Major Home Occupation.

*Bylaw No. 11095*

*November 6, 1995*

#### **4.9 Special Provisions for Direct Control Districts with Use Class Child Care Services**

For all Direct Control Districts created prior to the passage of Bylaw 11095, which contain Child Care Services as a listed use, this Use Class shall be replaced by the Use Class Child Care Services and the development of such uses shall be in accordance with the regulations of Section 93. Child Care Services.

*Bylaw No. 11844*

*August 24, 1998*

#### **4.10 Special Provisions for Direct Control Districts with Single Detached, Semi-detached and/or Duplex Housing, and/or Secondary Suite Use Classes**

For all Direct Control Districts created prior to the passage of Bylaw 11844, which contain any of the Single Detached, Semi-detached and Duplex Housing and Secondary Suite Use Classes as listed uses, the maximum number of Single Detached Dwellings per lot shall be one, the maximum number of Semi-detached or Duplex Dwellings per lot shall be two, and the maximum number of Secondary Suites per lot, in addition to the principal Single Detached Dwelling, shall be one, unless specifically noted otherwise in the Direct Control bylaw.

## Edmonton Land Use Bylaw 5996

### 5. Non-Conforming Buildings, Structures and Uses

#### **5. Non-Conforming Buildings, Structures and Uses**

##### **5.1** Where

1) on or before the day on which this Bylaw or any Bylaw for the amendment thereof comes into force, a Development Permit has been issued; and

2) the enactment of the Bylaw would render the development in respect of which the permit was issued, a non-conforming use or non-conforming building,

the Development Permit continues in effect, notwithstanding the enactment of the Bylaw referred to in Clause (2).

**5.2A** A non-conforming use of land or a non-conforming use of a building may be continued, but if that use is discontinued for a period of six consecutive months or more, any future use of the land or building shall conform with the provisions of this Bylaw.

**5.3A** 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 shall not be enlarged or added to and no structural alterations shall be made thereto or therein.

**5.4A** A non-conforming use of part of a lot shall not be extended or transferred in whole or in part to any other part of the lot and no additional buildings shall be erected upon the lot while the non-conforming use continues.

**5.5A** A non-conforming building may continue to be used, but the building shall not be enlarged, added to, rebuilt or structurally altered except:

1) as may be necessary to make it a conforming building; or

2) as the Development Officer considers necessary for the routine maintenance of the building.

**5.6** If a non-conforming building is damaged or destroyed to the extent of more than 75 per cent of the value of the building above its foundation, the building shall not be repaired or rebuilt except in accordance with the provisions of this Bylaw.

**5.7** The use of land or the use of a building is not affected by reason only of a change of ownership, tenancy or occupancy of the land or building.

**5.8** Where a Development Permit has been issued for a building in a District which specifies that development shall comply with development regulations of the most restrictive abutting District, it shall be interpreted as referring to the Land Use Districts which were abutting at the time the permit was issued. Notwithstanding a subsequent amendment to this Bylaw which results in a more restrictive abutting District, the building shall remain conforming and the more restrictive regulations shall apply only if the building is rebuilt or to any enlargement or addition.

*Bylaw No. 6626*

*November 10, 1981*

*Bylaw No. 11261*

*June 17, 1996*

**5.9A** building which does not comply with one or more of the regulations of this Bylaw may be enlarged or modified structurally at the discretion of the Development Officer, pursuant to Sections 11.5 and 11.6 of this Bylaw.

Edmonton Land Use Bylaw 5996

6. The Land Use District Map

### **6. The Land Use District Map**

**6.1** The Land Use District Map is Part III of this Bylaw. It divides the City of Edmonton into Districts, and specifies the District or Overlay provisions applying to particular lands.

### **6.2 District Boundaries**

Should uncertainty or dispute arise relative to the precise location of the boundary of any Land Use District or Overlay, as depicted on the Land Use District Map, the location shall be determined by applying the following rules:

- 1) where a District boundary is shown as approximately following the centre of streets, lanes or other public thoroughfares, it shall be deemed to follow the centre line thereof;
- 2) where a District boundary is shown as approximately following the boundary of a site, the site boundary shall be deemed to be the boundary of the District for that portion of the District boundary which approximates the site boundary;
- 3) where a District boundary is shown approximately following City limits, it shall be deemed to be following City limits;
- 4) where a District boundary is shown as approximately following the centre of pipelines, railway lines, or utility easements, it shall be deemed to follow the centre line of the right-of-way thereof;
- 5) where a District boundary is shown as approximately following the edge or shore lines of the North Saskatchewan River, or other bodies of water, it shall be deemed to follow such lines, and in the event of change in such edge or shorelines, it shall be deemed as moving with the same;
- 6) where a District boundary is shown as being parallel to or as an extension of features noted above, it shall be so construed;
- 7) where a District boundary is shown as approximately following a topographic contour line or a top-of-the-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;

*Bylaw No. 7729*

*March 12, 1985*

*Bylaw No. 11261*

*June 17, 1996*

8)where features on the ground are at variance with those shown on the Land Use District Map or in other circumstances not mentioned above, the Development Officer shall interpret the District boundaries. Any such decision may be appealed to the Subdivision and Development Appeal Board; and

9)where a Land Use District boundary is not located in conformity to the provisions of Clauses (1) to (8) of this Section 6.2, and in effect divides or splits a registered parcel of land, the disposition of such boundary shall be determined by dimensions indicated on the Land Use District Map or by measurements directly scaled from that Map.

### **6.3Street and Highway Boundaries**

1)Notwithstanding anything contained in this Bylaw, no Land Use District shall be deemed to apply to any public roadway and any public roadway may be designed, constructed, widened, altered, redesigned and maintained in such manner as may be determined by the City Engineer.

*Bylaw No. 11261*

*June 17, 1996*

*Bylaw No. 11832*

*August 24, 1998*

2)Where any public roadway is closed pursuant to the provisions of the Municipal Government Act, 1994, the land contained therein shall there upon be deemed to carry the same Land Use District as the abutting land, even where the abutting land is districted as a Direct Control District.

*Bylaw No. 11832*

*August 24, 1998*

3)Notwithstanding subsection 6.3(2), where such abutting lands are governed by different Land Use Districts, the centre line of the public roadway shall be deemed to be the Land Use District boundary.

*Bylaw No. 11832*

*August 24, 1998*

4)Where through the operation of subsection 6.3(2) the boundaries of a Direct Control District are extended to included a closed portion of public roadway, the Area of Application for the Direct Control District, as set out in the regulations governing that District, which are within Part IV of the Land Use Bylaw, shall be automatically amended by the Development Officer to include, as part of the Area of Application, reference to the closed portion of public roadway which becomes part of the Direct Control District.

Edmonton Land Use Bylaw 5996

7. Approval Required for Development

**7.Approval Required for Development**

No person

1)shall commence, or cause or allow to be commenced, a development without a Development Permit therefor issued under the provisions of Section 14 of this Bylaw; or

2)shall carry on, or cause or allow to be carried on a development without a Development Permit therefor issued under Section 14 of this Bylaw.

Edmonton Land Use Bylaw 5996

8. Compliance With Other Legislation

**8.Compliance With Other Legislation**

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:

*Bylaw No. 11261*

*June 17, 1996*

- 1)the requirements of the Safety Codes Act, 1991;
- 2)the Edmonton Building Permit Bylaw;
- 3)the requirements of any other appropriate federal, provincial or municipal legislation; and
- 4)the conditions of any caveat, covenant, easement or other instrument affecting a building or land.

## Edmonton Land Use Bylaw 5996

### 9. Definitions

#### [9.1 General Definitions](#)

#### [9.2 Sign Definitions](#)

Edmonton Land Use Bylaw 5996

9.1 General Definitions

*Bylaw No. 6610*

*May 11, 1982*

*Bylaw No. 11261*

*June 17, 1996*

## **9.1 General Definitions**

Terms and words in this Bylaw which are defined in the Municipal Government Act, 1994, have the meaning expressed in that Act. Other terms and words, unless the context requires otherwise, are defined as follows:

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[9.1 2\) Accessory](#)

[9.1 3\) Act](#)

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[9.1 4\) Amenity Area](#)

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*Bylaw No. 10667*

*April 18, 1994*

*Bylaw No. 10741*

*June 20, 1994*

9.1 27a) **Deleted;**

[9.1 28\) Height](#)

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## 9.1 General Definitions

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1) **Abut or abutting** means immediately contiguous to or physically touching, and when used with respect to a lot or site, means that the lot or site physically touches upon another lot, site, or piece of land, and shares a property line or boundary line with it;

10) **Commissioner** means a person appointed pursuant to Section 8 of the Municipal Government Act, 1970, as amended;

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11) **Community** means, when used with respect to Housing, that the Housing is located on a site either owned by, or under long-term lease to, the Canada Mortgage and Housing Corporation, the Alberta Social Housing Corporation or the City of Edmonton to provide Housing under a social housing program;

12) **Conversion** means a change in use of land or a building or an act done in relation to land or a building that results, or is likely to result, in a change in the use of such land or building without involving major structural alterations;

13) **Council** means the Council of the Municipal Corporation of the City of Edmonton;

*Bylaw No. 6626*

*November 10, 1981*

14) **Coverage, Site** means the total horizontal area of all buildings or structures on a site which are located at or higher than 1.0 m (3.28 ft.) above grade, including accessory buildings or structures, calculated by perpendicular projection onto a horizontal plane from one point located at an infinite distance above all buildings and structures on the site. This definition shall not include:

a) steps, eaves, cornices, and similar projections;

b) driveways, aisles and parking lots unless they are part of a parking garage which extends 1.0 m (3.28 ft.) or more above grade; or

*Bylaw No. 10457*

*January 25, 1994*

c) unenclosed inner and outer courts, terraces and patios where these are less than 1.0 m (3.28 ft.) above grade.

15) **Curb Cutting** means the cutting or lowering of a curb, sidewalk or boulevard, or any of them, to provide a driveway for vehicular and pedestrian access to a site;

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16)**District** means a specific group of listed Use Classes and Development Regulations which regulate the use and development of land within specific geographic areas of the City. The Use Classes and Development Regulations are contained in Parts II, IV and V of this Bylaw, and may be subject to the regulations contained in Part I of this Bylaw, while the geographic areas to which they apply are shown on the Land Use District Map, comprising Part III of the Bylaw;

17) **Discretionary Uses** means those uses of land, buildings or structures for which permits may be issued only at the discretion of the Development Officer;

*Bylaw No. 11261*

*June 17, 1996*

18) **Double Fronting Site** means a site which abuts two public roadways, except lanes as defined in the Highway Traffic Act, 1980, which are parallel or nearly parallel in the vicinity of the site;

19) **Dwelling** means one or more selfcontained rooms provided with sleeping and cooking facilities, intended for domestic use, and used or intended to be used permanently or semi-permanently as a residence for a Household and either up to two lodgers, roomers, or boarders; or four foster children;

2) **Accessory** means, when used to describe a use or building, a use or building naturally or normally incidental, subordinate, and exclusively devoted to the principal use or building, and located on the same lot or site;

20) **Dwelling, Family Oriented**, means a Dwelling suitable as a residence for a household with children and meeting the following criteria:

- a) the lowest storey of the Dwelling is no higher than the third storey of the building;
- b) the Dwelling has two bedrooms or more, and the average number of bedrooms per Dwelling is not less than 2.25 for all such Dwellings in a development;
- c) the Dwelling has individual and private access to grade, except that in the case of Stacked Row Housing access to Dwellings above the first storey may be shared by two Dwellings; and in the case of Apartment Housing, access to Dwellings above the first storey may be shared, provided that entrances to not more than six Dwellings are located on any one storey or landing; and
- d) the Dwelling has direct access to a Private Outdoor Amenity Area.

21) **Floor Area, Gross** means the total floor area of the building or structure, contained within the outside surface of the exterior and basement walls, provided that in the case of a wall containing windows, the glazing line of windows may be used;

22) **Floor Area, Net** means the gross floor area of the building, structure, or part thereof measured from the glazing line or interior wall lines whether above, below, or at grade, excluding attics, stairwells, elevators, balconies, boiler rooms, electrical vaults, mechanical floors, penthouses or rooms, unfinished vertical service shafts, 75 percent of non-rental common corridors and toilets;

23) **Floor Area Ratio** means the numerical value of the gross floor area of the building or structure located upon a lot or building site, excluding: (a) basement areas used exclusively for storage or service to the building, (b) parking areas below grade, (c) walkways required by the Development Officer, and (d) floor areas devoted exclusively to mechanical or electrical equipment servicing the development, divided by the area of the site;

*Bylaw No. 6610*

*May 11, 1982*

24) **Frontage** means, where used with reference to residential development, the lineal distance measured along the Front Lot Line; and where used with reference to non-residential development, the length of the property line of any side of a separate business development which is parallel to, and abuts, a public roadway, not including a lane, which is directly accessible from the development. The frontage of an individual business premise in a multiple occupancy business development shall be considered as the total width of the bays occupied by that business which have exposure parallel to any frontage of the multiple occupancy business development;

25) **Garage** means an accessory building, or part of a principal building designed and used primarily for the storage of motor vehicles and includes a carport;

26) **Grade** means the average level of finished grade calculated at the perimeter of a site, as determined by the Development Officer;

27) **Habitable Room** means any room in a Dwelling other than a Non-habitable Room;

28) **Height** means, when used with reference to a building or structure, the vertical distance between the horizontal plane through grade and a horizontal plane through:

a) the highest point of the roof in the case of a building with a flat roof or a roof having a slope of less than 20 degrees; and

b) the average level between eaves and ridges in the case of a pitched, gambrel, mansard or hipped roof, or a roof having a slope of more than 20 degrees; provided that in such cases the ridge line of the roof shall not extend more than 1.5 m (4.9 ft.) above the maximum permitted building Height of the District.

29) **Household** means:

a) a person; or

b) two or more persons related by blood, marriage or adoption; or

c) a group of not more than five persons who are not related by blood, marriage, or adoption; or

d) a combination of (b) and (c), provided that the total of the combination does not exceed five;

all living together as a single housekeeping group and using cooking facilities shared in common. A household may also include bona fide servants;

*Bylaw No. 11261*

*June 17, 1996*

3) **Act or Municipal Government Act, 1994**, means the Municipal Government Act, S.A. 1994, c.M-26.1, as amended. References in this Bylaw to other Acts shall have the following meanings:

a) Condominium Property Act, 1980, shall mean the Condominium Property Act, R.S.A. 1980, c. C-22, as amended;

*Bylaw No. 11832*

*August 24, 1998*

a.1) Environmental Protection and Enhancement Act, 1992, shall mean the Environmental Protection and Enhancement Act, S.A. 1992, c. E-13.3, as amended.

b) Highway Traffic Act, 1980, shall mean the Highway Traffic Act, R.S.A. 1980, c. H-7, as amended;

c) Historical Resources Act, 1980, shall mean the Historical Resources Act, R.S.A. 1980, c. H-8, as amended;

d) Railway Act, 1980, shall mean the Railway Act, R.S.A. 1980, c. R-4, as amended;

e) Safety Codes Act, 1991, shall mean the Safety Codes Act, S.A. 1991, c. S-0.5, as amended; and

f) Universities Act, 1980, shall mean the Universities Act, R.S.A. 1980, c. U-5, as amended;

30) **Interior Site** means any site other than a corner site;

*Bylaw No. 6626*

*November 10, 1981*

31) **Isolation** means, when used with reference to a site, that the site is so situated with respect to a proposed development, and abutting existing development, proposed development for which a Development Permit has been issued, public roadways and natural features, that, in the opinion of the Development Officer, such site would not comply with the minimum requirements of this Bylaw. Isolate has a similar meaning;

*Bylaw No. 9831*

*September 10, 1991*

31a) **Land Use Bylaw Compliance Certificate** ("Compliance Certificate") means a document which may be issued by a Development Officer, upon request and upon payment of the required fees, indicating that a building(s) located on a site is (are) located in accordance with the Yard regulations of this Bylaw and/or the Yards specified in Development Permits which may have been issued for the site. A Compliance Certificate shall not operate as a Development Permit nor shall it approve any variance to the Yard regulations of this Bylaw not previously approved;

*Bylaw No. 10207*

*August 15, 1994*

31b) **Landscaping** means the preservation or modification of the natural features of a site through the placement or addition of any or a combination of the following:

- a) soft landscaping elements such as trees, shrubs, plants, lawns and ornamental plantings;
- b) decorative hard surfacing elements such as bricks, pavers, shale, crushed rock or other suitable materials, excluding monolithic concrete and asphalt, in the form of patios, walkways and paths; and
- c) architectural elements such as decorative fencing, walls and sculpture.

These elements shall be placed in such a way that positive visual changes in texture and colour are achieved, and that harsh or unsightly man-made elements on or adjacent to the site are softened, screened or improved;

*Bylaw No. 11261*

*June 17, 1996*

32) **Lane** means an alley as defined in the Highway Traffic Act, 1980;

33)**Living Room** means any room in a Dwelling used for the common social activities of the occupants, and designed for general living, whether or not combined with specific activities such as dining, food preparation, or sleeping. Unless provided in such combination, a kitchen or dining room is not a Living Room;

34) **Living Room Windows, Principal** means the main or largest glazed area of a Living Room;

*Bylaw No. 11844*

*August 24, 1998*

34a) **Lot** means a lot as defined in Section 616(m) of the Municipal Government Act, 1994.

35) **Lot, Corner** means:

a) a lot located at the intersection of two public roadways, other than lanes; or

b) a lot located abutting a public roadway, other than a lane, which changes direction at any point where it abuts the lot;

provided that in both cases the lot shall not be considered a Corner Lot where the contained angle formed by the intersection or change of direction is an angle of more than 135 degrees. In the case of a curved corner, the angle shall be determined by the lines tangent to the property line abutting the public roadways, provided the roadway is not a lane, at the point which is the extremity of that property line. In the case of a curved corner, the point which is the actual corner of the lot shall be that point on the property line abutting the public roadway, provided the roadway is not a lane, which is nearest to the point of intersection of the tangent lines;

**36) Lot Line, Front** means the property line separating a lot from an abutting public roadway other than a lane. In the case of a Corner Lot, the Front Line is the shorter of the property lines abutting a public roadway, other than a lane. In the case of a Corner Lot formed by a curved corner, the Front Lot Line shall be the shorter of the two segments of the property line lying between the point determined to be the actual corner and the two points at the extremities of that property line;

37) **Lot Line, Rear** means either the property line of a lot which is furthest from and opposite the Front Lot Line, or, where there is no such property line, the point of intersection of any property lines other than a Front Lot Line which is furthest from and opposite the Front Lot Line;

38) **Lot Line, Side** means the property line of a lot other than a Front Lot Line or Rear Lot Line;

39) **Mobile Home Lot** means the space allotted for the installation of one Mobile Home in any Mobile Home Park or Mobile Home Subdivision;

*Bylaw No. 10741*

*June 20, 1994*

3a) **Amateur Radio Antenna and Support Structure** 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 private, federally licensed amateur radio operators;

*Bylaw No. 6502*

*November 24, 1981*

4) **Amenity Area** means:

a)with respect to Residential Use Classes, space provided for the active or passive recreation and enjoyment of the occupants of a residential development, which may be for private or communal use and owned individually or in common, subject to the regulations of this Bylaw; and

b)with respect to non-residential Use Classes, space provided for the active or passive recreation and enjoyment of the public, during the hours which the development is open to the public, which shall be owned and maintained by the owners of the development, subject to the regulations of this Bylaw.

40) **Mobile Home Park** means a parcel of land under one title which has been divided into Mobile Home Lots;

41) **Mobile Home Subdivisions** means an area designated RMH District under this Bylaw and subdivided by a registered plan into individual lots of Mobile Homes;

42) **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;

*Bylaw 11261*

*June 17, 1996*

43) **Nonrequired Habitable Room Windows** includes any windows, in any Habitable Room, not required to meet the ventilation and natural light requirements of the regulations of the Safety Codes Act, 1991;

46) **Overlay** means additional regulations superimposed on specific areas of the Land Use District Map, which supersede or add to the regulations of the underlying Land Use Districts;

47) **Parking Garage** means an accessory building or structure, or any portion of a principal building or structure, containing communal parking spaces used for the parking or Temporary Storage of motor vehicles, and which may include facilities for repairing or servicing such vehicles where such are permitted or discretionary in this Bylaw;

*Bylaw No. 6626*

*November 10, 1981*

*Bylaw No. 11261*

*June 17, 1996*

48) **Party Wall** means either:

- a) a wall erected at, or upon, a line separating two parcels of land, each of which is, or is capable of being, a separate legal parcel subdivided under the Municipal Government Act, 1994; or
- b) a wall separating two Dwellings, each of which is, or is capable of being, a separate legal parcel divided under the Condominium Property Act, 1980;

*Bylaw No. 6502*

*November 24, 1981*

48a) **Pedestrian Way** means a right-of-way primarily intended for pedestrian traffic, located at, above or below grade which may or may not connect or pass through buildings;

*Bylaw No. 6502*

*November 24, 1981*

48b) **Recreational Facility** means, where referenced in an Area Redevelopment Plan, any open space or indoor area that has been developed for an Indoor Participant Recreation Service use or Outdoor Participant Recreation Service use, as defined in Section 10 of this Bylaw;

*Bylaw No. 9930*

*March 10, 1992*

*Bylaw No. 11260*

*June 17, 1996*

48c) **Satellite Signal Receiving** Antenna means an antenna used for the purpose of receiving television and radio broadcasts transmitted by satellite. Such an antenna (also referred to as a "satellite dish") is usually circular in shape, concave on the receiving side, and may be fixed or rotatable so that it is capable of tracking more than one satellite. This definition does not include an amateur radio, citizens" band, or any other type of antenna, and does not include dishes under one metre (3.28 ft.) in diameter;

*Bylaw No. 11261*

*June 17, 1996*

49) **Senior Citizen** means a person 65 years of age or over, or a person younger than 65 years of age who is married to, and living with, a person 65 years of age or older, or a person of such other age as established by the Alberta Social Housing Corporation for the purposes of eligibility for Senior Citizens" housing;

5) **Amenity Area, Private Outdoor** means required open space provided and designed for the active or passive recreation and enjoyment of the residents of a particular Dwelling and which is immediately adjacent to and directly accessible from the Dwelling it is to serve;

50) **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;

51) **Setback** means the distance that a development or a specified portion of it, must be set back from a property line. A Setback is not a Yard, Amenity Space, or Separation Space;

*Bylaw No. 6626*

*November 10, 1981*

52)**Site** means an area of land consisting of one or more abutting lots;

53) **Site, Depth** means the average horizontal distance between the front and rear lot lines of the site;

54) **Site, Width** means the horizontal distance between the side boundaries of the site measured at a distance from the front lot line equal to the minimum required Front Yard for the District;

**55) Sleeping Unit** means a Habitable Room, or a group of two or more Habitable Rooms, not equipped with selfcontained cooking facilities, providing accommodation for not more than two persons;

**56)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 which is situated between the top of any floor and the ceiling above it. If the top of the floor directly above a basement is more than 1.83 m (6 ft.) above grade, such basement shall be considered a storey for the purpose of this Bylaw;

57) **Storey, Half** means a storey under a gable, hip, or gambrel roof, the wall plates of which, on at least two opposite walls, are not more than 0.66 m (2 ft.) above the floor of such storey;

58) **Student Generation** means the maximum projected number of persons of school age that a proposed neighbourhood, defined geographic area or a particular development is likely to generate for the purpose of estimating school space requirements;

59) **Tandem Parking** means two parking spaces, one behind the other, with a common or shared point of access to the maneuvering aisle;

6) **Bachelor Suite** means a Dwelling in which the sleeping and living areas are combined and which, in the opinion of the Development Officer, is not reasonably capable of being developed as a unit containing one or more bedrooms;

60) **Temporary Development** means a development for which a Development Permit has been issued for a limited time only;

61) **Traffic Generation** means the volume of vehicular traffic generated over a prescribed area within a prescribed time frame, which can be directly attributed to a particular development or geographic area;

62) **Use** means the purpose or activity for which a piece of land or its buildings are designed, arranged, developed or intended, or for which it is occupied or maintained;

*Bylaw No. 10627*

*April 18, 1994*

62a) **Violation Notice** means the document issued by a Development Officer/Bylaw Enforcement Officer to a person who has committed an offence under Section 25 of this Bylaw;

63) **Yard** means required open space unoccupied by any portion of a building or structure 1 m (3.28 ft.) or more above grade, unless otherwise permitted in this Bylaw. A Yard is not a Setback, Amenity Area or Separation Space;

64) **Yard, Front** means the portion of a site abutting the Front Lot Line extending across the full width of the site, situated between the Front Lot Line and a line on the site parallel to it, at a specified distance from it, and measured at a right angle to it along its full length;

65) **Yard, Rear** means the portion of a site abutting the Rear Lot Line extending across the full width of the site, situated between the Rear Lot Line and a line on the site parallel to it, at a specified distance from it, measured at a right angle to it along its full length; and

66) **Yard, Side** means that portion of a site abutting a Side Lot Line extending from the Front Yard to the Rear Yard. The Side Yard shall be situated between the Side Lot Line and a line on the site parallel to it, at a specified distance from it, and measured at a right angle to it along its full length.

7) **Basement** means the portion of a building or structure which is wholly or partially below grade, having above grade no more than 1.85 m (6.07 ft.) of its clear height which lies below the finished level of the floor directly above;

*Bylaw No. 10189*

*November 16, 1992*

7a) **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;

*Bylaw No. 10529*

*November 15, 1993*

7b) **Bed and Breakfast Operation** means a Dwelling where temporary sleeping accommodations, with or without meals, are provided for remuneration to members of the public;

8) **Blank Walls** means exterior walls containing no windows, doors or other similar openings;

*Bylaw No. 6502*

*November 24, 1981*

8a) **Building Envelope** means, for the purpose of application through a Statutory Plan Overlay, a graphical illustration and accompanying regulations which define the maximum volume or extent of space within which a development may be designed relative to its site boundaries or a public roadway, and which indicates required design elements;

*Bylaw No. 10207*

*August 15, 1994*

8b)**Calliper** means the trunk diameter of a tree measured at a point 300 mm (1.0 ft.) above the top of the root ball;

9) **City Engineer** means the City Engineer for the City of Edmonton;

2) **Animated Sign** means any sign or portion of a sign having moving parts or electronically controlled colour changes which depict action or give motion to the sign. Animated Sign does not include Flashing Signs, Rotating Signs, signs with accessory running lights or flashing lights, or electronically controlled Changeable Copy Signs such as those showing time and temperature displays;

3) **Awning Sign** means a non-illuminated sign painted or stencilled on the fabric surface of a temporary shelter supported entirely from the exterior wall of a building and designed to be collapsible, retractable or capable of being folded against the wall of the supporting building;

*Bylaw No. 8324*

*September 24, 1986*

4a) **Balloon Sign** means a cold air-inflated structure in the general form of a hot air balloon or other similar style;

*Bylaw No. 8744*

*May 24, 1988*

4b) **Billboard** means a General Advertising Sign that has a sign area of more than 3.75 m<sup>2</sup> (40.35 sq. ft.). The display copy of the sign can be printed on a translucent vinyl sheet or painted on a number of plywood or light steel sections which are locked into a frame to form a single sign face;

6) **Business Identification Sign** means a sign identifying the name, dealer, franchise association, primary function, product or service of the commercial activity conducted on the premises, and may include local advertising and changeable copy;

7) **Canopy Sign** means a sign attached to, or forming part of, a permanent building projecting or fixed structural framework which extends outward from the exterior wall of a building and which may be roofed over or covered to provide protection over the entrance to a building. Canopy signs include marquees;

8) **Changeable Copy Sign** means a permanent On-premise Sign or portion of such a sign on which copy can be readily changed manually through the utilization of attachable characters, or automatically through the electronic switching of lamp banks or illuminated tubes. Changeable Copy Signs include mechanically controlled time and temperature displays;

9) **Copy** means the letters, graphics or characters which make up the message on sign face;

10) **Copy Area** means the total area within one or more rectangles which enclose the entire limits of the copy;

11) **Directional Sign** means an On-premise Sign providing direction to pedestrian or vehicular traffic without advertising copy, except a business logogram. Directional Signs include such signs as exit and parking signs;

12) **Electric Sign** means any sign containing electrical wiring or lights built into the sign face which are intended for connection to an electrical energy source;

13) **Facia Sign** means any sign painted on or attached to an exterior building wall so that the sign does not extend more than 40 cm (16 in.) out from the wall nor beyond the horizontal limits of the wall;

14) **Flashing Sign** means any sign or portion of a sign which contains, or is externally illuminated by an intermittent or flashing light source such that when the sign is lit more than one-third of the light source producing the flashing or intermittent illumination is turned off at any one time. Flashing Signs do not include electronically controlled Changeable Copy Signs or Animated Signs;

*Bylaw No. 10457*

*January 25, 1994*

15) **Freestanding Sign** means any sign supported independently of a building and permanently fixed to the ground;

*Bylaw No. 8744*

*May 24, 1988*

16) **General Advertising Sign** means a sign which directs attention to a business, activity, product, service or entertainment which cannot be considered as the principal products sold nor a principal business, activity, entertainment or service provided on the premises where the sign is displayed and general advertising has a similar meaning. Typical General Advertising Signs includes Billboards and Junior Panels as defined in this Bylaw;

17) **Height (sign)** means the vertical distance measured from the finished ground surface directly under the sign to the highest point of the sign;

18) **Identification Sign** means a sign which contains only the name and address of a building, institution or person and the activity carried on in the building or institution, but does not include any other advertising copy;

19) **Illuminated Sign** means any sign having only steady illumination of the same intensity by artificial means, either from lighting directed on the sign face or from a light source located within the sign which is transmitted through a transparent or translucent sign face;

*Bylaw No. 8744*

*May 24, 1988*

20) **Junior Panel** means a General Advertising Sign used to display copy printed on a translucent vinyl sheet which is mounted on a sign structure having an interior light source which provides back lighting for the sign copy. The sign shall have a minimum sign area of 1.6 m<sup>2</sup> (17 sq. ft.) and a maximum sign area of 3.75 m<sup>2</sup> (40.35 sq. ft.). Typical Junior Panels include pillar signs, poster panels and street ads;

21) **Local Advertising Sign** means a sign or portion of a sign on which the copy refers only to products or merchandise produced, offered for sale or obtainable at the premises on which the sign is displayed and which are related to the principal function of such premises, and local advertising has a similar meaning;

22) **Logogram** means a readily identifiable symbolic representation used exclusively by an individual company or person to simplify product or business recognition which contains no additional advertising message;

24) **Official Sign** means a sign required by, or erected pursuant to, the provisions of federal, provincial or municipal legislation;

25) **On-premise Sign** means a sign identifying or advertising a business, activity, service or product located on the premises where the sign is erected. On-premise Signs includes signs erected on a site to provide warning or direction to persons entering upon the site;

*Bylaw No. 7418*

*January 24, 1984*

26) **Portable Sign** means a sign greater than 0.5 m<sup>2</sup> (5.4 sq. ft.) in area mounted on a trailer, stand or other support structure which is designed in such a manner that the sign can readily be relocated to provide advertising at another location or readily taken on and off a site, and may include copy that can be changed manually through the use of attachable characters, message panels or other means;

28) **Projecting Sign** means any sign, except a Canopy Sign, which is supported by an exterior building wall and projects outward from the building wall by more than 40 cm (16 in.);

29) **Roof Sign** means any sign erected upon, against, or above a roof, or on top of or above, the parapet of a building;

30) **Rotating Sign** means a sign or part of a sign which moves in a revolving manner;

31) **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;

32) **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;

33) **Seasonal or Holiday Decorations** means temporary ornaments and displays erected in conjunction with seasonal or holiday activities such as Christmas or Canada Day where such ornaments and displays contain no local or general advertising of specific commercial services, merchandise or entertainment;

34) **Sign** means any visual medium, including its structure and other component parts, illuminated or not illuminated, which is used or capable of being used, on a permanent or temporary basis, to identify or convey information, or to advertise or attract attention to a product, service, place, activity, person, institution or business. Without limiting the generality of the foregoing, signs shall include banners, placards, and painted messages, but not national flags, interior window displays of merchandise, or signs painted on or attached to a motor vehicle intended for use on a public roadway;

35) **Sign Alteration** means any modification of a sign or supporting structure, excluding the routine maintenance or repainting of a sign or changing the copy on signs specifically designed for this purpose, such as bulletin boards, poster panels and Changeable Copy Signs;

36) **Sign Area** means the entire area of the sign on which copy is intended to be placed. In the case of doublefaced or multifaced sign, only half of the area of each face of the sign used to display advertising copy shall be used in calculating the total sign area;

37) **Sign Structure** means any structure which supports a sign, including materials used to conceal or improve the visual appearance of the structural parts;

38) **Temporary Sign** means a sign which is not permanently anchored to a footing extending below grade or permanently affixed to, or painted on, a building and on which the copy has been painted or affixed in a permanent manner. The copy on the sign shall relate to an activity, use or event of a limited time duration not exceeding six months, unless otherwise provided for in Section 79.9 of this Bylaw. Temporary signs include such signs as political campaign signs, real estate signs, construction Identification Signs, signs identifying seasonal businesses, signs advertising specific community events, and signs providing temporary identification for developments awaiting installation of a permanent sign. For the purpose of this Bylaw, Temporary Signs shall not include Portable Signs;

39) **Under-canopy Sign** means a doublefaced sign suspended below the ceiling or roof of a canopy;

40) **Warning Sign** means an On-premise Sign providing a warning to the public, including such signs as "no trespassing" or "private driveway" signs; and

41) **Window Sign** means any sign painted on, or affixed to, the inside or outside of a window, or installed inside a window and intended to be viewed from outside the premises. Window Sign does not include merchandise on display.

## Edmonton Land Use Bylaw 5996

### 10. Use Class Definitions

#### **10. Use Class Definitions**

*Bylaw No. 11260*

*June 17, 1996*

1) Use Class Categories, as set out in subsections 10.1 through 10.7 inclusive, group Use Classes with common functional or physical impact characteristics. A Use Class groups individual land uses with common functional or physical impact characteristics.

2) The Use Classes of this Section are used to define the range of uses which are permitted or discretionary within the various Land Use Districts of this Bylaw.

3) The following guidelines shall be applied in interpreting the Use Class definitions:

a) the typical uses which may be listed in the definitions are not intended to be exclusive or restrictive. Reference should be made to the definition of the Use Class in determining whether or not a use is included within a particular Use Class;

*Bylaw No. 6626*

*November 10, 1981*

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

c) the Use Class headings such as Residential or Commercial do not mean that the Use Classes listed under these headings are permitted only in Residential or Commercial Districts of this Bylaw. Reference must be made to the lists of Permitted and Discretionary Use Classes within each District.

#### [10.1 Residential Use Classes](#)

#### [10.2 Residential Related Use Classes](#)

#### [10.3 Commercial Use Classes](#)

#### [10.4 Industrial Use Classes](#)

#### [10.5 Agricultural and Natural Resource Development](#)

[10.6 Basic Service Use Classes](#)

[10.7 Community, Educational, Recreational and Cultural Service Use Classes](#)

Edmonton Land Use Bylaw 5996

10.1 Residential Use Classes

**10.1 Residential Use Classes**

[10.1 1\) Apartment Housing](#)

[10.1 2\) Duplex Housing](#)

[10.1 2a\) Garage Suite](#)

[10.1 3\) Linked Housing](#)

[10.1 4\) Mobile Home](#)

[10.1 5\) Row Housing](#)

[10.1 5a\) Secondary Suite](#)

[10.1 6\) Semi-detached Housing](#)

[10.1 7\) Single Detached Housing](#)

[10.1 8\) Stacked Row Housing](#)

1) **Apartment Housing** means development consisting of one or more Dwellings contained within a building in which the Dwellings are arranged in any horizontal or vertical configuration, which does not conform to the definition of any other Residential Use Class.

*Bylaw No. 10457*

*January 25, 1994*

2) **Duplex Housing** means development consisting of a building containing only two Dwellings, with one Dwelling placed over the other in whole or in part with individual and separate access to each Dwelling. This type of development shall be designed and constructed as two Dwellings at the time of initial construction of the building. This Use Class does not include Secondary Suites.

*Bylaw No. 11318*

*August 12, 1996*

2a) **Garage Suite** means development consisting of a self-contained Dwelling located above a rear detached garage which is accessory to Single Detached Housing. A Garage Suite has cooking, food preparation, sleeping and bathing facilities which are separate from those of the principal Dwelling located on the lot. For the purpose of this Clause, "cooking facilities" includes any stove, hotplate, oven, microwave oven, toaster oven or electric griddle, as well as any wiring or piping containing the energy or power source for such facilities. A Garage Suite has an entrance separate from the entrance to the rear detached garage, either from a common indoor landing or directly from the exterior of the structure. This Use Class does not include Secondary Suites.

3) **Linked Housing** means development consisting of Row Housing where each Dwelling is joined to the adjacent Dwelling by a wall which is not a party wall between habitable rooms, but which is common with the basement, garage, carport, entryway, or enclosed patio of the adjoining Dwelling.

4) **Mobile Home** means development consisting of transportable Single Detached Housing which is suitable for permanent occupancy, designed to be transported on its own wheels, and which is, upon its arrival at the site where it is to be located, ready for occupancy except for incidental building operations such as placement on foundation supports and connection to utilities.

5) **Row Housing** means development consisting of a building containing a row of two or more Dwellings joined in whole or in part at the side only with no Dwelling being placed over another in whole or in part. Each Dwelling shall be separated from the one adjoining, where they are adjoining, by a vertical party wall which is insulated against sound transmission. Adjoining rooms may or may not be Habitable Rooms. Each Dwelling shall have separate, individual, and direct access to grade. This Use Class includes Linked Housing and Semi-detached Housing.

*Bylaw No. 10741*

*June 20, 1994*

5a) **Secondary Suite** means development consisting of a self-contained Dwelling located in a structure in which the principal use is Single Detached Housing. A Secondary Suite has cooking, food preparation, sleeping and bathing facilities which are separate from those of the principal Dwelling within the structure. For the purpose of this Clause, "cooking facilities" includes any stove, hotplate, oven, microwave oven, toaster oven or electric griddle, as well as any wiring or piping containing the energy or power source for such facilities. A Secondary Suite also has an entrance separate from the entrance to the principal Dwelling, either from a common indoor landing or directly from the exterior of the structure. This Use Class includes conversion of basement space to a Dwelling, or the addition of new floorspace for a Secondary Suite to an existing Single Detached Dwelling. This Use Class does not include Duplex Housing, Semi-detached Housing, or Apartment Housing, where the structure was initially designed for two or more Dwellings, and does not include Boarding and Lodging Houses.

6) **Semi-detached Housing** means development consisting of a building containing Row Housing consisting of only two Dwellings. This Use Class includes Linked Housing consisting of only two Dwellings.

*Bylaw No. 10741*

*June 20, 1994*

7) **Single Detached Housing** means development consisting of a building containing only one Dwelling, which is separate from any other Dwelling or building. Where a Secondary Suite is a Permitted or Discretionary Use Class in a District, a building which contains Single Detached Housing may also contain a Secondary Suite. This Use Class includes Mobile Homes which conform to Section 89 of this Bylaw.

8) **Stacked Row Housing** means development consisting of Row Housing, except that Dwellings may be arranged two deep, either vertically so that Dwellings may be placed over others, or horizontally so that Dwellings may be attached at the rear as well as at the side. Each Dwelling shall have separate and individual access, not necessarily directly to grade, provided that no more than two Dwellings may share access to grade, and such access shall not be located more than 5.5 m (18.04 ft.) above grade. This Use Class includes Duplex Housing and Row Housing.

Edmonton Land Use Bylaw 5996

10.2 Residential Related Use Classes

**10.2 Residential-Related Use Classes**

[10.2 1\) Apartment Hotels](#)

[10.2 2\) Boarding and Lodging Houses](#)

[10.2 3\) Foster Homes](#)

[10.2 4\) Fraternity and Sorority Housing](#)

[10.2 5a\) Group Home](#)

[10.2 5b\) Limited Group Home](#)

[10.2 6\) Home Occupation, Major](#)

[10.2 7\) Home Occupation, Minor](#)

[10.2 8\) Temporary Shelter Services](#)

[10.2 9\) Residential Sales Centre](#)

*Bylaw No. 10457*

*January 25, 1994*

*Bylaw No. 10741*

*June 20, 1994*

10) **Deleted.**

1) **Apartment Hotels** means development consisting of Dwellings contained within a building or a part of a building having a principal common entrance, in which the Dwellings are suitable for use by the same person or group of persons for more than five consecutive days, there are cooking facilities within each Dwelling, the Dwellings are furnished including dishes and linen, and either maid service, telephone service, or desk service is provided. Apartment Hotels shall not contain Commercial Uses, unless such uses are a Permitted or Discretionary Use in the District where the Apartment Hotel is located.

2) **Boarding and Lodging Houses** means a development consisting of a building containing Sleeping Units, which may be in addition to a Dwelling, where lodging or sleeping accommodation with or without meals is provided for remuneration. This Use Class does not include Group Homes, or Fraternity and Sorority Housing. Typical uses include student cooperative housing and lodges for Senior Citizens.

3) **Foster Homes** means development consisting of the use of a Permitted or Discretionary Dwelling for more than four foster children.

*Bylaw No. 6220*

*May 25, 1982*

4) **Fraternity and Sorority Housing** means development consisting of a building used for social or cultural purposes, which may include Sleeping Units all provided and maintained by a national or local student society formed chiefly for social or cultural purposes.

*Bylaw No. 7229*

*September 27, 1983*

*Bylaw No. 9030*

*September 12, 1989*

5a) **Group Home** means development consisting of the use of a building as a facility which is recognized, authorized, licensed or certified by a public authority as a social care facility intended to provide room and board for seven residents or more, excluding staff, for foster children or disabled persons, or for persons with physical, mental, social or behavioral problems, and which may be for the personal rehabilitation of its residents either through selfhelp or professional care, guidance and supervision. The residential character of the development shall be primary with the occupants living together as a single housekeeping group and using cooking facilities shared in common. The Use Class does not include Extended Medical Treatment Services such as drug and alcohol addiction treatment centres. A typical use is a "half way house" of seven residents or more, excluding staff.

*Bylaw No. 7229*

*September 27, 1983*

*Bylaw No. 9030*

*September 12, 1989*

5b)**Limited Group Home** means development consisting of the use of a building as a facility which is recognized, authorized, licensed or certified by a public authority as a social care facility intended to provide room and board for six residents or less, exclusive of staff, for foster children or disabled persons, or for persons with physical, mental, social or behavioral problems, and which may be for the personal rehabilitation of its residents either through selfhelp or professional care, guidance and supervision. The residential character of the development shall be primary, with the occupants living together as a single housekeeping group and using cooking facilities shared in common. This Use Class does not include Extended Medical Treatment Services such as drug and alcohol addiction treatment centres. A typical use is a "half way house" of six residents or less, excluding staff.

*Bylaw No. 10529*

*November 15, 1993*

**6) Home Occupation, Major** means development consisting of the use of an approved Dwelling or accessory building by a resident of that Dwelling for one or more business(es) which business(es) may generate more than one (1) business associated visit per day. The business use must be secondary to the residential use of the building and shall not change the residential character of the Dwelling and/or accessory building. The Dwelling may be used as a workplace by a non-resident. This Use Class includes Bed and Breakfast operations but does not include General Retail Sales or Professional Offices.

*Bylaw No. 7322*

*September 16, 1983*

*Bylaw No. 10529*

*November 15, 1993*

7) **Home Occupation, Minor** means development consisting of the use of an approved Dwelling by a resident of that Dwelling for one or more business(es) which business(es) shall not require more than one (1) business associated visit per day at the Dwelling. The business must be secondary to the residential use of the building and no aspects of the business operations shall be detectable from outside the property. The Dwelling shall not be used as a workplace for non-resident employees of the business. This Use Class does not include General Retail Sales or Professional Offices.

8) **Temporary Shelter Services** means development sponsored or supervised by a public authority or non-profit agency for the purpose of providing temporary accommodation for persons requiring immediate shelter and assistance for a short period of time. Typical uses include hostels and overnight shelters.

*Bylaw No. 7322*

*September 16, 1983*

9) **Residential Sales Centre** means a permanent or temporary building or structure used for a limited period of time for the purpose of marketing residential land or buildings.

Edmonton Land Use Bylaw 5996

10.3 Commercial Use Classes

**10.3 Commercial Use Classes**

[10.3 1\) Aircraft Sales/Rentals](#)

[10.3 2\) Animal Hospitals and Shelters](#)

[10.3 2a\) Alcohol Sales, Major](#)

[10.3 2b\) Alcohol Sales, Minor](#)

[10.3 3\) Amusement Establishments, Major](#)

[10.3 3a\) Amusement Establishments, Minor](#)

[10.3 4\) Amusement Establishments, Outdoors](#)

[10.3 5\) Auctioneering Establishments](#)

[10.3 6\) Automotive and Equipment Repair Shops](#)

[10.3 7\) Automotive and Minor Recreation Vehicle Sales/Rentals](#)

[10.3 8\) Broadcasting and Motion Picture Studios](#)

[10.3 9\) Business Support Services](#)

[10.3 10\) Carnivals](#)

[10.3 10a\) Casinos and other Gaming Establishments](#)

[10.3 11\) Commercial Schools](#)

[10.3 11a\) Contractor Services, General](#)

[10.3 12\) Contractor Services, Limited](#)

[10.3 12a\) Convenience Vehicle Rentals](#)

[10.3 13\) Cremation and Interment Services](#)

[10.3 14\) Custom Manufacturing Establishments](#)

[10.3 15\) Drive-in Food Services](#)

[10.3 16\)Drive-in Motion Picture Theatres](#)

[10.3 17\)Eating and Drinking Establishments, Major](#)

[10.3 18\)Eating and Drinking Establishments, Minor](#)

[10.3 19\)Equipment Rentals](#)

[10.3 19a\)Flea Market](#)

[10.3 20\)Fleet Services](#)

[10.3 21\)Funeral Services](#)

[10.3 22\)Gas Bars](#)

[10.3 23\)Greenhouses and Plant Nurseries](#)

[10.3 24\)Health Services](#)

[10.3 25\)Hotels](#)

[10.3 26\)Household Repair Services](#)

[10.3 27\)Mobile Catering Food Services](#)

[10.3 28\)Motels](#)

[10.3 29\)Parking, Non-accessory](#)

[10.3 30\)Personal Service Shops](#)

[10.3 31\)Professional, Financial and Office Support Services](#)

[10.3 31a\)Professional Offices](#)

[10.3 32\)Rapid Drive-through Vehicle Services](#)

[10.3 33\)Retail Stores, Convenience](#)

[10.3 34\)Retail Stores, General](#)

[10.3 35\)Recycling Depots](#)

[10.3 36\)Secondhand Stores, Major](#)

[10.3 36a\)Secondhand Stores, Minor](#)

[10.3 37\)Service Stations, Major](#)

[10.3 38\)Service Stations, Minor](#)

[10.3\(38a\)Train Station](#)

[10.3 39\)Truck and Mobile Home Sales/Rentals](#)

[10.3 40\)Veterinary Services, Minor](#)

[10.3 41\)Warehouse Sales](#)

1) **Aircraft Sales/Rentals** means development used for the sale, charter or rental of aircraft together with incidental maintenance services, and the sale of parts and accessories.

2) **Animal Hospitals and Shelters** means development used for the temporary accommodation and care or impoundment of small animals within an enclosed building. This Use Class does not include Small Animal Breeding and Boarding.

*Bylaw No. 10581*

*November 15, 1993*

2a) **Alcohol Sales, Major** means development used for the retail sales of any and all types of alcoholic beverages to the public where the floor area for the individual business premises is greater than 275 m<sup>2</sup> (2960.17 sq. ft.). This Use Class may include retail sales of related products such as soft drinks and snack foods.

*Bylaw No. 10581*

*November 15, 1993*

2b) **Alcohol Sales, Minor** means development used for the retail sale of any and all types of alcoholic beverages to the public. This Use Class may include retail sales of related products such as soft drinks and snack foods. The maximum floor area for this Use Class shall be no more than 275 m<sup>2</sup> (2,960.17 sq. ft.) per individual business premises.

*Bylaw No. 7541*

*December 11, 1984*

*Bylaw No. 9859*

*October 9, 1991*

*Bylaw No. 11321*

*September 3, 1996*

3) **Amusement Establishments, Major** means development providing facilities within any building, room or area having three or more table games or electronic games played by patrons for entertainment. This Use Class does not include Carnivals, Circuses, Indoor Participant Recreation Services, Adult Mini-Theatres, or Casinos and Other Gaming Establishments.

*Bylaw No. 7541*

*December 11, 1984*

*Bylaw No. 9859*

*October 9, 1991*

*Bylaw No. 11321*

*September 3, 1996*

3a) **Amusement Establishments, Minor** means development providing facilities within any building, room or area having two or less table games or electronic games played by patrons for entertainment. This Use Class does not include Carnivals, Circuses, Indoor Participant Recreation Services, Adult Mini-Theatres, or Casinos and Other Gaming Establishments.

4) **Amusement Establishments, Outdoors** means permanent development providing facilities for entertainment and amusement activities which primarily take place outofdoors, where patrons are primarily participants. This Use Class does not include Drive-in Motion Picture Theatres, Carnivals or Circuses. Typical uses include amusement parks, go-cart tracks and miniature golf establishments.

*Bylaw No. 10773*

*July 26, 1994*

5) **Auctioneering Establishments** means development specifically intended for the auctioning of goods and equipment, including Temporary Storage of such goods and equipment. This Use Class does not include Flea Markets.

6) **Automotive and Equipment Repair Shops** means development used for the servicing and mechanical repair of automobiles, motorcycles, snowmobiles and similar vehicles or the sale, installation or servicing of related accessories and parts. This Use Class includes transmission shops, muffler shops, tire shops, automotive glass shops, and upholstery shops. This Use Class does not include body repair and paint shops.

*Bylaw No. 10457*

*January 25, 1994*

7) **Automotive and Minor Recreation Vehicle Sales/Rentals** means development used for the retail sale or rental of new or used automobiles, motorcycles, snowmobiles, tent trailers, boats, travel trailers or similar light recreational vehicles or crafts, together with incidental maintenance services and sale of parts. This Use Class includes automobile dealerships, car rental agencies and motorcycle dealerships. This Use Class does not include dealerships for the sale of trucks with a gross vehicle weight rating of 4 000 kg (8,818.5 lbs.) or greater, or the sale of motorhomes with a gross vehicle weight rating greater than 6 000 kg (13,227.7 lbs.) or a length of more than 6.7 m (22.0 ft.).

8) **Broadcasting and Motion Picture Studios** means development used for the production and/or broadcasting of audio and visual programming typically associated with radio, television and motion picture studios.

*Bylaw No. 6626*

*November 10, 1981*

9) **Business Support Services** means development used to provide support services to businesses which are characterized by one or more of the following features; the use of minor mechanical equipment for printing, duplicating, binding or photographic processing, the provision of office maintenance or custodial services, the provision of office security, and the sale, rental, repair or servicing of office equipment, furniture and machines. Typical uses include printing establishments, film processing establishments, janitorial firms and office equipment sales and repair establishments.

10) **Carnivals** 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.

*Bylaw No. 11321*

*September 3, 1996*

10a) **Casinos and Other Gaming Establishments** means development providing facilities for patrons to participate in gaming opportunities as the principal use. Typical uses include Bingos and Casinos. This Use Class does not include Major and Minor Amusement Establishments or other Use Classes where a Bingo or Casino occurs on an infrequent basis as an accessory use to another principal use.

11) **Commercial Schools** means 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. This Use Class does not include schools defined as Public Education or Private Education. Typical uses include secretarial, business, hairdressing, beauty culture, dancing or music schools.

*Bylaw No. 6626*

*November 10, 1981*

11a) **Contractor Services, General** means development used for the provision of 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 Services Use only. This Use Class does not include Professional, Financial and Office Support Services.

12) **Contractor Services, Limited** means development used for the provision of electrical, plumbing, heating, painting and similar contractor services primarily to individual households and the accessory sale 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.

*Bylaw No. 6626*

*November 10, 1981*

*Bylaw No. 11261*

*June 17, 1996*

12a) **Convenience Vehicle Rentals** means development used for the rental of new or used automobiles and light trucks with a gross vehicle weight rating of 4000 kg (8,818.5 lbs.) or less. This Use Class includes those establishments which are not strictly office in nature, but include, as an integral part of the operation, minor vehicle servicing, storing, fueling or car washing facilities. This Use Class does not include Professional, Financial and Office Support Services, Fleet Services or establishments for the rental of trailers.

13) **Cremation and Interment Services** means development used for the purification and reduction of the human body by heat and the keeping of human bodies, other than in Cemeteries. Typical uses include crematories, mausoleums, cinerariums or columbariums.

14) **Custom Manufacturing Establishments** 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. Typical uses include jewelry, toy and musical instrument manufacturing, gunsmiths, and pottery and sculpture studios.

15) **Drive-in Food Services** means development used for eating and drinking which offer a limited menu produced in a manner that allows rapid customer service and include one or more of the following features: car attendant services; drive-through food pickup services; or parking primarily intended for the on-site consumption of food within a motor vehicle.

16) **Drive-in Motion Picture Theatres** means development specifically designed for the showing of motion pictures on an outdoor screen for viewing by patrons from within their motor vehicles.

17) **Eating and Drinking Establishments, Major** means development where prepared food and beverages are offered for sale to the public from establishments which are characterized by one or more of the following features: the provision of theatre, dancing or cabaret entertainment; facilities primarily intended for the on-premise catering of food to large groups; and facilities primarily intended for the provision and consumption of alcoholic beverages which have a seating capacity for 100 or more persons. Typical uses include beverage rooms, cocktail lounge, cabarets, nightclubs, theatre restaurants and banquet facilities.

*Bylaw No. 6626*

*November 10, 1981*

18) **Eating and Drinking Establishments, Minor** means development where prepared foods and beverages are offered for sale to the public, for consumption within the premises or off the site. This Use Class includes neighbourhood pubs, licensed restaurants, cafes, delicatessens, tea rooms, lunch rooms, refreshment stands and takeout restaurants. This Use Class does not include Drive-in Food Services, Mobile Catering Food Services, or Major Eating and Drinking Establishments.

19) **Equipment Rentals** means development used for the rental of tools, appliances, recreation craft, office machines, furniture, light construction equipment, or similar items. This Use Class does not include the rental of motor vehicles or industrial equipment.

*Bylaw No. 10773*

*July 26, 1994*

19a) **Flea Market** shall mean development used for the sale of new or used goods 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. The goods sold are generally household items, tools, electronic equipment, food products or concessions, plants, clothing and furniture. Such operations are usually conducted on weekends and holidays only. This Use Class does not include Major or Minor Secondhand Stores.

20) **Fleet Services** 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 Use Class includes ambulance services, taxi services, bus lines, messenger and courier services. This Use Class does not include moving or cartage firms involving trucks with a gross vehicle weight of more than 3 000 kg (6,613.87 lbs.).

21) **Funeral Services** means development used for the preparation of the dead for burial or cremation, and the holding of Funeral Services. This Use Class includes funeral homes and undertaking establishments. This Use Class does not include Cremation and Interment Services.

22) **Gas Bars** means development used for the retail sale of gasoline, other petroleum products, and incidental auto accessories. This Use Class does not include Minor and Major Service Stations.

23) **Greenhouses and Plant Nurseries** means development used primarily for the raising, storage and sale of bedding, household and ornamental plants.

24) **Health Services** means development used for the provision of physical and mental Health Services on an outpatient basis. Services may be of a preventive, diagnostic, treatment, therapeutic, rehabilitative or counselling nature. Typical uses include medical and dental offices, health clinics and counselling services.

25) **Hotels** 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 are not equipped with individual kitchen facilities. Hotels may include accessory Eating and Drinking Establishments, meeting rooms, and Personal Services Shops.

26) **Household Repair Services** means development used for the provision of repair services to goods, equipment and appliances normally found within the home. This Use Class includes radio, television and appliance repair shops, furniture refinishing and upholstery shops. This Use Class does not include Personal Service Shops.

27) **Mobile Catering Food Services** means development using a fleet of three or more vehicles for the delivery and sale of food to the public.

28) **Motels** means development used for the provision of rooms or suites for temporary lodging or light housekeeping, where each room or suite has its own exterior access. Motels may include accessory Eating and Drinking Establishments and Personal Service Shops.

29) **Parking, Non-accessory** means development providing vehicular parking which is not primarily intended for the use of residents, employees or clients of a particular development. Typical uses include surface parking lots and parking structures located above or below grade.

30) **Personal Service Shops** means development used for the provision of personal services to an individual which are related to the care and appearance of the body, or the cleaning and repair of personal effects. This Use Class includes barbershops, hairdressers, beauty salons, tailors, dressmakers, shoe repair shops, and dry cleaning establishments and laundromats. This Use Class does not include Health Services.

31) **Professional, Financial and Office Support Services** means development primarily used for the provision of professional, management, administrative, consulting, and financial services, but does not include Health Services or Government Services. Typical uses include the offices of lawyers, accountants, engineers, and architects; offices for real estate and insurance firms; clerical, secretarial, employment, telephone answering, and similar office support services; and banks, credit unions, loan offices and similar financial uses.

*Bylaw No. 6626*

*November 10, 1981*

31a) **Professional Offices** means development primarily used for the provision of professional services but does not include Professional, Financial and Office Support Services or Health Services. Typical uses include the offices of lawyers, accountants, engineers, architects, doctors, dentists and chiropractors.

32) **Rapid Drive-through Vehicle Services** means development providing rapid cleaning, lubrication, maintenance or repair services to motor vehicles, where the customer typically remains within his vehicle or waits on the premises. Typical uses include automatic or coin operated car washes, rapid lubrication shops, or specialty repair establishments.

33) **Retail Stores, Convenience** means development used for the retail sale of those goods required by area residents or employees on a day to day basis, from business premises which do not exceed 275 m<sup>2</sup> (2,960.07 sq. ft.) in gross floor area. Typical uses include small food stores, drug stores, and variety stores selling confectionary, tobacco, groceries, beverages, pharmaceutical and personal care items, hardware or printed matter.

*Bylaw No. 7728*

*March 12, 1985*

*Bylaw No. 10581*

*November 15, 1993*

*Bylaw No. 10457*

*January 25, 1994*

*Bylaw No. 10207*

*August 15, 1994*

34) **Retail Stores, General** means development used for the retail sale of groceries, beverages, household goods, furniture and appliances, hardware, printed matter, confectionary, tobacco, pharmaceutical and personal care items, automotive parts and accessories, video sales and rentals, office equipment, stationery and similar goods from within an enclosed building. Minor public services, such as postal services and film processing depots, are permitted within General Retail Stores. This Use Class includes Retail Stores, Convenience, and excludes Warehouse Sales. Retail Stores, General does not include developments used for the sale of gasoline, heavy agricultural and industrial equipment, alcoholic beverages, or second hand goods.

*Bylaw No. 9949*

*November 25, 1991*

35) **Recycling Depots** means development used for the buying and temporary storage of bottles, cans, newspapers and similar household goods for reuse where all storage is contained within an enclosed building. Such establishments shall not have more than four vehicles for the pickup and delivery of goods. This Use Class does not include Recycled Materials Drop-off Centres.

*Bylaw No. 7728*

*March 12, 1985*

*Bylaw No. 10773*

*July 26, 1994*

**36) Secondhand Stores, Major** means development used for the retail sale of secondhand or used major and minor household goods, including the refurnishing and repair of the goods being sold. Such establishments generally require a larger display, storage and loading space. This Use Class includes Minor Secondhand Stores. Typical uses include the resale of relatively bulky items such as antique or used furniture and major appliances. This Use Class does not include the sale of used vehicles, recreation craft or construction and industrial equipment. This Use Class does not include Flea Markets or any Use Class involving the sale of used vehicles, recreation craft or construction and industrial equipment.

*Bylaw No. 7728*

*March 12, 1985*

*Bylaw No. 10773*

*July 26, 1994*

36a) **Secondhand Stores, Minor** means development used for the retail sale of secondhand or used personal and minor household goods, including the minor repair of such goods. Goods sold in such establishments are characterized by their relatively small demand for storage, display and loading space. Typical uses include the resale of clothing, jewelry, stereos and musical instruments. This Use Class does not include Flea Markets.

37) **Service Stations, 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. Major Service Stations may include Minor Eating and Drinking Establishments. Typical uses include truck stops and highway service stations.

38) **Service Stations, Minor** means development used for the routine washing, servicing and repair of vehicles within a building containing not more than three service bays; and for the sale of gasoline, petroleum products, and a limited range of automotive parts and accessories.

*Bylaw No. 11520*

*June 17, 1997*

38a) **Train Station** means a development using a building, structure or land for the loading and unloading of passengers, and passenger related items, onto and off of trains. This Use Class does not include Minor Impact Utility Services.

39) **Truck and Mobile Home Sales/Rentals** means development used for the sale or rental of new or used trucks, motorhomes, Mobile Homes, and automobiles together with incidental maintenance services and the sale of parts and accessories. Typical uses include truck dealerships, recreation vehicle sales and Mobile Home dealerships.

*Bylaw No. 6626*

*November 10, 1981*

40) **Veterinary Services, Minor** means development used for the care and treatment of small animals where the veterinary services primarily involve outpatient care and minor medical procedures involving hospitalization for fewer than four days. All animals shall be kept within an enclosed building. This Use Class includes pet clinics, small animal veterinary clinics and veterinary offices. This Use Class does not include Animal Hospitals and Shelters.

*Bylaw No. 7016*

*September 14, 1982*

*Bylaw No. 10773*

*July 26, 1994*

41) **Warehouse Sales** means development used for the wholesale or retail sale of a limited range of bulky goods from within an enclosed building where the size and nature of the principal goods being sold typically require large floor areas for direct display to the purchaser or consumer. This Use Class includes developments where principal goods being sold are such bulky items as furniture, carpet, major appliances and building materials. This Use Class does not include Flea Markets or developments used for the retail sale of food or a broad range of goods for personal or household use.

Edmonton Land Use Bylaw 5996

10.4 Industrial Use Classes

**10.4 Industrial Use Classes**

[10.4 1\) General Industrial Uses](#)

[10.4 2\) Temporary Storage](#)

[10.4 3\) Vehicle and Equipment Sales/Rentals, Industrial](#)

[10.4 4\) Adult Mini-Theatre](#)

[10.4 5\) Residential Security Unit](#)

*Bylaw No. 7016*

*September 14, 1982*

1) **General Industrial Uses** means development used principally for one or more of the following activities:

a) the processing of raw materials;

*Bylaw No. 11261*

*June 17, 1996*

b) the manufacturing or assembling of semi-finished or finished 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;

e) the distribution and sale of materials, goods and equipment to institutions or industrial and commercial businesses for their direct use or to General Retail Stores or other sales Use Classes defined in this Bylaw for resale to individual customers; or

f) the training of personnel in General Industrial operations.

Any indoor display, office, technical or administrative support areas or any retail sale operations shall be accessory to the General Industrial Use activities identified above. The floor area devoted to such accessory activities shall not exceed 33 percent of the total gross floor area of the building(s) devoted to the General Industrial Use, except that this restriction shall not apply where a significant portion of the industrial activity naturally and normally takes place out of doors.

This Use Class includes vehicle body repair and paint shops. This Use Class does not include Major Impact Utility Services and Minor Impact Utility Services or the preparation of food and beverages for direct sale to the public.

2) **Temporary Storage** means development used exclusively for temporary outdoor storage of goods and materials where such storage of goods and materials does not involve the erection of permanent structures or the material alteration of the existing state of the land. Typical uses include pipe Yards, or vehicle or heavy equipment storage compounds.

*Bylaw No. 6626*

*November 10, 1981*

3) **Vehicle and Equipment Sales/Rentals, Industrial** means development used for the sale or rental of heavy vehicles, machinery or mechanical equipment typically used in building, roadway, pipeline, oilfield and mining construction, manufacturing, assembling and processing operations and agricultural production. This Use Class does not include Truck and Mobile Home Sales/Rentals.

*Bylaw No. 9859*

*October 9, 1991*

*Bylaw No. 10822*

*August 15, 1994*

4) **Adult Mini-Theatre** means an establishment or any part thereof, where, for any form of consideration, live entertainment, motion pictures, video tapes, video discs, slides or similar electronic or photographic reproductions, the main feature of which is the nudity or partial nudity of any person, are shown as a principal use, or are shown as an accessory use to some other business activity which is conducted on the premises, and where individual viewing areas or booths have a seating capacity of 10 persons or less.

*Bylaw No. 10244*

*November 16, 1992*

5) **Residential Security Unit** means development used as an on-site residential unit intended for habitation by on-duty security personnel at a mini-storage facility, that being used for the rental of small compartmentalized indoor storage units to the general public. While a mini-storage facility shall be considered as a General Industrial Use, any ancillary Residential Security Unit shall be considered separately under this Use Class definition, and not as a General Industrial Use. A Residential Security Unit may be developed as an integral component of the principal storage facility or may be developed in a separate structure onsite. Such General Development Regulations of this Bylaw may be deemed to apply to this Use Class as are considered appropriate in the opinion of the Development Officer.

Edmonton Land Use Bylaw 5996

10.5 Agricultural and Natural Resource Development

**10.5 Agricultural and Natural Resource Development**

[10.5 1\) Farms](#)

[10.5 2\) Farms, Non-commercial](#)

[10.5 3\) Natural Resource Development](#)

[10.5 4\) Small Animal Breeding and Boarding Establishments](#)

*Bylaw No. 11261*

*June 17, 1996*

1) **Farms** means development for the primary production of farm products such as: dairy products; poultry products; cattle, hogs, sheep and other animals; wheat or other grains; and vegetables or other field crops.

2) **Farms, Non-commercial** means development for smallscale, non-commercial agricultural pursuits ancillary to rural Residential Uses. This Use Class shall be developed so that it will not unduly interfere with the general enjoyment of adjacent property. Animals shall be kept for the use or enjoyment of the householder only.

3) **Natural Resource Development** means development for the on-site removal, extraction, and primary processing of raw materials found on or under the site, or accessible from the site. Typical uses in this class include gravel pits, sandpits, clay pits, oil and gas wells, coalmining, and stripping of topsoil. This Use Class does not include the processing of raw materials transported to the site.

4) **Small Animal Breeding and Boarding Establishments** means development used for the breeding, boarding or training of small animals normally considered as household pets. Typical uses are kennels and pet boarding establishments.

Edmonton Land Use Bylaw 5996

10.6 Basic Service Use Classes

**10.6 Basic Service Use Classes**

[10.6 1\) Cemeteries](#)

[10.6 2\) Detention and Correction Services](#)

[10.6 3\) Essential Utility Services](#)

[10.6 4\) Extended Medical Treatment Services](#)

[10.6 5\) Government Services](#)

[10.6 6\) Major Impact Utility Services](#)

[10.6 7\) Minor Impact Utility Services](#)

[10.6 8\) Protective and Emergency Services](#)

[10.6 9\) Recycled Materials Drop-off Centre](#)

1) **Cemeteries** 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, cinerariums, columbariums, and mausoleums. Typical uses in this class include memorial parks, burial grounds and gardens of remembrance.

2) **Detention and Correction Services** means development for the purpose of holding or confining, and treating or rehabilitating persons. Typical uses include prisons, mental institutions, jails, remand centres, asylums and correction centres.

3) **Essential Utility Services** means development which is part of the infrastructure of a principal utility regulating stations, pumping stations, electrical power transformers, underground water reservoirs and wells.

4) **Extended Medical Treatment Services** means development providing room, board, and surgical or other medical treatment for the sick, injured or infirm including outpatient services and accessory staff residences. Typical uses include hospitals, sanitariums, nursing homes, convalescent homes, isolation facilities, psychiatric hospitals, auxiliary hospitals, and detoxification centres.

5) **Government Services** means development providing municipal, provincial or federal Government Services directly to the public. This Use Class does not include Protective and Emergency Services, Detention and Correction Services, Minor or Major Impact Utility Services, and Public Education Services. Typical uses include taxation offices, courthouses, postal distribution offices, manpower and employment offices, social service offices and airport terminals.

6) **Major Impact Utility Services** means development for public utility infrastructural purposes which are likely to have a major impact on the environment or adjacent uses by virtue of their potential emissions or effects, or their appearance. Typical uses include sanitary land fill sites, sewage treatment plants, sewage lagoons, sludge disposal beds, garbage transfer and compacting stations, power generating stations, cooling plants, District heating plants, incinerators and waste recycling plants.

7) **Minor Impact Utility Services** means development for public utility infrastructural purposes which is likely to have some impact on the environment or adjacent land uses by virtue of its appearance, noise size, traffic generation or operational characteristics. Typical uses in this class include vehicle, equipment and material storage Yards for utilities and services; telephone exchanges; wire centres; switching centres; snow dumping sites; light rail transit stations; transit bus terminals, depots and transfer facilities; surface reservoirs or storm water lakes; water towers; hydrospheres; water treatment plants; power terminal and distributing substations; communication towers and gate stations for natural gas distribution.

**8)Protective and Emergency Services** means development which is required for the public protection of persons and property from injury, harm or damage together with the incidental storage of emergency development which is necessary for the local distribution of utility services. Typical uses in this class include gas equipment and vehicles. Typical uses include police stations, fire stations and ancillary training facilities.

*Bylaw No. 9949*

*November 25, 1991*

9) **Recycled Materials Drop-off Centre** means a municipally-operated development used for the collection and temporary storage of recyclable materials. Recyclable materials includes, but is not limited to, cardboard, plastics, paper, metal and similar household goods. Recyclable material left at the Drop-off Centre shall be periodically removed and taken to larger, permanent recycling operations for final recycling. These Drop-off Centres are intended to operate out of doors within a fenced compound. This Use Class does not include Recycling Depots.

Edmonton Land Use Bylaw 5996

10.7 Community, Educational, Recreational and Cultural Service Use Classes

**10.7 Community, Educational, Recreational and Cultural Service Use Classes**

[10.7 1\) Community Recreation Services](#)

[10.7 2\) Child Care Services](#)

[10.7 3\) Exhibition and Convention Facilities](#)

[10.7 4\) Indoor Participant Recreation Services](#)

[10.7 5\) Natural Science Exhibits](#)

[10.7 6\) Outdoor Participant Recreation Services](#)

[10.7 7\) Private Clubs](#)

[10.7 8\) Private Education Services](#)

[10.7 9\) Public Education Services](#)

[10.7 10\) Public Libraries and Cultural Exhibits](#)

[10.7 11\) Public Park](#)

[10.7 12\) Religious Assembly](#)

[10.7 13\) Spectator Entertainment Establishments](#)

[10.7 14\) Spectator Sports Establishments](#)

[10.7 15\) Tourist Campsites](#)

1) **Community Recreation Services** means development for recreational, social or multi purpose use without fixed seats and an occupancy capacity of less than 500 persons, primarily intended for local community purposes. Typical uses include community halls, community centres, and community league buildings operated by a local residents' organization.

*Bylaw No. 11095*

*November 6, 1995*

2) **Child Care Services** means development intended to provide care, educational activities and supervision for groups of 7 or more children under 13 years of age during the day or evening, but does not include overnight accommodation, and is intended to be operated for at least 12 consecutive weeks each year. This Use Class includes daycare centres, out-of-school care centres, drop-in centres and nursery schools.

3) **Exhibition and Convention Facilities** means a development which is owned and managed by a public authority or non-profit agency and provides permanent facilities for meetings, seminars and conventions; product and trade fairs; circuses; and other exhibitions. Typical uses include exhibition grounds and convention centres.

4) **Indoor Participant Recreation Services** means development providing facilities within an enclosed building for sports and active recreation where patrons are predominantly participants and any spectators are incidental and attend on a non-recurring basis. Typical uses include athletic clubs; health and fitness clubs; curling, roller skating and hockey rinks; swimming pools; rifle and pistol ranges, bowling alleys and racquet clubs.

5) **Natural Science Exhibits** means development for the preservation, confinement, exhibition or viewing of plants, animals and other objects in nature. Typical uses include zoos, botanical gardens, arboreta, planetarium, aviaries and aquaria.

**6) Outdoor Participant Recreation Services** means development providing facilities which are available to the public at large for sports and active recreation conducted outdoors. This Use Class does not include Community Recreation Services, Spectator Sports Establishments and Outdoor Amusement Establishments. 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.

7) **Private Clubs** means development used for the meeting, social or recreational activities of members of a non-profit philanthropic, social service, athletic, business or fraternal organization, without on-site residences. Private Clubs may include rooms for eating, drinking and assembly.

8) **Private Education Services** means development for instruction and education which is not maintained at public expense and which may or may not offer courses of study equivalent to those offered in a public school or private instruction as a home occupation. This Use Class includes dormitory and accessory buildings. This Use Class does not include Commercial Schools.

9) **Public Education Services** means development which is publicly supported or subsidized involving public assembly for educational, training or instruction purposes, and includes the administration offices required for the provision of such services on the same site. This Use Class includes public and separate schools, community colleges, universities, and technical and vocational schools, and their administrative offices. This Use Class does not include Private Education Services and Commercial Schools.

10) **Public Libraries and Cultural Exhibits** means development for the collection of literary, artistic, musical and similar reference materials in the form of books, manuscripts, recordings and films for public use; or a development for the collection, preservation and public exhibition of works or objects of historical, scientific or artistic value. Typical uses include libraries, museums and art galleries.

11) **Public Park** means development of public land specifically designed or reserved for the general public for active or passive recreational use and includes all natural and manmade landscaping, facilities, playing fields, buildings and other structures that are consistent with the general purposes of Public Parkland, whether or not such Recreational Facilities are publicly operated or operated by other organizations pursuant to arrangements with the public authority owning the park. Typical uses include tot lots, band shells, picnic grounds, pedestrian trails and paths, landscaped buffers, playgrounds and water features.

*Bylaw No. 6626*

*November 10, 1981*

*Bylaw No. 10936*

*October 16, 1995*

12) **Religious Assembly** means development used for worship and related religious, philanthropic or social activities and includes accessory rectories, manses, meeting rooms, classrooms, dormitories and other buildings. Typical uses include churches, chapels, mosques, temples, synagogues, parish halls, convents and monasteries. This Use Class does not include Private Education Services, Public Education Services, and Commercial Schools, even as accessory uses.

*Bylaw No. 9859*

*October 9, 1991*

13) **Spectator Entertainment Establishments** means development providing facilities within an enclosed building specifically intended for live theatrical, musical or dance performances; or the showing of motion pictures. This Use Class does not include entertainment developments associated with Major Eating and Drinking Establishments and does not include Adult Mini-Theatres. Typical uses include auditoria, cinemas, theatres and concert halls.

14) **Spectator Sports Establishments** means development providing facilities intended for sports and athletic events which are held primarily for public entertainment, where patrons attend on a recurring basis. This Use Class does not include Indoor Participant Recreation Services or Outdoor Participant Recreation Services. Typical uses include coliseums, stadia, arenas, animal racing tracks and vehicle racing tracks.

15) **Tourist Campsites** means development of land which has been planned and improved for the seasonal short term use of holiday trailers, motor homes, tents, campers and similar recreational vehicles, and is not used as year round storage, or accommodation for residential use. Typical uses include tourist trailer parks, campsites and tenting grounds.

Edmonton Land Use Bylaw 5996

11. Authority and Responsibility of the Development Officer

**11. Authority and Responsibility of the Development Officer**

*Bylaw No. 6626*

*November 10, 1981*

*Bylaw No. 7729*

*March 12, 1985*

*Bylaw No. 8223*

*May 13, 1986*

**11.1 Establishment and Appointment**

1) The Office of the Development Officer is hereby established.

*Bylaw No. 11622*

*November 25, 1997*

2) The Development Officer shall be:

a) the General Manager of the City Planning and Development Department, or in his absence, the Acting General Manager of the City Planning and Development Department; and

b) any person within the City Planning and Development Department occupying the position of Development Control Officer; and

c) any other person specifically delegated by the General Manager of the City Planning and Development Department as having the authority to approve development permit applications.

*Bylaw No. 11261*

*June 17, 1996*

3) For the purposes of this Bylaw, the Development Officer shall constitute the Development Authority of the City of Edmonton, pursuant to Development Authority Bylaw No. 11134.

*Bylaw No. 7729*

*March 12, 1985*

**11.2Deleted**

*Bylaw No. 6626*

*November 10, 1981*

*Bylaw No. 7729*

*March 12, 1985*

*Bylaw No. 8223*

*May 13, 1986*

**11.3Deleted**

*Bylaw No. 7729*

*March 12, 1985*

**11.4Duties with Respect to Development Applications**

The Development Officer shall receive all applications for development and:

1)shall review each development application to ascertain whether it is complete in accordance with the information requirements of this Bylaw, and shall, if the application complies with such requirements, enter the application in the Register of Applications in accordance with the provisions of Section 11.7 of this Bylaw;

*Bylaw No. 6626*

*November 10, 1981*

2)shall review each development application to ascertain its appropriate development class, and may require the applicant to apply for a permit for a different class;

*Bylaw No. 6626*

*November 10, 1981*

3)shall approve, without conditions, or with such conditions as required to ensure compliance, an application for development of a Permitted Use provided the development complies with the regulations of this Bylaw, or shall refuse an application for development of a Permitted Use if the development does not comply with the regulations of this Bylaw unless he uses his discretion pursuant to Sections 11.5 and 11.6 of this Bylaw;

4)may relax a regulation in a Land Use District or other Section of this Bylaw in accordance with the regulations contained in that District or Section, or may relax regulations in accordance with Sections 11.5 and 11.6, and in such case, the use applied for shall be deemed a Discretionary Use;

*Bylaw No. 6626*

*November 10, 1981*

5)may refuse or may approve, with or without conditions, with or without changes in the design of the development, or with or without the imposition of regulations more restrictive than those required by the specific District or General

Development Regulations of this Bylaw, an application for development of a Discretionary Use, having regard to the regulations of this Bylaw and the provisions of any applicable Statutory Plan;

6) may refuse, or may approve, with or without conditions, an application for a development in a Direct Control District, in accordance with the requirements of the District;

*Bylaw No. 7729*

*March 12, 1985*

7) **Deleted;**

8) shall give notice of his decision on applications for development as follows:

*Bylaw No. 6190*

*September 9, 1980*

a) where an application has been approved, public notification shall be given in accordance with Section 22 of this Bylaw and notice to the applicant shall be given in writing by ordinary mail; and

b) where an application has been refused, notice in writing shall be given to the applicant, by ordinary mail, and such notice shall state the reason for refusal; and

*Bylaw No. 6610*

*May 11, 1982*

9) shall, in the case of a Development Permit for a Temporary Sign or Portable Sign, specify the length of time that permit remains in effect in accordance with the time limitations for such signs set out in Section 79.9 of this Bylaw.

### **11.5 Variance to Regulations**

The Development Officer may approve, with or without conditions, an application for development that does not comply with this Bylaw:

1) where the proposed development would not, in his opinion:

a) unduly interfere with the amenities of the neighbourhood; or

b) materially interfere with or affect the use, enjoyment or value of neighbouring properties; and

2) the proposed development would, in his opinion, conform with the use prescribed for that land or building in this Bylaw.

### **11.6 Limitation of Variance**

In approving an application for a permit pursuant to Section 11.5 the Development Officer shall adhere to the following:

1) a variance shall be considered only in cases of unnecessary hardship or practical difficulties peculiar to the use, character, or situation of land or a building, which are not generally common to other land in the same District;

2) except as otherwise provided in this Bylaw, there shall be no variance from maximum height, floor area ratio and density regulations, and the regulations specified in the Airport Protection Overlay;

3)where the issuance of a Development Permit for any use involves the exercise of any specified discretion of the Development Officer to relax a regulation of a District or any other regulation of this Bylaw, he shall not permit any additional variance from that regulation pursuant to Section 11.5; and

4)the General Purpose of the appropriate Districts.

### **11.7Public Inspection of Applications**

The Development Officer shall ensure that a Register of Applications is maintained, and is made available to any interested person during normal office hours.

### **11.8Maintenance and Inspection of Bylaw**

The Development Officer shall:

1)make available to the public during normal office hours copies of this Bylaw and all subsequent amendments thereto; and

2)charge the specified fee for supplying to the public copies of this Bylaw.

Edmonton Land Use Bylaw 5996

12. Authority and Responsibility of the Municipal Planning Commission

**12. Authority and Responsibility of the Municipal Planning Commission**

*Bylaw No. 7729*

*March 12, 1985*

**Deleted**

Edmonton Land Use Bylaw 5996

13. Authority and Responsibility of the Subdivision and Development Appeal Board

**13. Authority and Responsibility of the Subdivision and Development Appeal Board**

*Bylaw No. 6626*

*November 10, 1981*

*Bylaw No. 11261*

*June 17, 1996*

The duties and responsibilities of the Subdivision and Development Appeal Board with respect to this Bylaw are those established in the City of Edmonton Subdivision and Development Appeal Board Bylaw, Bylaw No. 11136, as amended.

Edmonton Land Use Bylaw 5996

14. Development Classes

### **14. Development Classes**

The following classes of development are hereby established:

- 1) Class O - No Development Permit Required;
- 2) Class A - Minor Permitted Use;
- 3) Class B - Permitted Use;
- 4) Class C - Discretionary Use; and
- 5) Class D - Design Review.

[14.1 Class O - No Development Permit Required](#)

[14.2 Class A - Minor Permitted Use](#)

[14.3 Class B - Permitted Use](#)

[14.4 Class C - Discretionary Use](#)

[14.5 Class D - Design Review](#)

Edmonton Land Use Bylaw 5996

14.1 Class O - No Development Permit Required

**14.1 Class O - No Development Permit Required**

No Development Permit is required under this Bylaw for developments in this Class provided that such developments shall comply with the regulations of this Bylaw where applicable. If the Development Officer receives a Development Permit application for a development in this Class, he shall advise the applicant that no permit is required and return his submission, including any fees paid, except that he may issue a Development Permit when the applicant requests a permit to be issued to indicate compliance with this Bylaw.

The following developments are included in this Class:

*Bylaw No. 11832*

*August 24, 1998*

- 1) those uses and developments exempted under Section 618 of the Municipal Government Act, 1994 and regulations thereto;
- 2) those uses and developments in the DC4 District, when they are governed entirely by superior legislation;
- 3) the following uses and developments:
  - a) farm buildings, other than those used as Dwellings, attached garages, and attached carports;
  - b) flood control and hydroelectric dams;
  - c) a single storey accessory building not greater than 10 m<sup>2</sup> (107.64 sq. ft.) in floor area;

*Bylaw No. 9430*

*May 8, 1990*

- d) i) interior alterations and maintenance to a residential building, provided that such alterations and maintenance do not result in an increase in the number of dwelling units within the building or on the site, nor in a change of the Use Class or the introduction of another Use Class; and
- ii) interior alterations and maintenance to a non-residential building, including mechanical or electrical work, provided that neither the Use Class nor the intensity of Use Class is changed, nor that another Use Class is added;
- e) the use of a building or part thereof as a temporary polling station, Returning Officer's headquarters, candidate's campaign office and any other official temporary use in connection with a federal, provincial or municipal election, referendum or census;

f)the erection of any fence, wall or gate not exceeding 1.85 m (6.07 ft.) in height provided that the erection of such structure does not contravene any provision of this or any other bylaw of the City of Edmonton;

*Bylaw No. 6626*

*November 10, 1981*

g)a temporary structure, the sole purpose of which is incidental to the erection, alteration or marketing of a building for which a permit has been granted under this Bylaw, provided that such structure complies with the Airport Protection Overlay;

*Bylaw No. 6626*

*November 10, 1981*

*Bylaw No. 11555*

*November 25, 1997*

h)the erection of towers and poles, television and other communications aerials, masts or towers

i)in non-residential Districts, where such structures are freestanding and do not cause a load to be placed upon a building through their attachment or placement upon such buildings; and

ii)provided that such structure complies with the Airport Protection Overlay; or

iii)in any District, where such structures are to be used for cellular telephone or personal communication services signal transmission.

*Bylaw No. 11268*

*July 15, 1996*

i)the parking or storage, or both, of any uninhabited recreational vehicle in a Residential District, where such parking or storage fully complies with the regulations of Section 55 of this Bylaw;

j)the construction and maintenance of an Essential Utility Services development;

k)landscaping, where the existing grade and natural surface drainage pattern is not materially altered, except where landscaping forms part of a development which requires a Development Permit;

l)development information Signs pursuant to Section 72 of this Bylaw;

m)minor structures not exceeding 1.85 metres (6.07 ft.) in height which are ancillary to Residential Uses, such as a barbecue, dog house, lawn sculpture, or bird feeder;

n)demolition of a building or structure where a Development Permit has been issued for a new development on the same site, and the demolition of the existing building or structure is implicit in that permit;

*Bylaw No. 6626*

*November 10, 1981*

o)the temporary use of a portion of a building or structure for which a Development Permit has been granted under this Bylaw, for the marketing of the building or structure; and

*Bylaw No. 10936*

*October 16, 1995*

*Bylaw No. 11260*

*June 17, 1996*

p)the erection of an uncovered deck which is located entirely within a Rear Yard, and which has a Height of less than 0.6 m (2.0 ft.), and which is accessory to a residential structure;

*Bylaw No. 6610*

*May 11, 1982*

4)the following Sign uses and developments:

a)official notices, signs, placards or bulletins required or permitted to be displayed pursuant to the provisions of federal, provincial or municipal legislation;

b)signs erected on the authorization of the City Engineer for the direction or control of traffic or pedestrian movement;

c)municipal address numbers or letters displayed on premises to which they refer;

d)seasonal or holiday decorations;

e)any sign inside any building intended for viewing from within the interior of the building;

f)changing the copy of outdoor poster panels, theatre marquees or other Changeable Copy Signs;

g)non-illuminated Facia Identification Signs not exceeding one-half square metre (5.4 sq. ft.) in area;

h)non-illuminated Facia Warning Signs not exceeding one-half square metre (5.4 sq. ft.) in area;

i)illuminated or non-illuminated Directional Signs not exceeding a height of 1 m (3.3 ft.) when freestanding or a maximum area of 0.5 m<sup>2</sup> (5.4 sq. ft.) when located within a Residential District, and not exceeding a height of 1.5 m (4.9 ft.) when freestanding or a maximum area of 1 m<sup>2</sup> (10.8 sq. ft.) when located within a non-residential District;

j)non-illuminated Temporary Window Business Signs on non-residential buildings, located in windows at, or below, the second storey; and

k)Temporary Signs as provided for in Section 79.9 when such signs are:

i)non-electric signs 2 m (6.6 ft.) or less in height; or

*Bylaw No. 11260*

*June 17, 1996*

ii)non-electric signs 1 m<sup>2</sup> (10.76 sq. ft.) or less in area and greater than 2 m (6.6 ft.) in Height; and

*Bylaw No. 11260*

*June 17, 1996*

5)any minor development within a Direct Control District, which, in the opinion of the Development Officer, is similar

to other developments listed under subsection 14.1.

Edmonton Land Use Bylaw 5996

14.2 Class A - Minor Permitted Use

### **14.2 Class A - Minor Permitted Use**

*Bylaw No. 6626*

*November 10, 1981*

This Class includes minor Permitted Use developments where the applicant and the Development Officer can readily determine that the proposal meets the regulations of this Bylaw. The Development Officer shall not refuse a permit for developments in this Class upon receipt of an application for a development which meets the requirements of this Bylaw and which contains the submission requirements for this Class. If, in the opinion of the Development Officer, there is a doubt as to whether the application meets the requirements of this Bylaw, and he determines that conditions of approval, or additional information, or both are necessary, he may require the applicant to apply for a permit for a more appropriate class and make any necessary adjustment of fees.

The following developments are included in this Class:

*Bylaw No. 9430*

*May 8, 1990*

1) **Deleted;**

*Bylaw No. 6626*

*November 10, 1981*

2) the following Residential Uses and developments, except in areas where there is potential for riverbank or ravine slope instability or where a proposed development may aggravate riverbank or ravine slope instability:

a) erection of, or addition to, a Single Detached House, with or without an attached garage or carport, except in the RPL District;

b) the placement of a Mobile Home;

c) Accessory Residential Uses and developments including but not restricted to:

i) a single or double garage or carport;

ii) a pigeon loft or pigeon house;

*Bylaw No. 10936*

*October 16, 1995*

- iii) a deck which is located entirely within a Rear Yard, and which has a Height of 0.6 m (2.0 ft.) or greater, or an outdoor deck of any Height in a Yard other than a Rear Yard, or an enclosed patio or covered breezeway;
- iv) a greenhouse or tool shed;
- v) a fireplace;
- vi) additional space solely for the use of the household within a basement or elsewhere in an existing building that will not result in the development of an additional Dwelling or Sleeping Unit;
- vii) an open or enclosed, attached or detached swimming pool; or

*Bylaw No. 9930*

*March 10, 1992*

- viii) a Satellite Signal Receiving Antenna;
- 3) the development of a minor accessory commercial or industrial building or structure, including a loading and unloading facility or a similar accessory use except where there is potential for riverbank or ravine slope instability or where a proposed development may aggravate riverbank or ravine slope instability;
- 4) the demolition of an existing building or structure except:
  - a) where such building or structure has been designated as an historic site under the Alberta Historical Resources Act, as amended; or
  - b) where a Development Permit for a demolition is not required in accordance with Section 14.1(3)(n) of this Bylaw; and

*Bylaw No. 8525*

*July 14, 1987*

- c) where the building or structure is located on a site within an area for which there is an approved Area Redevelopment Plan, and such Plan contains specific provisions relating to the placement of conditions by the Development Officer on Development Permits for the purpose of demolition, then the demolition shall be deemed a Class B development;
- 5) a pedestrian way which is covered or otherwise enclosed at, below or above grade; or

*Bylaw No. 11555*

*November 25, 1997*

- 6) the erection of towers, poles, television and other communications aerials or masts other than those used to support equipment used for cellular telephone or personal communication services signal transmission:

*Bylaw No. 11832*

*August 24, 1998*

- a) in a Residential District, including, but not limited to, Amateur Radio Antennae and Support Structures, where the combined Height of the antenna and the support structure does not exceed the maximum allowable building Height of

the District; or

b)in a non-residential District where such a structure may cause a load to be placed upon a building through its attachment or placement upon such building;

*Bylaw No. 6610*

*May 11, 1982*

7)the following sign uses and developments:

a)Awning Signs;

b)Temporary Signs provided for in Section 79.9 when such signs are:

i)more than 2 m (6.6 ft.) in height; or

ii)more than 1 m<sup>2</sup> (10.76 sq. ft.) in area and greater than 2 m (6.6 ft.) in height;

*Bylaw No. 9269*

*January 30, 1990*

c)Portable Signs and Balloon Signs; and

*Bylaw No. 8744*

*May 24, 1988*

*Bylaw No. 11260*

*June 17, 1996*

d)permanent On-premise Facia Identification or Business Identification Signs and Logograms which do not include changeable copy features and are not submitted in combination with Class B or Class C sign development;

*Bylaw No. 10529*

*November 15, 1993*

*Bylaw No 11260*

*June 17, 1996*

8)Minor Home Occupations; and

*Bylaw No. 11260*

*June 17, 1996*

9)any minor development within a Direct Control District, which, in the opinion of the Development Officer, is similar to other developments listed under subsection 14.2.

Edmonton Land Use Bylaw 5996

14.3 Class B - Permitted Use

### **14.3 Class B - Permitted Use**

The developments included in this Class are those Permitted Uses where the regulations of this Bylaw are more complex and where the development application must be reviewed to determine its compliance with this Bylaw, or where conditions of approval or agreements to ensure compliance are considered necessary. The Development Officer shall issue a permit, with or without conditions for the development of Permitted Uses after reviewing the application and the submission requirements of this Class to ensure compliance with the regulations of this Bylaw. This Class shall include all Permitted Use developments, including those affected by an Overlay, except those identified in Class O or Class A.

*Bylaw No. 6610*

*May 11, 1982*

Class B shall also include the following sign uses and development:

1) Canopy, Undercanopy, Facia, Freestanding and Projecting On-premise Identification or Business Identification Signs including or not including the use of manual animation, running lights, scintillating lights, manual changeable copy and time and temperature displays;

*Bylaw No. 11260*

*June 17, 1996*

2) Facia and Freestanding General Advertising Signs; except that where such signs are to be erected in the CNC, CSC, IB or AGI Districts, or within the civic centre area defined in Sign Schedule 79G, they shall be a Class C development;

*Bylaw No. 8874*

*May 24, 1988*

*Bylaw No. 11260*

*June 17, 1996*

3) **Deleted;** and

*Bylaw No. 11260*

*June 17, 1996*

4)any minor development within a Direct Control District, which, in the opinion of the Development Officer, is similar to other developments listed under subsection 14.3.

*Bylaw No. 8525*

*July 14, 1987*

Class B shall further include the demolition of an existing building or structure where the building or structure is on a site within an area for which there is an approved Area Redevelopment Plan, and such Plan contains specific provisions relating to the placement of conditions by the Development Officer on developments for the purpose of demolition, except:

a)where such building or structure has been designated as an historic site under the Alberta Historical Resources Act, as amended; or

b)where a Development Permit for a demolition is not required in accordance with Section 14.1.3(n) of this Bylaw.

Edmonton Land Use Bylaw 5996

14.4 Class C - Discretionary Use

### **14.4 Class C - Discretionary Use**

*Bylaw No. 6190*

*September 9, 1980*

*Bylaw No. 11260*

*June 17, 1996*

The developments in this Class are those involving the exercise of discretion by the Development Officer. Upon receipt of an application in its final form for development within this Class, the Development Officer shall examine the application to determine its conformity with the regulations of this Bylaw and the provisions of any applicable Statutory Plan. The Development Officer, using discretion, may refuse or approve, permanently or for a limited time period, with or without conditions, an application for development within this Class. This Class shall include:

- 1) all Discretionary Use developments; and
- 2) all major developments within Direct Control Districts except those defined as Class D.

*Bylaw No. 11268*

*July 15, 1996*

Class C shall also apply to the parking or storage of any large Recreational Vehicle in a Residential District, where such parking or storage does not fully comply with the regulations of Section 55 of this Bylaw, but where the Development Officer may wish to exercise discretion to relax such regulations.

*Bylaw No. 6610*

*May 11, 1982*

Class C shall also include the following sign uses and developments:

- a) comprehensive Sign Design Plans, as defined in Section 79.6 of this Bylaw;
- b) electronically controlled Changeable Copy Signs, other than those used only for time and temperature displays;
- c) Facia and Freestanding General Advertising Signs within the CNC, CSC, IB and AGI Land Use Districts, and within the civic centre area defined in Sign Schedule 79G;

*Bylaw No. 8874*

*May 24, 1988*

d)**Deleted;**

e)Roof Signs;

f)signs painted on exterior building walls;

*Bylaw No. 8324*

*September 24, 1986*

g)**Deleted;** and

*Bylaw No. 9269*

*January 30, 1990*

h)any other sign that is not deemed a Class O, Class A or Class B development.

*Bylaw No. 10667*

*April 18, 1994*

*Bylaw No. 10741*

*June 20, 1994*

Class C shall also include Amateur Radio Antennae and Support Structures in Residential Districts, where the combined height of the antenna and the support structure exceeds the maximum allowable building height of the applicable Residential District.

Edmonton Land Use Bylaw 5996

14.5 Class D - Design Review

### **14.5 Class D - Design Review**

*Bylaw No. 6626*

*November 10, 1981*

The developments included in this Class are those Discretionary Uses and Direct Control District developments which may have a major impact on surrounding uses and development, or which may involve the exercise of discretion based primarily on the acceptability of the physical design of the development in meeting Statutory Plan objectives and the regulations of this Bylaw.

*Bylaw No. 7729*

*March 12, 1985*

Upon receipt of an application, the Development Officer shall examine the design of the development to determine its conformity with the regulations of this Bylaw and the provisions of any applicable Statutory Plan. The Development Officer shall render a decision on the application and prepare a report outlining the factors considered, compliance with Plans, and justification for the decision, such report to become part of the record of the Development Permit application and decision.

This Class shall include the following Discretionary Use and Direct Control District developments, except developments in the DC2 District:

- 1) developments on historic sites designated under the Alberta Historical Resources Act, as amended;
- 2) new developments or additions to existing developments where the proposed development or addition will exceed a height of 23 m (75.46 ft.) or six storeys, or will contain more than 10 000 m<sup>2</sup> (107,639.0 sq. ft.) of gross floor area or more than 100 Dwellings or where the proposed addition would cause the resulting development to exceed a height of 23 m (75.46 ft.) or six storeys, or contain more than 10 000 m<sup>2</sup> (107,639.0 sq. ft.) of gross floor area or more than 100 Dwellings when it would not do so without the addition;

*Bylaw No. 7729*

*March 12, 1985*

- 3) developments where the Bylaw in any provision requires them to be considered to be Class D and subject to the provisions of this Section 14.5; and
- 4) developments in the DC1 District and any other developments which, in the opinion of the Development Officer would have a major impact or involve considerable discretion by the Development Officer with respect to design, including those which might otherwise have been included in Class C.



Edmonton Land Use Bylaw 5996

15. Development Application Submissions

**15. Development Application Submissions**

[15.1 General Conditions](#)

[15.2 Class A Development Excluding Signs](#)

[15.3 Class B Development Excluding Signs](#)

[15.4 Class C Development Excluding Signs](#)

[15.5 Class D Development](#)

[15.6 Sign Developments](#)

Edmonton Land Use Bylaw 5996

15.1 General Conditions

### **15.1 General Conditions**

*Bylaw No. 6626*

*November 10, 1981*

*Bylaw No. 11261*

*June 17, 1996*

1) For the purposes of subsection 18(1) of this Bylaw, applications for a Development Permit are not received until the applicant has:

a) submitted all information required pursuant to Sections 15 and 16 of this Bylaw;

b) submitted any information specifically required pursuant to the regulations of the applicable Land Use District or any other Section of this Bylaw; and

*Bylaw No. 11622*

*November 25, 1997*

c) paid the appropriate fee as determined by City Council.

2) Notwithstanding Clause (1) above, the Development Officer may consider an application if, in his opinion, the development is of such a nature as to enable a decision to be made on the application without all of the information required in this Section.

3) The Development Officer may require an applicant to submit such additional information as he considers necessary to verify the compliance of the proposed use or development with the regulations of this Bylaw.

4) The approval of any application, drawing, or the issuing of a Development Permit shall not prevent the Development Officer from thereafter requiring the correction of errors, nor from prohibiting the development being carried out when the same is in violation of this Bylaw.

5) In the event of a discrepancy between any written description and the drawings, the written description shall prevail.

6) Where an application for a Development Permit is determined to contain incorrect information, no Development Permit shall be issued until such information is corrected by the applicant.

7) Any Development Permit issued on the basis of incorrect information contained in the application shall be invalid.

8) Unless otherwise specified in this Bylaw, all drawings submitted shall be drawn on substantial standard drafting material to a scale of not less than 1:100 (metric) or such other scale as the Development Officer may approve, and shall be fully dimensioned, accurately figured, explicit and complete.

Edmonton Land Use Bylaw 5996

15.2 Class A Development Excluding Signs

**15.2 Class A Development Excluding Signs**

*Bylaw No. 6610*

*May 11, 1982*

Two copies of the following information shall be submitted with an application for a Class A development, and the appropriate application form fully and accurately completed in accordance with the following requirements:

- 1) the municipal address of land and buildings presently occupying the site, if any;
- 2) a legal description of the land on which the proposed development is to occur, by lot, block, subdivision and registered plan numbers;
- 3) the applicant's name, address and interest in the land;
- 4) a sketch plan of the site, showing the location of the proposed development relative to the boundaries of the site;
- 5) description of the work to be performed with respect to:
  - a) change in current occupancy or Land Use; and
  - b) description of proposed development or building operations;
- 6) identification of the scale of the development with respect to:
  - a) gross floor area of the development, in square metres;
  - b) area of the site covered, in square metres;
  - c) height of the structure, in metres; and
  - d) number of floors or storeys;
- 7) the estimated value, in dollars, of the proposed work; and

*Bylaw No. 6190*

*September 9, 1980*

- 8) if required by the Development Officer, a site plan, at a minimum scale of 1:500 (metric), showing the following:

- a) a directional true north arrow with the north point located in such a manner that the true north is in the upper position of the drawing;
- b) setbacks and yard dimensions;
- c) the location of all buildings or structures in relation to property lines; and
- d) dimensioned layout of existing and proposed parking areas, driveways, entrances and exits, abutting public roadways, median breaks and auxiliary lanes.

Edmonton Land Use Bylaw 5996

15.3 Class B Development Excluding Signs

### **15.3 Class B Development Excluding Signs**

*Bylaw No. 6610*

*May 11, 1982*

In addition to the information required for Class A Development, the applicant shall submit two copies of the following:

1) identification of the scale of the development with respect to the number of Dwellings, or establishments for commercial, industrial or other purposes;

*Bylaw No. 6190*

*September 9, 1980*

2) a site plan at a minimum scale of 1:500 (metric), showing location of sidewalks, walkways, Separation Spaces, transit stops; and, where applicable, garbage storage and collection areas; parking, loading, storage, outdoor service and display areas; the location of fences, screening, retaining walls, trees, landscaping, Amenity Areas and other physical features both existing and proposed on the site and adjoining boulevard, if any;

3) floor plans at minimum scale of 1:100 (metric), indicating all uses or occupancies, storage and garbage holding areas;

4) elevations and drawings, indicating sections and the bulk of buildings, at a minimum scale of 1:100 (metric); and

5) number of parking and loading spaces required and provided.

Edmonton Land Use Bylaw 5996

15.4 Class C Development Excluding Signs

**15.4 Class C Development Excluding Signs**

*Bylaw No. 6610*

*May 11, 1982*

In addition to four copies of the information required for Class A and B development, the applicant shall submit four copies of the following:

- 1) a plan showing the location of adjacent buildings and structures indicating the approximate height and number of storeys;
- 2) a description of the exterior finishing materials to be used; and
- 3) a written statement and other supportive material by the applicant that his proposal conforms to the policies of any applicable Statutory Plan.

Edmonton Land Use Bylaw 5996

15.6 Sign Developments

### **15.6 Sign Developments**

*Bylaw No. 6610*

*May 11, 1982*

*Bylaw No. 7418*

*January 24, 1984*

#### 1) Class A Sign Developments Excluding Portable Signs

The following information shall be submitted, in duplicate, with an application for a Class A Sign development, and the appropriate application form shall be fully and accurately completed:

- a) the municipal address of the land or building where the Sign is to be erected, if any;
- b) the legal description of the land on which the proposed Sign is to be erected;
- c) the applicant's name, address, telephone number and interest in the land;
- d) the name of the business or development where the Sign is to be erected;
- e) whether the development where the Sign is to be erected is a single business occupancy or multiple business occupancy development;
- f) a letter from the owner of the property on which the Sign is to be erected, or his agent, authorizing the applicant's Sign development; and
- g) the following additional information for a permanent On-premise Facia Sign development:
  - i) a photograph of each building facade on which a Sign is to be erected that shows the building facade for a distance of at least 15 m (49.2 ft.) on either side of the location of the proposed Sign;
  - ii) two sets of working drawings for the proposed Sign showing:
    - A) the overall dimensions of the Sign, including all sign boxes and cabinets;
    - B) a description or illustration of the copy to be displayed on the Sign;
    - C) the method of illumination, if any;

D)the materials from which the Sign is to be constructed; and

E)method used to support the Sign and the type of wall construction if the Sign is anchored to a building; and

iii)two sets of a sketch plan showing:

A)the location of the Sign on the building;

B)the clearance from grade from the lowest portion of the Sign;

C)maximum extension of the Sign above the building roof or parapet wall;

D)the distance of the maximum projection of the Sign beyond the building wall; and

E)any sidewalks, pedestrian passageways, or public roadways that the proposed Sign will extend over.

*Bylaw No. 7418*

*January 24, 1984*

#### 1A) Class A Portable Sign Developments

The following information shall be submitted on the appropriate application form for a Portable Sign development:

a)the municipal address of the land or building where the Sign is to be located;

b)the name and address of the business advertising on the Sign;

c)the applicant's name, address and telephone number and where the applicant is not the owner of the Sign, the name, address and telephone number of the Sign owner;

d)an indication of whether the site where the Sign is to be located is a single business occupancy or multiple business occupancy development;

e)the length of time the Sign is to be displayed at the location address; and

f)where a Sign is to be used for general advertising, a letter from the owner of the property where the Sign is to be located or his agent authorizing the placement of the Sign.

Applications for the use of a Portable Sign on sites districted A or AP or on school sites districted US shall be submitted by the user of the Sign, and shall be accompanied by a letter of authorization from the applicable District Parks and Recreation Director or School Principal.

A separate permit must be obtained for each time a Sign is placed at a location and for each change of business or person advertising at a Sign location. A completed permit application, together with the required fee must be submitted to the City prior to the placement of the Sign and a grace period of two working days will be provided during which time the City will ascertain the compliance or non-compliance of the application. Where the application contravenes the regulations of this Bylaw, the company or person responsible for the placement of the Sign shall remove the Sign or relocate the Sign such that it complies with this Bylaw within one day of receiving verbal notification from the City.

#### 2)Class B and Class C Sign Developments

The following information shall be submitted in duplicate with an application for a Class B or Class C Sign development, and the appropriate application form shall be fully and accurately completed:

- a) the information listed in Clauses (a) to (f) for Class A Sign development;
- b) a photograph of each building facade on which a Sign is to be erected that shows the building facade for a distance of at least 15 m (49.2 ft.) on either side of the location of the proposed Sign;
- c) in the case of Freestanding Signs, a photograph that shows the entire frontage of the site where the Sign is proposed;
- d) two sets of working drawings for the proposed Sign showing:
  - i) the overall dimensions of the Sign, including all sign boxes and cabinets;
  - ii) the dimensions of individual sign panels on a multiple Business Identification Sign;
  - iii) a description or illustration of the copy to be displayed on the Sign;
  - iv) the dimensions of any changeable copy panels;
  - v) the method of illumination, including the use of any animated graphics, Running or Scintillating Lights;
  - vi) any rotating parts of the Sign;
  - vii) the materials from which the Sign is to be constructed; and
  - viii) the method used to support the Sign including the size and depth of all concrete footings for Freestanding Signs and for any Signs anchored to a building, the type of construction of the wall to which the Sign will be affixed;
- e) two copies of a sketch showing:
  - i) the location of the Sign on the building;
  - ii) the total Height of the Sign above grade;
  - iii) the clearance from grade of the lowest portion of the Sign;
  - iv) the maximum extension of the Sign above the building roof or parapet wall; and
  - v) the distance of the maximum projection of the Sign beyond the building wall;
- f) in addition to the requirements listed above, for Canopy, Projecting and Freestanding Signs, three copies of a site plan showing:
  - i) a north arrow;
  - ii) the curb line, property line and location of any existing or proposed buildings on which Signs are to be displayed;
  - iii) the perpendicular distance from curb line to property line;
  - iv) the perpendicular distance from property line to building;
  - v) the location of the proposed Sign on the building or site;
  - vi) the location of any existing Freestanding, Projecting or Canopy Signs on the building or site, and whether such Signs will be replaced by the proposed Sign;
  - vii) for Freestanding Business Identification Signs, the length of the frontage of the site where the Sign is to be erected, and for a multiple occupancy business development, the length of the frontage of the business which the Sign is

intended to serve;

viii)for Freestanding Business Identification Signs, the horizontal separation distance between the proposed Sign and other Freestanding Business Identification Signs located along the same frontage;

ix)for Freestanding General Advertising Signs, excluding mall Poster Signs, the horizontal distance to the nearest building wall which serves as a backdrop for the display, where applicable;

x)for General Advertising Signs, excluding mall Poster Signs, the horizontal distance from the proposed Sign to the nearest existing General Advertising Sign visible from the same traffic direction from which the proposed Sign is intended to be viewed;

xi)for Canopy or Projecting Signs the horizontal distance from the limits of the business frontage where the Sign is displayed to the part of the Sign nearest the limits of the business frontage; and

xii)for Signs which project beyond the property line, the horizontal distance from the curb to the part of the Sign nearest the curb; and

g)in addition to the requirements listed above, for Comprehensive Sign Design Plans the information required in [Section 79.6](#).

Edmonton Land Use Bylaw 5996

15.5 Class D Development

### **15.5 Class D Development**

In addition to four copies of the information required for Class A, B, and C development, the applicant shall submit four copies of the following, except where the application is for those developments determined to be a Class D Development by reason only of [Section 14.5](#), Clause (3) of this Bylaw:

1) an urban design context plan and vicinity map at a minimum scale of 1:500 (metric) showing the proposed development and its relationship to on-site and surrounding natural physical features, existing development and other factors affecting the design of the proposed development, and a statement describing how the design of the proposed development has responded to the following:

a) the uses and amenities of surrounding properties within 100 m (328.08 ft.) of the boundaries of the project site;

b) the physical characteristics and human activity patterns characteristic of the site, surrounding Land Uses and development;

c) the urban design statements of any Statutory Plan which are applicable to the site; and

d) the context of the development, in relation to the type of structure, architectural detailing, and finishing materials prevalent in surrounding development;

2) a Traffic Impact Assessment for residential developments exceeding 1,000 Dwellings and non-residential developments exceeding 10 000 m<sup>2</sup> (107,639.1 sq. ft.) which shall indicate the effect of the proposed development on the existing and proposed roadway network in terms of additional traffic, and may suggest those roadway improvements necessary to accommodate the development. It shall be prepared by a qualified, registered Professional Engineer, and shall contain the following information:

a) trip generation of the development;

b) trip distribution of traffic bound to and from the development;

c) trip assignment of traffic bound to and from the development; and

d) detailed site plan(s) showing vehicular circulation, location and geometrics of access points and existing and proposed geometrics for adjacent roadways; and

*Bylaw No. 7729*

*March 12, 1985*

3) **Deleted.**

Edmonton Land Use Bylaw 5996

16. Special Information Requirements

### **16.Special Information Requirements**

*Bylaw No. 7187*

*February 26, 1985*

#### **16.1Slope and Soil Information**

1)When an application for a Development Permit is submitted to the Development Officer for the development of a site abutting, or partially or wholly contained within, the North Saskatchewan River Valley or its ravine system as defined on the North Saskatchewan River Valley and Ravine System Protection Overlay Schedule, the application may include, at the discretion of the Development Officer in consultation with the Parks and Recreation Department, information regarding the existing and proposed grades at 0.5 m contour intervals. The final grades shall be to the satisfaction of the Development Officer, the said application having been first reviewed by the Parks and Recreation Department.

2)Notwithstanding anything contained herein, the Development Officer may require a detailed Engineering Study of the soil conditions prepared by a qualified, registered Professional Engineer prior to the issuance of a Development Permit or the construction of any development abutting, or partially or wholly contained within, the North Saskatchewan River Valley or its ravine system as defined on the North Saskatchewan River Valley and Ravine System Protection Overlay Schedule.

The Engineering Study shall contain evidence of:

- a)test borings;
- b)ground water piezometer test;
- c)slope indicators where necessary;
- d)identification of any subsurface mining operations;
- e)river erosion analysis; and
- f)surface erosion analysis.

The detailed Engineering Study shall conclude by the qualified, registered Professional Engineer certifying that the foundations proposed for the development were designed with full knowledge of the soil conditions and the proposed siting of the development upon this site.

3)The Development Officer may require the submission of a detailed Engineering Study as outlined in Section 16.1(2) of this Bylaw prior to the issuance of a Development Permit at any location within the City which in the opinion of the

Development Officer has unstable soil conditions.

4)The Development Officer, having required a detailed Engineering Study of the soil conditions may, acting on the advice of the City Engineer, apply conditions to the approval of the Development Permit to prevent erosion and to stabilize soil conditions.

### **16.2 Wind Impact Statement and Study**

Where warranted, the Development Officer may require an applicant for a Development Permit to submit a preliminary Wind Impact Statement or a detailed Wind Impact Study, or both, for the proposed development.

1)A preliminary Wind Impact Statement shall be prepared by a qualified, registered Professional Engineer, and shall state:

a)whether the proposed massing of the development would likely cause an increase in local wind velocities, which would affect nearby public pedestrian level open spaces, or would exceed the guidelines established for such spaces in an applicable Statutory Plan;

b)the basis for this judgement, including the results of any massing model simulation study which may have been conducted; and

c)how the massing of the proposed development reflects consideration of pedestrian level wind conditions and to what extent further improvement or the achievement of Statutory Plan guidelines may be attained by further consideration of the design of the development.

2)A detailed Wind Impact Study shall be prepared by a qualified, registered Professional Engineer, and shall be based on a scale model simulation analysis, and for each design alternative considered shall identify on, or relative to, a plan at a minimum scale of 1:200 (metric), the following:

a)the proposed development and existing development in the surrounding area, including parks, plazas, walkways and other open spaces intended for the use and enjoyment of the general public;

*Bylaw No. 6626*

*November 10, 1981*

b)an estimate of the distribution of wind speeds which can be anticipated to occur on a weekly, monthly and seasonal basis in summer and winter, for each of the affected public open spaces identified in Clause (a) above, through an analysis of local wind data, a simulation of atmospheric wind flows and a comparison with acceptable wind comfort criteria which will indicate the frequency and extent to which the wind comfort criteria are exceeded;

c)the Beaufort Scale number which is most representative of the projected wind conditions in spring, summer, fall and winter, for each of the affected public open spaces identified in Clause (a), above;

d)the method employed in estimating the wind speeds;

e)a description of how the design of the development has been altered to reduce wind speed impact and further recommendations in this regard; and

f)any other information which the applicant considers relevant to the decision of the Development Officer under Section 71 of the General Development Regulations.

### **16.3 Sun Shadow Impact Study**

1)A preliminary Sun Shadow Impact Study shall be provided as part of the initial submission for a Development Permit where such a Study is required by a Statutory Plan, including the Downtown Area Redevelopment Plan, for

buildings which exceed four stories or 14 m (45.9 ft.) in height.

2) This Study shall be prepared by a qualified, registered Professional Engineer or Architect, and for each design alternative of the proposed development, shall identify to scale on a plan at a minimum scale of 1:200 (metric), the following:

a) the proposed development and existing development in the surrounding area, including public roadways, parks, plazas, walkways, and other open spaces intended for the use and enjoyment of the general public;

*Bylaw No. 6626*

*November 10, 1981*

b) for the following situations by both the proposed development both on its site and on surrounding areas, and by surrounding existing and approved development on the subject site, showing where there is an overlap with that resulting from the proposed development;

i) the shadows cast at 09:34, 12:34 and 15:34 Mountain Standard Time (MST) on March 21, June 21 and September 21;

ii) the shadows cast at 12:34 MST on December 21;

iii) the area which is continually in a shadow cast during the entire period from 09:34 to 15:34 MST on March 21, June 21 and September 21; and

iv) the total area which is subject to shadow at any time during the period from 09:34 to 15:34 MST on March 21, June 21 and September 21; and

3) The Sun Shadow Impact Study shall contain any other information which the Development Officer considers relevant to his decision under Section 71 of the General Development Regulations of this Bylaw.

*Bylaw No. 7971*

*March 25, 1986*

#### **16.4 Floodplain Information**

1) When an application for a Development Permit is submitted to the Development Officer for the development of a parcel of land partially or wholly contained within a Floodplain Protection Overlay Schedule, the Development Officer may require that the application contain information regarding the grade elevation of the proposed building site, the building and all openings, to be referenced to geodetic elevations. Geodetic elevation means the elevation of a point and its vertical distance determined by employing the principles of geodesy above or below an assumed level surface of datum.

2) Notwithstanding anything contained herein, before a Development Permit is issued for the construction of any development within a Floodplain Protection Overlay Schedule, the Development Officer may require that the applicant submit a certificate from a qualified, registered Professional Engineer or Architect indicating that the following factors have been considered in the design of the building:

a) Canadian Mortgage and Housing Corporation guidelines for building in floodsusceptible areas;

b) the floodproofing of habitable rooms, electrical panel and heating units, and openable windows;

c) basement drainage; and

d) site drainage.



Edmonton Land Use Bylaw 5996

17. Conditions Attached to Development Permit

**17. Conditions Attached to Development Permit**

1) The Development Officer may impose, with respect to a Permitted Use, such conditions as are required to ensure compliance with this Bylaw.

2) The Development Officer may, with respect to a Discretionary Use or a Development in a Direct Control District, impose such conditions as he deems appropriate, having regard to the regulations of this Bylaw and the provisions of any Statutory Plan.

3) The Development Officer may, as a condition of issuing a Development Permit, require the applicant to make satisfactory arrangements for the supply of water, electric power, sewer service, vehicular and pedestrian access, or any of them, including payment of the costs of installation or constructing any such utility or facility by the applicant.

4) The Development Officer may, as a condition of issuing a Development Permit require that an applicant enter into an agreement or an interim agreement, which shall be attached to and form part of such Development Permit, to do all or any of the following:

a) to construct, or pay for the construction of, a public roadway required to give access to the development;

b) to construct, or pay for the construction of

i) a pedestrian walkway system to serve the development; or

ii) pedestrian walkways that will connect the pedestrian walkway system serving the development with a pedestrian walkway system that serves or is proposed to serve an adjacent development, or both.

c) to specify the location and number of vehicular and pedestrian access points to sites from public roadways;

d) to install, or pay for the installation of, utilities that are necessary to serve the development;

e) to construct or pay for the construction of, off-street or other parking facilities, or loading and unloading facilities; or

f) to repair or reinstate, or to pay for the repair or reinstatement, to original condition, any street furniture, curbing, sidewalk, boulevard landscaping and tree planting which may be damaged or destroyed or otherwise harmed by development or building operations upon the site.

*Bylaw No. 11261*

*June 17, 1996*

5) The Development Officer may, as a condition of issuing a Development Permit, require that an applicant enter into an agreement or an interim agreement in a form satisfactory to the City, to pay an off-site levy or redevelopment levy,

or both, imposed by a bylaw adopted pursuant to Sections 647 and 648 of the Municipal Government Act, 1994.

6)The Development Officer may require any agreement entered into pursuant to Clauses (4) and (5) above to be caveated against the title to the site at the Land Titles Office.

Edmonton Land Use Bylaw 5996

18. Decisions on Development Applications

**18. Decisions on Development Applications**

*Bylaw No. 6626*

*November 10, 1981*

1) An application shall, at the option of the applicant, be deemed to be refused if a decision of the Development Officer has not been made within forty (40) days of the receipt of the application.

2) The applicant may request confirmation in writing from the Development Officer that his application has been received.

Edmonton Land Use Bylaw 5996

19. Validity of Development Permit

### **19. Validity of Development Permit**

*Bylaw No. 6610*

*May 11, 1982*

*Bylaw 11261*

*June 17, 1996*

#### **19.1 General Provisions**

1) When an application for a Development Permit has been approved by the Development Officer, the Development Permit shall not be valid unless and until:

- a) any conditions of approval, save those of a continuing nature, have been fulfilled; and
- b) no notice of appeal from such approval has been served on the Subdivision and Development Appeal Board within the time period specified in subsection [23\(1\)](#).

2) When an application for a Development Permit has been approved by the Subdivision and Development Appeal Board, it shall not be valid unless and until:

- a) the Board has adopted the minutes of its meeting at which the application was approved; and
- b) any conditions of approval, save those of a continuing nature, have been fulfilled.

3) Upon service on the City of Edmonton of an application for leave to appeal the decision of the Subdivision and Development Appeal Board, under Section 688 of the Municipal Government Act, 1994, the Development Officer shall suspend the Development Permit issued by the Subdivision and Development Appeal Board.

4) The Development Permit issued by the Subdivision and Development Appeal Board and suspended pursuant to subsection 19.1(3) above and to Section 688 of the Municipal Government Act, 1994, remains suspended until:

- a) the Alberta Court of Appeal denies leave to appeal and any appeal from that denial has been finally determined; or
- b) the Alberta Court of Appeal has granted leave to appeal, heard the appeal on the merits, made its decision, and any appeal to the Supreme Court of Canada from that determination by the Alberta Court of Appeal has been finally determined.

5) The final determination of an appeal under subsection 19.1(4) above shall operate to validate, amend or revoke, as the case may be, a Development Permit suspended under subsection 19.1(3) above.

*Bylaw No. 6610*

*May 11, 1982*

### **19.2 Development Permit Certification for Signs**

1) Every Sign, other than a Temporary Sign or Portable Sign, requiring development permission, shall display the label issued with the Development Permit at a visible location on the Sign in accordance with such guidelines as the Development Officer may establish.

2) Any individual or company leaving or removing a Development Permit label shall be deemed to have committed an offence and subject to the penalty provisions of this Bylaw.

Edmonton Land Use Bylaw 5996

20. Resubmission Interval

**20. Resubmission Interval**

*Bylaw No. 6934*

*June 14, 1982*

*Bylaw No. 10936*

*October 16, 1995*

*Bylaw No. 11260*

*June 17, 1996*

1) An application for a Development Permit for a use within the same Use Class of this Bylaw shall not be accepted by the Development Officer from the same or any other applicant for the same site:

a) within six (6) months of the date of a refusal by the Development Officer; or

b) within six (6) months of the date of the decision of the Subdivision and Development Appeal Board on a previous application, if the previous application was appealed to the Subdivision and Development Appeal Board and the Subdivision and Development Appeal Board refused the development; or

c) during the time prior to the decision of the Subdivision and Development Appeal Board, if the application has been appealed to the Subdivision and Development Appeal Board.

2) Section 20.1 shall not apply in the case of an application for a Development Permit for a Permitted Use if the application complies with all the regulations of this Bylaw.

3) If upon review of any application for a Development Permit, the Development Officer determines that subsection 20.1 applies, then the application shall be returned to the applicant, along with any fees that have been submitted. The application shall not be considered as having been refused, but shall be deemed not to have been submitted.

*Bylaw No. 11260*

*June 17, 1996*

4) Notwithstanding subsection 20.1 above, if two or more Development Permit applications for the same Use Class on the same site have been refused by the Development Officer, the Subdivision and Development Appeal Board, the Alberta Court of Appeal, or any combination of the above, the third and any subsequent Development Permit application for that Use Class on that site shall not be accepted by the Development Officer until one (1) year from the date of the previous refusal, unless that application complies in all respects with the Land Use Bylaw.



Edmonton Land Use Bylaw 5996

21. Development Permit and Agreement Fees

[21.1 Development Application Fees](#)

[21.2 Development Agreement Fees](#)

*Bylaw No. 11622*

*November 25, 1997*

Schedule 21A - Deleted

Schedule 21B - Deleted

Schedule 21C - Deleted

Edmonton Land Use Bylaw 5996

21.1 Development Application Fees

*Bylaw No. 6627*

*October 27, 1981*

*Bylaw No. 11622*

*November 25, 1997*

### **21.1 Development Application Fees**

1) Every application for a development permit shall be accompanied by the required fee. The schedule of fees for development permits shall be determined by City Council.

Edmonton Land Use Bylaw 5996

21.2 Development Agreement Fees

*Bylaw No. 6627*

*October 27, 1981*

*Bylaw No. 11622*

*November 25, 1997*

### **21.2 Development Agreement Fees**

1) When a Development Agreement is to be entered into between the City and the applicant as a condition of issuing a Development Permit pursuant to [Section 17](#) of this Bylaw, other than a Development Agreement entered into solely for the purpose of collecting a redevelopment levy, the applicant shall pay to the Development Officer upon execution of the Development Agreement, in addition to any other fee required pursuant to this or any other bylaw, a Development Agreement fee as determined by City Council.

Edmonton Land Use Bylaw 5996

22. Notification of Issuance of Development Permits

## **22. Notification of Issuance of Development Permits**

*Bylaw No. 9269*

*January 30, 1990*

### **22.1 Class A Development**

No notification of the issuance of a Development Permit for Class A Development shall be issued or shall be required, except in the case of a Development Permit for a Balloon Sign located within 60 m (196.8 feet) of a site districted Residential (such distance to be measured from the building on which the sign is to be displayed to the property line of the site districted Residential). In that case, the issuance of the Development Permit shall be subject to the notification provisions of Section 22.3 of this Bylaw.

### **22.2 Class B Development**

Within 10 days of the issuance of a Development Permit for Class B Development, the Development Officer shall cause to be published in a daily newspaper circulating within the City, a notice describing the development and stating his decision, and the right to appeal therefrom.

### **22.3 Class C Development**

1) Within 7 days of the issuance of a Development Permit for Class C Development, the Development Officer shall dispatch a notice by ordinary mail to:

- a) each assessed owner of the site or a part of the site of the development;
- b) each assessed owner of land, wholly or partly within a distance of 60 metres (196.85 ft.) of the boundary of the site;
- c) the President of the Community League operating within the notification boundaries described in (b), above; and

*Bylaw No. 6190*

*September 9, 1980*

d) **Deleted.**

2) The notice shall describe the development and state the decision of the Development Officer, and the right of appeal therefrom.

3) In addition, the Development Officer shall publish the notice in a daily newspaper circulating within the City in the manner prescribed in Section 22.2.

*Bylaw No. 6626*

*November 10, 1981*

4) During any cessation of ordinary mail delivery, the notice to those described in Clauses (1), (2) shall be given to those described in Clauses (1)(a) and (1)(c) by such other alternative means as the Development Officer may specify, and the notice to those described in Clause (1)(b) shall be provided as described in Clause (3) only.

*Bylaw No. 7729*

*March 12, 1985*

#### **22.4 Class D Development Permit**

In addition to the notification specified in Section 22.3, the Development Officer may notify owners of land beyond 60 m (196.8 ft.) at such additional distance and direction from the site as, in his opinion, may experience any impact attributable to the proposed development.

Edmonton Land Use Bylaw 5996

23. Appeals

**23. Appeals**

*Bylaw No. 11261*

*June 17, 1996*

1) Subject to the provisions of the Municipal Government Act, 1994, any person applying for a Development Permit or affected by a Permit issued by the Development Officer, may appeal the decision of the Development Officer to the Subdivision and Development Appeal Board by serving a written notice of appeal on the Subdivision and Development Appeal Board within 14 days after notice of the decision or issuance of the Development Permit was given.

*Bylaw No. 11261*

*June 17, 1996*

2) An application for a Development Permit may, at the option of the applicant, be deemed to be refused in accordance with the provisions of [Section 18](#) of this Bylaw, and the applicant may appeal in writing to the Subdivision and Development Appeal Board as provided in subsection 23(1) above, as though the application has been refused at the end of the period in Section 18.

Edmonton Land Use Bylaw 5996

24. Expiry of Permit

**24.Expiry of Permit**

*Bylaw No. 9430*

*May 8, 1990*

1)If development authorized by a Development Permit is not commenced within twelve months from the date of its issue, such permit ceases to be valid, provided that, if the permit holder is unable to proceed pending a court decision involving the proposed development, time shall not run during the court proceedings and until the court proceedings are finally completed.

2)Notwithstanding Clause (1) above, if a Building Permit is issued for the development within the twelve month period, the Development Permit issued therefore shall not lapse unless and until the Building Permit so issued is cancelled or allowed to lapse by virtue of work not having commenced within the statutory minimum period.

3)Where a Development Permit is issued for a site where any other valid Development Permit has been issued, it shall invalidate any previous permit if the physical aspects of the developments conflict, or both could not occur simultaneously upon the site in conformity with the regulations of this Bylaw.

Edmonton Land Use Bylaw 5996

25. Enforcement and Penalties

*Bylaw No. 11622*

*November 25, 1997*

## **25. Enforcement and Penalties**

### **25.1 General**

1) All enforcement activities of the Development Officer/Bylaw Enforcement Officer as provided by the Municipal Government Act, 1994, this Section or any other Section of this Bylaw may be commenced simultaneously.

2) Offences and penalties of this Section are supplementary to Sections 545, 557, 566, 567, 568, 569 and 645 of the Municipal Government Act, 1994, under which any person who commences a development and fails or neglects to obtain a Development Permit or comply with a condition of a Permit, or who fails to comply with an Order issued under Section 645 of the Municipal Government Act, 1994, is guilty of an offence.

3) The Council of the City will 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 City, allocate resources to the General Manager of the Planning and Development Department, who shall then determine the extent of enforcement made under this Bylaw so as to optimize use of those resources.

### **25.2 Offences**

1) Any owner, lessee, tenant or occupant of land, a building, a structure or a sign thereon, who, with respect to such land, building, structure or sign:

a) contravenes; or

b) causes, suffers or permits a contravention of any provision of this Bylaw;

commits an offence.

2) It is an offence for any owner of land, a building, a structure, or a sign; a contractor; a worker; or other person:

a) to construct a building or structure;

b) to make an addition or alteration thereto; or

c) to place a sign on land;

for which a Development Permit is required but has not been issued or is not valid under this Bylaw.

3)It is an offence for any owner of land, a building, a structure, or a sign; a contractor; a worker; or other person:

a)to construct a building or structure;

b)to make an addition or alteration thereto; or

c)to place a sign on land;

for which a Development Permit was issued but is no longer in effect.

4)It is an offence for any owner of land, a building, a structure, or a sign; a contractor; a worker; or other person:

a)to construct a building or structure;

b)to make an addition or alteration thereto; or

c)to place a sign on land;

in contravention of a Development Permit issued under this Bylaw.

5)If the corrective measures described in a Violation Notice issued pursuant to Subsection 25.3 are not completed within the time, specified by the Violation Notice, the person to whom the Violation Notice was issued is guilty of an offence and shall pay the penalty amount specified in Schedule 25A.

6)If development continues after a Permit has been revoked or suspended, the person to whom the Permit was issued or the person continuing the development is guilty of an offence and shall pay the penalty amount specified in Schedule 25A.

7)It is an offence to display a Portable Sign without a valid Development Permit.

8)It is an offence to fail to comply with an order issued under Subsection 79.3 (Abandoned and Unlawful Signs) of this Bylaw.

9)It is an offence to use residential, agricultural, institutional, commercial or industrial property without a valid Development Permit where the Use is listed as a Permitted or Discretionary Use in the District.

10)It is an offence to use residential, agricultural, institutional, commercial or industrial property without a valid Development Permit where the Use is not listed as a Permitted or Discretionary Use in the District.

11)It is an offence to commence any construction which requires a Development Permit in a residential, agricultural, institutional, commercial or industrial District without a valid Development Permit.

12)It is an offence to operate a Secondary Suite without a valid Development Permit.

13)Every 24 hours a violation of any provision of this Bylaw continues shall constitute a separate offence.

14)Any person violating any provision of this Bylaw is guilty of an offence and is liable on summary conviction to a penalty as provided in Schedule 25A, Specified Penalties for Offences.

### **25.3Enforcement**

1)Once a Development Officer/Bylaw Enforcement Officer has found a violation of this Bylaw, the Development Officer/Bylaw Enforcement Officer may notify either the owner of the land, the building, the structure or the sign, the person in possession of the land, building, structure or sign, the person responsible for the violation or any or all of them, of the contravention of this Bylaw, by:

a) delivering a Violation Notice delivered either in person or by ordinary mail:

i) to the owner of the land, building or structure at the address listed on the tax roll for the land in question; or

ii) to the owner of the sign, at a location where the owner carries on business; or

b) in the case of Portable Signs, verbal notification to the sign owner or by delivering a Violation Notice in person to the sign owner or by ordinary mail or by facsimile to an address where the sign owner carries on business.

Such notice shall state the following:

a) nature of the violation of this Bylaw;

b) corrective measures required to comply with this Bylaw; and

c) time within which such corrective measures must be performed.

2) The appearance of the name of an individual, organization or corporation on a sign is *prima facie* proof that the individual, organization or corporation named thereon caused, suffered or permitted the sign to be placed on land, and is responsible for any contravention of the provisions of this Bylaw.

3) The Development Officer/Bylaw Enforcement Officer is not required to issue a Violation Notice before commencing any other enforcement action under the Municipal Government Act, 1994, or this Bylaw, or at all.

#### **25.4 Order**

1) Pursuant to Section 645 of the Municipal Government Act, 1994, the Development Officer may issue, to any or all of the following:

a) the owner of the land, building, structure or sign;

b) the person in possession of the land, building, structure or sign; or

c) the person responsible for the contravention,

an order under that Section of the Act.

2) Where a person fails or refuses to comply with the order, the City may take such action as is necessary to carry out the order.

3) The costs and expenses incurred in carrying out an order shall be placed on the tax roll. The amount so placed shall be deemed for all purposes to be a tax imposed pursuant to the Municipal Government Act, 1994, from the date it was added to the tax roll and forms a special lien against the parcel of land in favour of the municipality from the date it was added to the tax roll.

#### **25.5 Revocation of Permit**

1) The Development Officer may revoke a Development Permit where any person undertakes or causes or permits any development on a site contrary to the Development Permit.

2) The Development Officer shall notify the Development Permit holder and the owner of the land, building structure or sign (if not the same) of the revocation of the Development Permit. The revocation is effective upon receipt of the notice by the Development Permit holder.

3) Any person who undertakes or causes or allows any development after a Development Permit has been revoked, shall discontinue such development forthwith and shall not resume such development unless a new Development

Permit has been issued.

4)All developments continuing after the Development Permit has been revoked shall be deemed to be developments occurring without a Development Permit under this Section.

5)The Development Officer may revoke a Development Permit where payment has been made by way of a non-negotiable instrument which includes, but is not limited to, an Non Sufficient Funds (N.S.F.) cheque.

### Schedule 25A Specified Penalties for Offences

OFFENCE	SECTION	PENALTY
<b>Development without Development Permit</b>	25.2.2	\$210.00
First Offence		\$410.00
Second Offence		\$810.00
Third and Subsequent Offences		
<b>Development with expired Development Permit</b>	25.2.3	\$210.00
First Offence		\$410.00
Second Offence		\$810.00
Third and Subsequent Offences		
<b>Development in contravention of a Development Permit</b>	25.2.4	\$210.00
First Offence		\$410.00
Second Offence		\$810.00
Third and Subsequent Offences		
<b>Failure to Comply with Violation Notice</b>	25.2.5	\$210.00
First Offence		\$410.00
Second Offence		\$810.00
Third and Subsequent Offences		
<b>Development After Revocation</b>	25.2.6	\$210.00
First Offence		\$410.00
Second Offence		\$810.00
Third and Subsequent Offences		
<b>Displaying Portable Sign without Development Permit</b>	25.2.7	\$110.00
First Offence		\$110.00
Second Offence		\$110.00
Third and subsequent Offences		

<b>Failure to comply with s. 79(3) Order</b>	25.2.8	\$210.00
First Offence		\$410.00
Second Offence		\$810.00
Third and Subsequent Offences		
<b>No Permit where Use Permitted or Discretionary</b>	25.2.9	\$210.00
First Offence		\$410.00
Second Offence		\$810.00
Third and Subsequent Offences		
<b>Non-permitted Use in area</b>	25.2.10	\$210.00
First Offence		\$410.00
Second Offence		\$810.00
Third and Subsequent Offences		
<b>Construction Commenced without Development Permit</b>	25.2.11	\$210.00
First Offence		\$410.00
Second Offence		\$810.00
Third and Subsequent Offences		
<b>Secondary Suite without Development Permit</b>	25.2.12	\$250.00
First Offence		\$500.00
Second Offence		\$810.00
Third and Subsequent Offences		

Edmonton Land Use Bylaw 5996

26. Amendments

[26.1 Text Amendments](#)

[26.2 Redistricting Applications](#)

[26.3 Review and Processing of Amendments](#)

*Bylaw No. 11622*

*November 25, 1997*

Schedule 26A - Deleted

[26.4 Notification of Amendments](#)

*Bylaw No. 7729*

*March 12, 1985*

*Bylaw No. 11261*

*June 17, 1996*

**26.5 Deleted**

Edmonton Land Use Bylaw 5996

26.1 Text Amendments

*Bylaw No. 7729*

*March 12, 1985*

**26.1 Text Amendments**

1) Any person applying to amend Parts I and II of this Bylaw shall apply in writing to the Development Officer, furnishing reasons in support of the application and requesting that the Development Officer submit the application to the Council.

2) If a person applies to the Council in any manner for an amendment to Parts I and II of this Land Use Bylaw, the Council shall require him to submit his application to the Development Officer in accordance with the provisions of this Section before it considers the amendment proposed by such person.

*Bylaw No. 6626*

*November 10, 1981*

3) Notwithstanding anything contained in this Section 26, an application for a proposed amendment to Part I or Part II of this Bylaw which has been rejected by the Council within the previous 12 months shall not be accepted unless otherwise directed by Council.

Edmonton Land Use Bylaw 5996

26.2 Redistricting Applications

*Bylaw No. 7729*

*March 12, 1985*

## **26.2 Redistricting Applications**

*Bylaw No. 11261*

*June 17, 1996*

1) Any person applying to amend Parts III, IV and/or V of this Bylaw to change the Land Use District governing any land shall apply in writing to the Development Officer and submit the following to the Development Officer:

- a) a Certificate of Title which has been issued not later than thirty days prior to the receipt of the amendment application by the Development Officer;
- b) the applicant's name, address and interest in the property;
- c) a signed statement by the applicant stating that he is willing to pay for all costs incurred by the City in processing the proposed amendment, whether it be enacted or not, including, but not limited to, all mapping, printing, reproduction, surveys and advertising costs;
- d) the appropriate application fee required in Section 26.3; and
- e) a brief written statement by the applicant in support of his application, and his reasons for applying.

2) Upon receipt of an application for a Redistricting amendment, the Development Officer shall initiate or undertake an investigation and analysis of the potential impacts of development under the proposed District. The analysis shall be based upon the full development potential of the uses and development regulations specified in the proposed District and not on the merits of any particular development proposal, except where the DC2 District is proposed. The analysis shall, among other things, consider the following impact criteria:

- a) relationship to and compliance with approved Statutory Plans and Council policy;
- b) relationship to and compliance with authorized Statutory Plans, or Replotting Schemes in preparation;
- c) compatibility with surrounding development in terms of Land Use function and scale of development;
- d) traffic impacts;
- e) relationship to, or impacts on, services such as water and sewage systems, public transit and other utilities and public facilities such as Recreational Facilities and schools;

- f)relationship to municipal land, right-of-way or easement requirements;
- g)effect on stability, retention and rehabilitation of desirable existing uses, buildings, or both in the area;
- h)necessity and appropriateness of the proposed Land Use District in view of the stated intentions of the applicant; and
- i)relationship to the documented concerns and opinions of area residents regarding the application.

*Bylaw No. 6626*

*November 10, 1981*

*Bylaw No. 7729*

*March 12, 1985*

3)Notwithstanding anything contained in this Section 26, an application for a proposed amendment to Part III of this Bylaw which has been rejected by the Council within the previous 12 months shall not be accepted unless otherwise directed by Council.

Edmonton Land Use Bylaw 5996

26.3 Review and Processing of Amendments

*Bylaw No. 7729*

*March 12, 1985*

### **26.3 Review and Processing of Amendments**

1) The Development Officer shall:

a) examine the proposed amendment;

b) prepare a written report on the proposed amendment; and

c) advise the applicant in writing that:

i) he is prepared to recommend the amendment to the Council without further investigation; or

ii) he is not prepared to recommend the amendment; or

iii) he requires further investigation to make a recommendation; or

iv) he is prepared to recommend an alternative amendment.

2) Upon receiving the advice of the Development Officer, the applicant shall advise the Development Officer if:

a) he wishes the proposed amendment to proceed to City Council, in which case he must prepay the advertising costs referred to in Section 26.2(1)(c) prior to the amendment proceeding to City Council; or

b) he does not wish to proceed to City Council with the proposed amendment, in which case the application is considered abandoned.

3) If requested by the applicant, the Development Officer shall submit the proposed amendment to Council, accompanied by the report of the Development Officer.

*Bylaw No. 6626*

*November 10, 1981*

*Bylaw No. 7729*

*March 12, 1985*

*Bylaw No. 11261*

*June 17, 1996*

4)The Development Officer, using discretion, may present for the consideration of Council any proposed amendment to this Bylaw, and the proposed amendment shall be accompanied by the report and recommendations of the Development Officer.

*Bylaw No. 6626*

*November 10, 1981*

*Bylaw No. 7729*

*March 12, 1985*

5)Council, in it's discretion, may initiate any amendment to this Bylaw, and prior to the approval of any amendment, Council may refer the proposal to the Development Officer for his report and recommendation.

*Bylaw No. 11622*

*November 25, 1997*

6)Every Redistricting application shall be accompanied by the required fee. The schedule of fees for the services provided shall be determined by City Council.

*Bylaw No. 11622*

*November 25, 1997*

7)When a Development Agreement is to be entered into between the City and the applicant pursuant to [Section 720.2\(4\)](#) of this Bylaw, the applicant shall pay to the Development Officer, in addition to any other fee required pursuant to this or any other bylaw, a Development Agreement fee as determined by City Council.

*Bylaw No. 6358*

*February 10, 1981*

*Bylaw No. 7729*

*March 12, 1985*

**8)Deleted.**

*Bylaw No. 6627*

*October 27, 1981*

*Bylaw No. 6721*

*December 08, 1981*

*Bylaw No. 7729*

*March 12, 1985*

**9)Deleted.**

Edmonton Land Use Bylaw 5996

26.4 Notification of Amendments

*Bylaw No. 7729*

*March 12, 1985*

## **26.4 Notification of Amendments**

*Bylaw 11261*

*June 17, 1996*

1) Prior to consideration by Council of a proposed redistricting amendment, the Development Officer shall place a notice, complying with Section 692 of the Municipal Government Act, 1994, in two separate issues of a newspaper circulating within the City, and dispatch a notice by ordinary mail to:

a) the applicant;

b) the owners of the land subject to the proposed redistricting amendment;

*Bylaw No. 7322*

*September 16, 1983*

*Bylaw No. 7729*

*March 12, 1985*

c) each assessed owner of land, wholly or partially within a distance of 60 m (196.85 ft.) of the boundaries of the site which is the subject of the redistricting amendment, except that the Development Officer may exempt notification for City-initiated redistricting amendments:

i) for lands incorporated into the City through annexation, when such lands are Redistricted from the preannexation municipality's Land Use Bylaw to an equivalent Land Use District in the Edmonton Land Use Bylaw; or

ii) to replace existing Districts with new Land Use Bylaw Districts which are generally consistent with the uses and regulations of the District being replaced; and

d) the President of a Community League operating within the notification boundaries described in (c) above.

During any cessation of ordinary mail delivery, the notice to those described in Clauses (1)(a), (1)(b) and (1)(d) shall be given by such other alternative means as the Development Officer may specify, and the notice to those described in Clause (1)(c) shall be provided in the newspaper only.

*Bylaw No. 11261*

*June 17, 1996*

2)Where, in the opinion of the Development Officer, any proposed redistricting amendment is likely to affect other owners of land, the Development Officer shall notify owners of land beyond 60 m (196.85 ft.), at such additional distance and direction from the site as, in the opinion of the Development Officer, may experience any impact attributable to any development allowed under the proposed Land Use District.

*Bylaw No. 11261*

*June 17, 1996*

3)Prior to consideration by Council of an amendment to Parts I or II of this Bylaw, the Development Officer shall give such notice as is required by Section 692 of the Municipal Government Act, 1994.

*Bylaw No. 7322*

*September 16, 1983*

*Bylaw No. 7729*

*March 12, 1985*

*Bylaw No. 11832*

*August 24, 1998*

4)a)Except as provided hereafter, the owner or applicant shall erect a Redistricting Application Information Sign within 14 days of making an application to amend Parts III, IV or V of this Bylaw, to change the Land Use District governing any land. A Redistricting Application Information Sign is not required for any of the following:

i)applications which are in conformity with an approved Area Redevelopment Plan or an approved Area Structure Plan;

ii)applications which are adopted in order to ensure conformity with an approved Area Redevelopment Plan or an approved Area Structure Plan;

iii)City-initiated redistricting amendments for land brought into the City through annexation; and

iv)amendments to place lands into the DC3 District.

Where a Redistricting Application Information Sign is required, the public hearing for such redistricting applications before City Council shall not take place until a minimum period of twenty-one (21) days has passed since the date upon which the owner or applicant erects the Redistricting Application Information Sign."

b)The Redistricting Application Information Sign shall be erected at a prominent location on the site, or within 4.5 m (14.8 ft.) of the site between the site and a public roadway, other than a lane, shall be readable from a distance of 15 m (49.2 ft.) and shall be maintained in a reasonable and legible condition until such time as the application to amend Part III is approved by Council struck from Council's agenda, or withdrawn. If a site is bounded by more than one public roadway, other than a lane, one or more Redistricting Application Information Signs shall be erected in a manner so as to be visible from each public roadway, other than a lane.

c)Redistricting Application Information Signs, as erected, shall be of a maximum height above ground of 3 m (9.8 ft.), a minimum area of 1 m<sup>2</sup> (10.8 sq. ft.) and a maximum area of 3 m<sup>2</sup> (32.3 sq. ft.).

d) Redistricting Application Information Signs shall contain the following information:

i) the present Land Use District applicable to the site;

ii) the Land Use District proposed by the applicant;

iii) a general description of the uses which could develop within the Land Use District proposed by the applicant, together with a notice that the description is not exhaustive;

iv) the maximum permitted height, density and floor area ratio within the Land Use District proposed by the applicant;

v) the site's total area; and

vi) the telephone number of the City's Land Use Bylaw Amendment Officer, and an indication that at that telephone number, more information respecting the application may be sought.

e) In addition to the information requirements listed in Clause (1) of this Section 26.4, the applicant shall, within 7 days of the erection of the Redistricting Application Information Sign, submit to the Development Officer a letter indicating that the Sign has been erected in accordance with the requirements of the Land Use Bylaw.

f) Where the applicant is not the owner of the subject site, the Development Officer may authorize an alternative notification, which does not meet all of the requirements of Clause 4 of Section 26.4, on public property adjacent to the subject site.

*Bylaw No. 10244*

*November 16, 1992*

g) All Redistricting Application Information Signs shall be removed no later than thirty (30) days following the date of the approval or rejection of the relevant application by City Council.

Edmonton Land Use Bylaw 5996

27. Land Use Bylaw Compliance Certificate and Certificate Fees

**27.Land Use Bylaw Compliance Certificate and Certificate Fees**

*Bylaw No. 10741*

*June 20, 1994*

*Bylaw No. 9831*

*September 10, 1991*

1)The applicant for a Compliance Certificate shall provide to the Development Officer a Surveyor's Certificate or Real Property Report for the site prepared by a registered Alberta Land Surveyor. The applicant shall pay all costs associated with the preparation of the Surveyor's Certificate or Real Property Report.

2)In determining whether a Compliance Certificate can be issued for a site, the Development Officer shall rely on the Surveyor's Certificate or Real Property Report provided by the applicant. The Development Officer shall not undertake independent site inspections.

3)The Development Officer may issue a Compliance Certificate when, in his opinion, the building(s) located on a site, and shown on the Surveyor's Certificate or Real Property Report, is (are) located on the site in accordance with the Yard regulations of this Bylaw and/or the Yards specified in any Development Permit which may have been issued for the site. The Compliance Certificate shall only cover those buildings and structures, or parts thereof, shown on the Surveyor's Certificate or Real Property Report submitted by the applicant.

4)The Development Officer may refuse to issue a Compliance Certificate when, in his opinion, he does not have sufficient information from the applicant to determine if a building(s) located on a site is (are) located in accordance with the Yard regulations of this Bylaw and/or the Yards specified in any Development Permit which may have been issued for the site.

5)The Development Officer shall not be liable for any damages arising from the use of a Compliance Certificate containing errors where the errors are the result of incorrect or incomplete information on the Surveyor's Certificate or Real Property Report.

*Bylaw No. 9889*

*January 20, 1992*

*Bylaw No. 10220*

*February 22, 1993*

*Bylaw No. 11622*

*November 25, 1997*

6)The fee for the provision of Compliance Certificate shall be as determined by City Council.

Edmonton Land Use Bylaw 5996

50. Applicability

**50.Applicability**

The General Development Regulations apply to any development on any site, irrespective of the District in which it is located. Where these Regulations appear to be in conflict with the regulations in the District or Overlay in which the use is either a Permitted or Discretionary Use, the General Development Regulations shall take precedence, except in the case of the Airport Protection Overlay and provided that a District or Overlay may, in its regulations, specifically exclude or modify these provisions with respect to any use.

Edmonton Land Use Bylaw 5996

51. Lot Dimensions and Areas

**51.Lot Dimensions and Areas**

*Bylaw No. 7729*

*March 12, 1985*

**51.1Subdivision**

*Bylaw No. 11261*

*June 17, 1996*

The Subdivision Authority shall not approve the subdivision of land within any District, or on any site for which the Development Officer will support a redistricting application to that District, into lots of lesser dimensions and areas than the regulations of that District prescribe, except as provided below:

1)the Subdivision Authority shall not approve the subdivision of land in already subdivided and developed RF1 Districts into lots of lesser dimensions and areas than, in the opinion of the Authority, is consistent with the general character of the area, including parcel size and dimensions, regardless of the minimum permitted in that District;

*Bylaw No. 6626*

*November 10, 1981*

2)the Subdivision Authority may approve the subdivision of land in all previously subdivided and developed areas into lots of lesser dimensions and areas than the minimum required in the applicable District if, in the opinion of the Authority, the lot dimensions and areas would be consistent with the general character of the area determined by parcel size and dimensions and would satisfy the Subdivision and Development Regulation made under Section 694 of the Municipal Government Act, 1994;

3)the Subdivision Authority may approve the subdivision of land in the AG District to subdivide from a quarter section:

a)parcels which are too small for economic agricultural development because of isolation by natural features such as ravines or water bodies or by manmade features such as roadways or railways; or

*Bylaw No. 6626*

*November 10, 1981*

b)parcels which are to be used for Essential Utility Services.

4)the Subdivision Authority may approve the subdivision of land which includes parcels of a size less than the minimum site size required in the AGU District and in the AGI District, if these parcels are to be used for Essential Utility Services, if these parcels are remnants or other parcels which result from the planned subdivision process where, in the opinion of the Authority, such parcels are likely to be created for a temporary period and will subsequently be incorporated into a consolidation or another subdivision or development pattern, and districted in a manner consistent with proposed Land Use Districts prior to development, or if, in the opinion of the Authority, the AGU or AGI Districting is to be temporary and is soon to be replaced with another Land Use District.

*Bylaw No. 6934*

*June 14, 1982*

*Bylaw No. 11261*

*June 17, 1996*

## **51.2 Minimum Site Area Exceptions for Single Detached, and Duplex Housing**

### **Semi-detached**

1)The Development Officer shall not refuse an application for a Development Permit for Single Detached Housing (with or without a Secondary Suite) on a site with a depth of at least 30 m (98.4 ft.) and a width of at least 10 m (32.8 ft.), or Semi-detached Housing or Duplex Housing on a site with a site area of at least 470 m<sup>2</sup> (5,059.2 sq. ft.) and a width of at least 13.5 m (44.3 ft.) only for the reason that the site does not meet the minimum area and dimensions set out in this Bylaw, if:

a)the site in question is a lot which was created prior to the effective date of Bylaw No. 2135; or

b)the site in question is a lot approved by the Subdivision Authority in an area where the surrounding lands were generally subdivided pursuant to Section 51.1 of this Bylaw; or

c)in the case of Single Detached Housing within the RF4 District, the site is within a District outline plan area or Area Structure Plan area and the subdivision creating the site was approved by the Municipal Planning Commission prior to the effective date of Bylaw No. 6934, that being June 14, 1982.

Edmonton Land Use Bylaw 5996

52. General Regulations for Yards, Separation Space, Amenity Area and Setbacks

**52. General Regulations for Yards, Separation Space, Amenity Area and Setbacks**

1) Other than in the RPL District, no portion of any required Yard, Amenity Area, Private Outdoor Amenity Area, Separation Space, or Setback shall be provided by an adjacent site.

2) In the RPL District, the required Separation Space for any development may be provided in part by open space on an adjacent site, provided that a required Separation Space shall in all cases be subject to the regulations for Separation Space as contained in [Section 58](#) of this Bylaw and therefore shall, where Section 58 requires, be free of those buildings or structure, or portions of them which may otherwise be allowed in a Yard.

3) A required Yard, Separation Space, or Setback shall not be required below grade, except that the Development Officer may require that a Yard, or any portion of it be unobstructed and undisturbed below grade in order to preserve existing vegetation, or to provide an adequate growing environment for any proposed or required landscaping.

4) Yard requirements in any District apply to accessory buildings or structures, except those in Residential Districts, in which case Section 61.3 applies.

Edmonton Land Use Bylaw 5996

53. Yards on Corner Sites and Double Fronting Sites in Residential Districts

**53. Yards on Corner Sites and Double Fronting Sites in Residential Districts**

1) In the case of a corner site, the Front Yard shall be the Yard abutting the Front Lot Line, except:

a) In the case of a corner site comprised of more than one lot, the Front Yard of the site shall be taken on the same public roadway, other than a lane, as the Front Yard of the Corner Lot; or

b) Where the two boundaries of a corner site are equal, the location of the Front Yard of the site shall be determined by the Development Officer.

2) Notwithstanding Clause (1) above, the Development Officer may require any corner site to provide an additional Front Yard or Yards other than that required, having regard to the orientation and access of any development, and the Front Yard requirements of adjacent properties.

3) The Development Officer may require a Double Fronting Site to provide a Front Yard on each public roadway, other than a lane, in accordance with the Front Yard requirements of the District in which the site is located, provided that at least one Front Yard shall be provided.

Edmonton Land Use Bylaw 5996

54. Projection into Yards and Separation Spaces

**54. Projection into Yards and Separation Spaces**

*Bylaw No. 9789*

*June 18, 1991*

The following features may project into a required Yard or Separation Space as provided for below:

*Bylaw No. 10364*

*May 3, 1993*

*Bylaw No. 10457*

*January 25, 1994*

1)a)verandas, porches, eaves, shade projections, unenclosed steps, chimney breasts or parts of a chimney, belt courses, sills, together with any other architectural features which, in the opinion of the Development Officer, are of a similar character, provided such projections do not exceed 0.6 m (1.97 ft.) in the case of required Yards or Separation Spaces of 1.2 m (3.94 ft.). Where unenclosed steps extend into required Side Yards which are not used for vehicular access, such steps shall not exceed a height of 1 m (3.28 ft.) above grade; and

*Bylaw No. 10457*

*January 25, 1994*

b)projections of eaves or similar architectural features may be allowed on Accessory Buildings at the discretion of the Development Officer, provided that such projections do not exceed 0.6 m (1.97 ft.) in the case of required Yards or Separation Spaces of 1.2 m (3.94 ft.) or greater, and 0.46 m (1.51 ft.) for required Yards or Separation Spaces of less than 1.2 m (3.94 ft.);

*Bylaw No. 9789*

*June 18, 1991*

*Bylaw No. 10364*

*May 3, 1993*

2)a)cantilevered projections with windows, such as bay, oriel or similar windows, or cantilevered projections without windows, provided that such projections do not exceed 0.6 m (1.97 ft.) in the case of required Yards or Separation Spaces. In all cases, a minimum distance of 0.6 m (1.97 ft.) from the property line to the outside wall of such

projection and all other portions of a Dwelling, including eaves, shall be maintained; and

b)where a cantilevered projection as specified in Section 54(2)(a) above is proposed in a Side Yard, the length of any one (1) projection shall not exceed a wall opening length of 3.1 m (10 ft.). In the case of more than one projection, the aggregate total shall not exceed one third (1/3) of the length of that house side wall excluding attached garage walls. In the case of a corner lot, this restriction is applicable only to the interior Side Yard and not the required flanking Side Yard. This restriction shall not apply to projections into the required front or Rear Yard;

3)balconies, provided such projections do not exceed 2 m (6.6 ft.) into Yards or Separation Spaces with a depth of at least 4 m (13.1 ft.), and 0.60 m (1.97 ft.) for Yards or Separation Spaces less than 4 m (13.1 ft.);

4)an open, hard surfaced and uncovered terrace or patio in any Yard or Separation Space in a Residential District, if such terrace is completely unenclosed except by a guard rail or parapet wall which do not exceed the maximum height permissible for a fence in the same location. No such terrace shall project into any required Front Yard more than 2.5 m (8.2 ft.). The provision of an awning or similar temporary covering for such a terrace shall be permitted;

5)swimming pools, fish ponds, ornaments, flagpoles, or the like provided that swimming pools shall not be constructed within any required Front Yard;

6)any loading space required under the provisions of this Bylaw, provided it shall not be in a required Front Yard;

7)a parking area when comprised of parking spaces required under this Bylaw, provided that no parking area in any District shall be located within the required Front Yard. This shall not prohibit the use of a required Front Yard for such walkways and driveways as the Development Officer considers necessary; and

*Bylaw No. 9789*

*June 18, 1991*

8)notwithstanding any other provisions of Section 54, projections and steps shall not be allowed where a minimum Side Yard of 3 m (9.8 ft.) is required for vehicular access to the rear of the site unless a minimum vertical clearance of 3 m (9.8 ft.) is maintained from the finished grade to the lowest point of the projection.

Edmonton Land Use Bylaw 5996

55. Objects Prohibited or Restricted in Residential Districts

**55. Objects Prohibited or Restricted in Residential Districts**

*Bylaw No. 10244*

*November 16, 1992*

*Bylaw No. 10627*

*April 18, 1994*

*Bylaw No. 10936*

*October 16, 1995*

1) No person shall keep in any part of a site in any Residential District:

*Bylaw No. 11832*

*August 24, 1998*

a) any commercial vehicle, loaded or unloaded, of a maximum gross vehicle weight (G.V.W.) exceeding 4 500 kg (9,920 pounds); or

b) more than one commercial vehicle of a maximum gross vehicle weight (G.V.W.) of 4 000 kg (8,818 pounds) or less, for longer than is reasonably necessary to load or unload such vehicle.

2) No person shall keep, in the required Front Yard in any Residential District, or in the case of a corner site, in the required Front Yard or the required flanking Side Yard in any Residential District, any large Recreational Vehicle for any longer than is reasonably necessary to load or unload such vehicle.

*Bylaw No. 11268*

*July 15, 1996*

3) Notwithstanding subsection 55(2), from April 1 through October 31 inclusive, on a residential site with no rear lane, large Recreational Vehicles may be parked to within 2 metres (6.56 ft.) of the interior edge of the sidewalk, or within 2 metres (6.56 ft.) of the curb if there is no sidewalk:

i) where vehicular access is solely available through the Front Yard; or

ii) in the case of a corner site, where vehicular access is solely available through the Front Yard or through the exterior flanking Side Yard,

subject to the discretion of the Development Officer, who may decrease this minimum setback requirement on a site by site basis, given the proximity and orientation of driveways, parking areas, buildings and other physical features which may affect sight lines and amenities on the subject property and on adjacent properties.

*Bylaw No. 11268*

*July 15, 1996*

4) For the purposes of subsections 55(2) and 55(3), a "large Recreational Vehicle" shall include any motorhome, travel trailer, or fifth wheel trailer; any camper when it is not mounted on a truck, but placed on the ground, on a stand or otherwise stored; or any other vehicle or object which, in the opinion of the Development Officer, is deemed to be a large Recreational Vehicle.

*Bylaw No. 11268*

*July 15, 1996*

5) For the purposes of subsections 55(2) and 55(3), a "large Recreational Vehicle" shall not include: small utility trailers; camper van conversions; tent trailers; campers which are mounted in trucks; boats; snowmobiles; all-terrain vehicles; jet skis; or motorcycles and trailers to carry them.

Edmonton Land Use Bylaw 5996

56. Amenity Area

**56.Amenity Area**

1)Where required in any District, a development shall provide Amenity Area in accordance with the requirements of the District.

*Bylaw No. 6502*

*November 24, 1981*

2)Amenity Area shall:

a)with respect to Residential Use Classes, be located and designed to serve as space for the active or passive recreation and enjoyment of the occupants of a Residential development; and

b)with respect to non-residential Use Classes, be located and designed to serve as space for the active or passive recreation and enjoyment of the public so as to maximize the accessibility and use of the Area by the public during the hours which the development is open to the public. Access to the Amenity Area shall be at no cost to the public.

*Bylaw No. 6502*

*November 24, 1981*

3)Amenity Area may include:

a)with respect to Residential Uses Classes, patios, balconies with a minimum depth of 2 m (6.6 ft.), roof terraces, communal lounges and Recreational Facilities and other areas within the site which, in the opinion of the Development Officer, are of the nature described in Clause (2)(a) above; and

b)with respect to non-residential Use Classes, courtyards, interior landscaped open spaces, arcades, plazas, atriums, public seating areas and other areas within the site which, in the opinion of the Development Officer, are of the nature described in Clause (2)(b) above.

*Bylaw No. 6502*

*November 24, 1981*

4)Required Amenity Area may be located:

a)with respect to Residential Use Classes, within any required Yard, other than a Front Yard; and

b)with respect to non-residential Use Classes, within any required Yard.

5) Required Amenity Area may be located within a required Separation Space, but only if it is intended for the private use of the Dwelling for which the Separation Space is provided.

*Bylaw No. 6502*

*November 24, 1981*

6) Where landscaped space at grade on the site is in excess of 30% of the site area, the excess may be included in the required Residential Amenity Area.

Edmonton Land Use Bylaw 5996

57. Private Outdoor Amenity Area

**57.Private Outdoor Amenity Area**

1)Where required in any District, a development shall provide Private Outdoor Amenity Area in accordance with the requirements of the District.

2)Private Outdoor Amenity Area shall be designed for the occupants of a specific Dwelling, and shall be provided immediately adjacent to, and with direct access from, the Dwelling it is to serve. It shall be landscaped and surfaced for convenient use for outdoor activities.

3)Private Outdoor Amenity Area shall be screened in a manner which prevents viewing into a part of it from any adjacent areas at a normal standing eye level. When such screening would impair a beneficial outward and open orientation of view, and there is no adverse effect on the privacy of the Private Outdoor Amenity Area, the extent of screening may be reduced.

4)Private Outdoor Amenity Area may be provided above grade, and may be located within any required Yard other than a required Front Yard.

5)Neither the width nor the length of any Private Outdoor Amenity Area shall be less than 4 m (13.2 ft.), except that if it is provided above the first storey the minimum dimensions shall be 3 m (9.8 ft.).

*Bylaw No. 6626*

*November 10, 1981*

6)Private Outdoor Amenity Area may be located within a required Separation Space, but only if the Amenity Area is intended for the use of the Dwelling for which the Separation Space is provided.

Edmonton Land Use Bylaw 5996

58. Separation Space

### **58. Separation Space**

*Bylaw No. 6626*

*November 10, 1981*

#### **58.1 Separation Space: General**

- 1) Where required in any District, any Residential or Residential-Related development shall provide Separation Space in accordance with this Section 58.
- 2) Except as provided for elsewhere in this Section 58, the Separation Space shall be contained fully within the site of the proposed development unless otherwise specified in the applicable Land Use District.
- 3) The minimum Separation Space in front of any windows, entry or similar opening shall be applied along the full length and height of the exterior wall of the room in which the particular opening or window is located, and it shall be measured horizontally outward from, and at right angles to, that exterior wall.
- 4) Except as provided for elsewhere in this Section, the specified Separation Space shall be free of buildings and public roadways.
- 5) For the purposes of this Section 58, Privacy Zone shall mean an area within the minimum Separation Space which shall be free of buildings, public roadways, walkways, on-site roadways, communal parking areas and communal Amenity Areas.
- 6) The minimum separating distance between two Dwellings shall be equal to the sum of the minimum Separation Spaces for the opposite windows and openings, except as provided in Section 58.3, Clause (2) and Section 58.4, Clause (2).

*Bylaw No. 6626*

*November 10, 1981*

- 7) In the event that buildings are not parallel, or diagonal views between opposite windows and openings in different Dwellings become critical, the Separation Space requirements may be increased or reduced by the Development Officer.
- 8) Notwithstanding these regulations, the Development Officer may require a lesser Separation Space where other design solutions offer equivalent daylight, sunlight, ventilation, quiet, visual privacy and views.
- 9) A required Separation Space may be provided wholly or partly within a required Yard.

*Bylaw No. 6626*

*November 10, 1981*

### **58.2 Principal Living Room Window**

1) In front of a Principal Living Room Window, a Separation Space, with a minimum depth of 7.5 m (24.6 ft.) or half the height of any wall opposite the said Window, whichever is greater, to a maximum of 10 m (32.8 ft.) shall be provided.

2) Where a Principal Living Room Window faces directly onto a local public roadway other than a lane, communal walkway, on-site communal roadway or communal parking area, communal Amenity Area or accessory building or structure, these facilities or activity areas may be located within the minimum Separation Space where a Privacy Zone of at least 4.5 m (14.8 ft.) is provided. This Privacy Zone shall be measured from the window to the nearest edge of the specified activity area. For local public roadways, the Privacy Zone shall be measured from the Window to the edge of the sidewalk or to the space reserved for a future sidewalk.

3) Where the sill of a Principal Living Room Window is at least 2 m (6.6 ft.) above the elevation of the exterior area immediately outside the Window for a distance of at least 4.5 m (14.8 ft.) out from the Window, no minimum Privacy Zone is required.

*Bylaw No. 6626*

*November 10, 1981*

### **58.3 Habitable Room Window**

1) In front of a required Habitable Room Window other than the Principal Living Room Window, a Separation Space, with a minimum depth of 5 m (16.4 ft.) or half the height of any wall opposite the said Window, whichever is greater, to a maximum of 7.5 m (24.6 ft.) shall be provided.

*Bylaw No. 6626*

*November 10, 1981*

2) Where a Habitable Room Window on a building of two storeys or less directly faces a Blank Wall of an adjacent building also of two storeys or less, the minimum separating distance may be reduced to 3 m (9.8 ft.).

3) Where a Habitable Room Window faces onto a local public roadway other than a lane, communal walkway, on-site communal roadway or communal parking area, communal Amenity Area or accessory building or structure, these facilities or activity areas may be located within the minimum Separation Space where a Privacy Zone of at least 3 m (9.8 ft.) is provided. This Privacy Zone shall be measured from the Window to the nearest edge of the specified activity area. For local public roadways, the Privacy Zone shall be measured from the Window to the edge of the sidewalk or to the space reserved for a future sidewalk.

4) Where Habitable Room Windows face onto exterior corridors or access ways for Dwellings located above grade, the Development Officer may modify the Privacy Zone requirements of Clause (3) above.

5) Where the sill of a Habitable Room Window is at least 2 m (6.6 ft.) above the elevation of the exterior area immediately outside the Window for a distance of at least 3 m (9.8 ft.) out from the Window, no minimum Privacy Zone is required.

*Bylaw No. 6626*

*November 10, 1981*

#### **58.4 Non-habitable Room Windows, Non-required Habitable Room Windows, Entries and Blank Walls**

1) In front of a Non-habitable Room Window, a Non-required Habitable Room Window, an Entry or a Blank Wall, a Separation Space, with a minimum depth of 1.2 m (3.94 ft.) plus 0.3 m (1 ft.) for each additional storey above the first storey to a maximum of 3 m (9.8 ft.) shall be provided.

2) Where two Blank Walls face one another, the required minimum Separation Space shall be calculated from only one of the Blank Walls. Where the two Blank Walls are of different heights, the Separation Space shall be calculated from the Blank Wall having the greater height.

Edmonton Land Use Bylaw 5996

60. Fences in Residential Districts

**60.Fences in Residential Districts**

1) Except in the case of the RPL District, a fence on a site in a Residential District shall not be higher, measured from the general ground level 0.5 m (1.6 ft.) back of the property line of the site on which the fence is to be constructed, than:

a) 1.85 m (6.1 ft.) for the portion of a fence that does not extend beyond the foremost portion of the principal building abutting the Front Yard, nor beyond the foremost portion of the principal building where it abuts a Side Yard abutting a flanking public roadway other than a lane; and

b) 1 m (3.3 ft.) for the portion of a fence that does extend beyond the foremost portion or portions of the principal building on the site, provided that the Development Officer may allow a fence to be erected to not more than 1.85 m (6.1 ft.) in height if, in his opinion, it will not prejudice the amenities of the District.

2) On a site in the RPL District, a fence shall not be higher than:

a) 1.85 m (6.1 ft.) for the portion of a fence that does not extend into a required Front Yard, the required Side Yard where it abuts a flanking public roadway other than a lane, and the portion of the required Rear Yard which abuts a flanking public roadway other than a lane and has a depth from the flanking public roadway other than a lane equal to the width of the required Side Yard; and

b) 1 m (3.3 ft.) for the portion of a fence which extends into the required Front Yard, the required Side Yard where it abuts a flanking public roadway other than a lane, and the portion of the required Rear Yard described in Clause 2(a) above.

3) In the case of Double Fronting Sites, fences shall be of a height which is satisfactory to the Development Officer having regard to the location of fences in the surrounding area and the requirement for screening.

Edmonton Land Use Bylaw 5996

61. Accessory Uses and Buildings

## **61. Accessory Uses and Buildings**

*Bylaw No. 6626*

*November 10, 1981*

### **61.1 Accessory Uses and Buildings: General**

1) A use listed in any Use Class, or any other use, may be an Accessory Use to a Permitted or Discretionary Use which is a principal use on the site, if such use complies with the definition of Accessory in this Bylaw. Notwithstanding the foregoing, accessory parking may be on the same site as the principal use or comply with [Section 66.5](#) of this Bylaw.

2) Accessory Uses and Buildings are permitted in a District when accessory to a principal use which is a Permitted Use in that same District and for which a Development Permit has been issued.

3) Accessory Uses and Buildings are discretionary in a District when accessory to a principal use which is a Discretionary Use in that same District and for which a Development Permit has been issued.

4) Where any building or structure on a site is attached to a Principal Building on the site by a roof, an open or enclosed structure above grade, a floor or a foundation which is above grade, or any structure below grade allowing access between the buildings such as a parking garage or a corridor or passageway connecting the buildings, it is a part of the Principal Building and is not an Accessory Building.

5) An Accessory Building or Structure on a Corner Site or a Double Fronting Site, in any District, shall be subject to the Front Yard requirements for the site as determined by Section 53 of this Bylaw.

### **61.2 Accessory Buildings in Non-residential Districts**

1) In any District other than a Residential District, an Accessory Building or Structure is subject to the Development Regulations for that District.

2) Notwithstanding Clause (1), an Accessory Building or Structure on a site in a non-residential District which abuts a site in a Residential District shall not be less than 1.5 m (4.7 ft) from the boundary of the site in the Residential District.

### **61.3 Accessory Buildings in Residential Districts**

In a Residential District:

1) an Accessory Building or Structure shall not be used as a Dwelling;

*Bylaw No. 9930*

*March 10, 1992*

*Bylaw No. 10667*

*April 18, 1994*

2)an Accessory Building or Structure shall not exceed 3.7 m (12.0 ft.) nor one storey in Height, except as provided in Sections 61.4 and 61.5;

3)the site coverage of Accessory Buildings or Structures shall not exceed 12%, except for the RPL District, where the site coverage shall not exceed 15%;

4)Accessory Buildings and Structures shall be located on an Interior Site as follows:

a)an Accessory Building shall be located not less than 18 m (59.0 ft.) from the front lot line, unless it complies with the Yard requirements for a principal building;

*Bylaw No. 7728*

*March 12, 1985*

b)an Accessory Building or Structure shall be located not less than 0.9 m (3.0 ft.) from the side lot line, except where it is a mutual garage erected on the common property line to the satisfaction of the Development Officer, or where a garage is placed on the common property line in accordance with the provisions of the RPL District, or where the Accessory Building does not exceed the permitted fence height;

*Bylaw No. 7728*

*March 12, 1985*

c)an Accessory Building or Structure shall be located not less than 0.9 m (3.0 ft.) from a principal building;

d)subject to Clauses (e) and (f) below, an Accessory Building or Structure which exceeds 1.85 m (6.1 ft.) in Height shall be located at not less than 0.6 m (2.0 ft.) from the rear lot line;

*Bylaw No. 10244*

*November 16, 1992*

*Bylaw No. 10741*

*June 20, 1994*

e)except in the RPL District, where the Accessory Building is a detached garage and where the vehicle doors of the detached garage face a lane abutting the site, no portion of the garage shall be located less than 4.88 m (16.0 ft.) from the rear property line, provided that, if the principal building was developed before October 2, 1961, the distance may be less, but shall be such as, in the opinion of the Development Officer, is consistent with the location of other garages in the same block; and

*Bylaw No. 8994*

*September 12, 1989*

*Bylaw No. 10244*

*November 16, 1992*

f)on any site governed by the RPL District, the minimum distance from the rear property line for a detached garage where the vehicle doors face the lane shall be 1.2 m (3.94 ft.); and

5)Accessory Buildings and Structures shall be located on a Corner Site as follows:

*Bylaw No. 10457*

*January 25, 1994*

a)on a corner site, in addition to the provisions of Clause 61.3(4)(b), and subject to Clause 61.3(5)(b), the distance between an Accessory Building and the property line running parallel to any flanking public roadway, other than a lane, shall not be less than the Side Yard required for the Principal Building; and

*Bylaw No. 10457*

*January 25, 1994*

b)where an Accessory Building is a detached garage, and where the vehicle doors of the detached garage face any flanking public roadway other than a lane, the distance between the garage and the property line running parallel to that flanking public roadway shall not be less than 4.5 m (14.8 ft.), provided that if the Principal Building was developed before October 2, 1961, the distance may be less, but shall be such as, in the opinion of the Development Officer, is consistent with the location of other garages in the same block.

*Bylaw No. 9930*

*March 10, 1992*

#### **61.4Satellite Signal Receiving Antenna**

1)A Satellite Signal Receiving Antenna shall, except as is provided in subsection (4):

a)be a free-standing, ground-mounted unit, attached to a pole set in concrete;

b)be located in a Rear Yard only, and shall not be located in any Front Yard nor in any required Side Yard directly adjacent to the principal building;

c)be located so that no portion of the Antenna, when rotated, is within 0.9 m (3.0 feet) of any lot line, except that no portion of a Satellite Signal Receiving Antenna, when rotated, shall be closer than 4.5 m (14.8 feet) to a lot line abutting a flanking public roadway other than a lane;

d)be limited to a maximum height of 5.0 m (16.4 feet) at its highest point, when the Antenna is turned to its maximum vertical (i.e., tallest) position. For the purpose of this Section 61.4 only, the height of a ground-mounted Satellite Signal Receiving Antenna shall be determined by measurement from the point at which the main support pole or mast enters the ground, to the top of the Antenna when rotated to its highest possible position; and

e)form part of the calculation of total site coverage for accessory structures, to be calculated using the area of the dish surface.

2)A Satellite Signal Receiving Antenna shall not be illuminated, nor shall it have any advertising words or graphics displayed on it.

3)The Development Officer may require screening and landscaping around the Antenna where, in his opinion, these would reduce potential negative visual impact of the Antenna on adjacent properties.

4)a)Notwithstanding subsection (1) of this Section:

i)the Development Officer shall allow a Satellite Signal Receiving Antenna to be placed on the roof of a non-residential building or on the roof of Apartment Housing containing more than 12 Dwellings, provided that the Antenna complies with the provisions of this subsection (4); and

ii)where the applicant can demonstrate to the satisfaction of the Development Officer that a Satellite Signal Receiving Antenna which would otherwise be required to be developed as a freestanding unit pursuant to subsection (1), will not, when erected in accordance with subsection (1), provide adequate opportunity for reception of broadcasts, then the Development Officer may grant a variance to allow a roofmounted unit erected in accordance with the provisions of this subsection (4). Any object or structure which may provide an impediment to reception of broadcasts by a freestanding, groundmounted unit shall be clearly identified on a diagram or site plan provided in accordance with Section 15.2 of this Bylaw;

b)In the case of any roofmounted unit which may be permitted pursuant to subsection (4)(a)(i), a Satellite Signal Receiving Antenna shall be allowed to exceed the height of the building on which it is mounted, provided always that the maximum height shall be that provided in the regulations of the District governing the site.

c)In the case of any roofmounted unit which may be approved by the Development Officer pursuant to subsection (4)(a)(ii), a Satellite Signal Receiving Antenna shall:

i)if mounted on any other accessory structure, have a maximum height of 10 m (32.8 feet);

ii)if mounted on the principal building, have a maximum height of 11.5 m (37.7 feet) at its highest point, but in no case shall the height of the highest point exceed the highest point of the principal building; and

iii)not be visible from the Front Yard of the site.

*Bylaw No. 10667*

*April 18, 1994*

*Bylaw No. 10741*

*June 20, 1994*

### **61.5 Amateur Radio Antenna and Support Structure**

1)An Amateur Radio Antenna and Support Structure shall:

a)be a freestanding, ground-mounted unit, set in a concrete base;

b)be located in a Rear Yard only, and shall not be located in any Front Yard nor in any required Side Yard, nor in any flanking Side Yard on a corner lot;

c)be located so that no portion of the Antenna or the Support Structure is within 0.9 m (3.0 ft.) of any lot line, except that, on a corner lot, no portion of an Amateur Radio Antenna and Support Structure shall be closer than 4.5 m (14.8 ft.) to any lot line abutting a flanking public roadway other than a lane; and

d)be limited to a maximum height of 18.0 m (59.0 ft.) at its highest point. For the purpose of this Section 61.5 only, the height of a ground-mounted Amateur Radio Antenna and Support Structure shall be determined by measurement from the point at which the support structure enters the ground, to the top of the Antenna at its highest position.

2)An Amateur Radio Antenna and Support Structure shall not be illuminated, nor shall it have attached to it any advertising, graphics, flags or other elements unrelated to its function as a component of a radio signal transmitting and receiving device.

3)The Development Officer may require screening and/or landscaping around the lower portion of the support structure where, in the opinion of the Development Officer, such measures would reduce potential negative visual impact of the Structure on neighbouring properties, and provided that such measures would not interfere with the radio signal transmitting and receiving capabilities of the Antenna.

4)Notwithstanding subsection 61.5(1) of this Bylaw, the Development Officer may allow an Amateur Radio Antenna and Support Structure to be installed on the roof of a building, to a maximum combined height from the ground of 18.0 m (59.0 ft.), where placement of the Structure on the site as a freestanding ground-mounted unit would prohibit adequate transmission or reception of radio signals, and where this can be demonstrated by the applicant to the satisfaction of the Development Officer.

Edmonton Land Use Bylaw 5996

62. Lighting of Sites

**62.Lighting of Sites**

Any outdoor lighting for any development shall be located and arranged so that no direct rays of light are directed at any adjoining properties, or interfere with the effectiveness of any traffic control devices.

Edmonton Land Use Bylaw 5996

63. Height

### **63.Height**

In determining whether a development conforms to the maximum Height permissible in any District, the following regulations shall apply:

1)in any District other than a Residential District, the following features shall not be considered for the purpose of Height determination: chimney stacks, steeples, belfries, domes or spires, monuments, elevator housings, roof stairway entrances, water or other tanks, ventilating equipment, skylights, fire walls, parapet walls, receiving or transmitting structures, masts, flag poles, clearance markers or other erections which are considered to be similar by the Development Officer;

*Bylaw No. 10936*

*October 16, 1995*

2)in any Residential District, those features specified in Section 63.1 shall not be considered for the purpose of Height determination, except that the maximum Height of receiving or transmitting structures, where these are Satellite Signal Receiving Antennae or Amateur Radio Antennae and Support Structures, shall be calculated in accordance with the regulations of subsections 61.4 and 61.5, respectively, of this Bylaw. The maximum Height for all other receiving or transmitting structures, other than those which may normally be required for adequate local television reception, shall be the maximum Height in the District, and not the maximum Height for Accessory Buildings in Residential Districts specified in [subsection 61.3\(2\)](#); and

3)notwithstanding (1) and (2) above, any developments shall comply:

a)with the requirements contained in the Airport Protection Overlay Schedules governing the height of buildings and structures; and

b)with the requirements for operation of the Alberta Government Telephones microwave beams, as determined by the Development Officer.

Edmonton Land Use Bylaw 5996

64. Access to Sites

**64. Access to Sites**

*Bylaw No. 11261*

*June 17, 1996*

- 1) All access locations and curb crossings shall require the approval of the Transportation Department.
- 2) No person shall construct a driveway for motor vehicles from a site to a public roadway, if the public roadway, in the opinion of the Transportation Department, carries or will carry a heavy traffic volume or such driveway would create an unnecessary traffic hazard, unless there is no other practical method of vehicular access to the site and a turning space is provided on the site connected to the driveway so that every motor vehicle leaving the site by the driveway will face the public roadway which the driveway enters.
- 3) Where the site abuts a lane, vehicular access to the loading space shall be provided from the lane unless otherwise authorized by the Transportation Department.

Edmonton Land Use Bylaw 5996

65. Off-street Vehicular Loading and Unloading Facilities

### **65. Off-street Vehicular Loading and Unloading Facilities**

**65.1** When any new development is proposed including a change of use of existing development, or when any existing development is, in the opinion of the Development Officer, substantially enlarged or increased in capacity, off-street vehicular loading and unloading spaces shall be provided in accordance with Schedule 65A below:

USE OF BUILDING OR SITE	TOTAL GROSS FLOOR AREA OF BUILDING	SPACES REQUIRED
Any development within the Commercial or Industrial Use Classes, excluding Professional, Financial and Office Support Services	Less than 465 m <sup>2</sup> (5,005.2 sq. ft.)	1
	465 m <sup>2</sup> (5,005.2 sq. ft.) to 2 300 m <sup>2</sup> (24,757.0 sq. ft.)	2 1 additional
	Each additional 2 300 m <sup>2</sup> (24,757.0 sq. ft.), or fraction thereof	
Any development within the Residential- Related, Basic Services or Community, Educational, Recreational and Cultural Service Use Classes and Professional, Financial and Office Support Services	Up to 2 800 m <sup>2</sup> (30,138.9 sq. ft.).	1 1 additional up to a maximum of 5 additional
	Each additional 2 800 m <sup>2</sup> (30,138.9 sq. ft.)	

### **65.2 Mixed Use Developments**

For mixed uses, the total requirements for loading and unloading spaces shall be the sum of the requirements of the uses computed separately unless the applicant can demonstrate to the satisfaction of the Development Officer that there is a complementary or non-overlapping use of the loading or unloading facilities which would warrant a reduction of the requirements.

### **65.3 Location of Loading and Unloading Space**

All loading and unloading spaces shall be located on the site so that all materials and commodities loaded or unloaded can be easily collected or distributed within the site, to and from all tenants or occupants. Access shall be so arranged that no backing or turning movements of vehicles going to or from the site causes interference with traffic on the

adjoining or abutting public roadways, lanes, sidewalks, or boulevards.

#### **65.4 Size of Loading and Unloading Space**

Loading and unloading spaces shall be of adequate size and with adequate access, both to the satisfaction of the Development Officer, to accommodate the types of vehicles which will be loading and unloading, without those vehicles projecting into a public roadway. In no case shall the space be less than 28 m<sup>2</sup> (301.4 sq. ft.), or less than 2.6 m (8.4 ft.) wide, or have less than 3.7 m (12.0 ft.) overhead clearance.

Edmonton Land Use Bylaw 5996

66.1 General Operation

*Bylaw No. 10189*

*November 16, 1992*

### **66.1 General Operation**

1) In any District, when any new development is proposed including a change of use of existing development, or when any existing development is, in the opinion of the Development Officer, substantially enlarged or increased in capacity, then provision shall be made for off-street vehicular parking or garage spaces and bicycle parking spaces, in accordance with the requirements and standards contained in this Section 66.

*Bylaw No. 7802*

*August 13, 1985*

2) Where the applicant for a Development Permit can demonstrate to the satisfaction of the Development Officer, through a demand study prepared and submitted with respect to the proposed development, that by virtue of the use, character, or location of the proposed development, and its relationship to public transit facilities and other available parking facilities, the parking requirement for the proposed development is less than any minimum or more than any maximum set out in the Parking Schedule, the Development Officer may allow a reduction from the minimum or an increase from the maximum in the number of parking spaces. The Development Officer shall submit the demand study to the City Engineer for his analysis, and the proposed reduction or increase may be approved by the Development Officer only with the City Engineer's concurrence or conditional concurrence. In no case shall the resulting number of parking spaces be less than one per Dwelling in the case of Residential Uses.

*Bylaw No. 9898*

*September 24, 1991*

3) Parking spaces for the disabled shall:

a) be provided in accordance with the Alberta Building Code in effect at the time of the Development Permit application. Because the Alberta Building Code is within the legislative jurisdiction of the Province, the Development Officer shall have no discretion to vary, relax or increase these standards;

b) be included, by the Development Officer, in the calculation of the applicable minimum parking requirement; and

c) be identified as parking spaces for the disabled through the use of appropriate signage, in accordance with Provincial standards.

Edmonton Land Use Bylaw 5996

66.2 Number of Spaces

*Bylaw No. 10189*

*November 16, 1992*

### **66.2 Number of Spaces**

1) The number of off-street parking spaces and bicycle parking spaces required for any development shall be in accordance with Schedules [66A](#) and [66B](#) below.

*Bylaw No. 10189*

*November 16, 1992*

2) The Parking Schedules shall be used to calculate the number of off-street vehicular parking spaces and bicycle parking spaces required for all uses. Where a proposed use is not listed in Schedules [66A](#) and [66B](#), the off-street parking and bicycle parking space requirements shall be determined by the Development Officer, who may either determine that the proposed use is similar to one which is listed, or, if that is not the case, he shall make his own determination as to the requirement.

3) Where the total number of parking spaces is determined by reference to a unit such as the number of seats or floor area, the next higher number shall be required where the calculation results in a fractional number of parking spaces.

*Bylaw No. 10189*

*November 16, 1992*

4) The parking requirements of Schedules [66A](#) and [66B](#) may be altered in accordance with the provisions of a schedule to a Statutory Plan Overlay.

*Bylaw No. 10189*

*November 16, 1992*

5) The Development Officer may relax the parking requirements in [Schedule 66B](#) and [Section 66.6](#), however such a variance shall only be considered in cases where the nature of the use, the size of the site and/or other physical constraints result in a situation where the requirements cannot be met on-site without unnecessary hardship or practical difficulties.

6) In the case of the multiple use of a site, the Development Officer shall calculate the parking required for each individual use and the total shall be deemed to be the required parking for the site, unless the applicant can demonstrate to the satisfaction of the Development Officer that there is a complementary use of the parking facilities which would warrant a reduction in the parking requirements. Where such reduction is made, the Development Officer

shall state the reduction, and the reasons for it on the Development Permit.

Edmonton Land Use Bylaw 5996

Schedule 66A

*Bylaw No. 10189*

*November 16, 1992*

**Schedule 66A Vehicular Parking Spaces**

USE OF BUILDING OR SITE	MINIMUM NUMBER OF PARKING SPACES OR GARAGE SPACES REQUIRED
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*Bylaw No. 6502*

*November 24, 1981*

**Residential and Residential-Related (Except for Residential-Related Under Downtown Area Redevelopment Plan)**

1) Single Detached, Semi-detached, Duplex Housing and Mobile Homes (excluding Mobile Home Parks)	1 parking or garage space per Dwelling. Provision shall be made for 1 additional space on the site, with suitable access. This additional space may be in tandem.
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Where a Front Yard driveway provides access to a parking space that is not within the Front Yard, the Development Officer may consider this driveway as the provision of a second car parking space that is in tandem.

2) Apartment Housing, Row Housing, and Stacked Row Housing	1 parking space per bed-sitting room Dwelling. 1 parking space per 1 bedroom Dwelling. 1.5 parking spaces per 2 bedroom Dwelling. 1.75 parking spaces per 3 bedroom Dwelling or larger.
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Of the total number required, 1 guest parking space per every 7 Dwellings must be readily available to an entrance

of the building to be served, and must be clearly identified as guest parking.

The Development Officer may accept tandem parking spaces of a number that is equivalent to the total required parking minus the total number of Dwellings and minus guest parking. Guest parking spaces shall not be in tandem.

3) Mobile Home Parks

There shall be at least 1 parking space provided on each Mobile Home lot, and provision shall be made for visitor parking at the ratio of 1 space to every 2 Mobile Home lots. The visitor parking shall be dispersed, to be conveniently located for all sites.

4) Boarding and Lodging Houses, including Fraternity and Sorority Housing

1 per 2 Sleeping Units, plus the number of parking spaces required for the Dwelling, if applicable.

5) Housing for Senior Citizens (notwithstanding that it is Apartment Housing or a Boarding and Lodging House)

1 per 4 Dwellings, or 1 per 4 Sleeping Units

6) Community Housing (which is not for Senior Citizens and notwithstanding the Use Class)

*Bylaw No. 10457*

1 parking space per Secondary Suite, not to be allowed in tandem with any other required parking.

*January 25, 1994*

6a) Secondary Suite

*Bylaw No. 10529*

1 per Sleeping Unit

*November 15, 1993*

7) Bed and Breakfast Operation

*Bylaw No. 6502*

*November 24, 1981*

**Residential and Residential-Related (Within the Boundaries of the Downtown Area Redevelopment Plan)**

*Bylaw No. 11404*

1 parking or garage space per Dwelling. Provision shall be made for 1 additional space on the site with suitable access. This additional space may be in tandem.

*April 30, 1997*

7a) Single Detached Housing, Semi-detached Housing and Duplex Housing

Where a Front Yard driveway provides access to a parking space that is not within the Front Yard, the Development

7b) Apartment Housing, Linked Housing, Row Housing, Stacked Row Housing, Apartment Hotels, Community Housing (which is not for Senior Citizens)

Officer may consider this driveway as the provision of a second car parking space that is in tandem.

0.5 parking spaces per bed-sitting room Dwelling, 0.75 parking space per 1 bedroom Dwelling, 1 parking space per 2 bedroom Dwelling or larger.

Of the total number required, 1 guest parking space per every 7 Dwellings must be readily available to an entrance of the building to be served, and must be clearly identified as guest parking.

The Development Officer may accept tandem parking spaces of a number that is equivalent to the total required parking minus the total number of Dwellings and minus guest parking. Guest parking spaces shall not be in tandem.

### **Non-residential Use Classes (Outside the Boundaries of the Downtown Area Redevelopment Plan)**

8) Professional, Financial and Office Support Services

3.4 per 100 m<sup>2</sup> (3.2 per 1,000 sq.ft.) of gross floor area in the building.

9) Any development within a Commercial Use Class not listed separately in this Schedule, with a gross floor area of:

a) less than 2 000 m<sup>2</sup> (21,528.5 sq. ft.) 2.2 per 100 m<sup>2</sup> (2 per 1,000 sq. ft.) of gross floor area in the building.

b) 2 000 m<sup>2</sup> (21,528.5 sq. ft.) to 20 000 m<sup>2</sup> (215,285.3 sq. ft.) 3.2 per 100 m<sup>2</sup> (3 per 1,000 sq. ft.) of gross floor area in the building.

c) greater than 20 000 m<sup>2</sup> (215,285.3 sq. ft.) 4.3 per 100 m<sup>2</sup> (4 per 1,000 sq. ft.) of gross floor area in the building.

10) Eating and Drinking Establishments 1 per 4 seats.

11) Apartment Hotels, Hotels and Motels 1 per guest room or Sleeping Unit.

*Bylaw No. 6502*

*November 24, 1981*

12) **Deleted**

*Bylaw No. 10581*

4.3 per 100 m<sup>2</sup> (4 per 1,000 sq. ft.) of gross floor area in the building.

*November 15, 1993*

12a) Alcohol Sales, Major

*Bylaw No. 10581*

3.2 per 100 m<sup>2</sup> (3 per 1,000 sq. ft.) of gross floor area in the building.

*November 15, 1993*

12b) Alcohol Sales, Minor

*Bylaw No. 10773*

6.5 per 100 m<sup>2</sup> (6 per 1,000 sq. ft.) of gross floor area in the building used for this Use Class.

*July 26, 1994*

12c) Flea Markets

## **Industrial**

*Bylaw No. 7802*

*August 13, 1985*

*Bylaw No. 9859*

*October 9, 1991*

13) Any development within the Industrial Use Classes:

a) except for Adult Mini-Theatres

1 per 100 m<sup>2</sup> (0.93 per 1,000 sq. ft.) of gross floor area provided this is not less than 3 per tenant or establishment.

b) which is an Adult Mini-Theatre

1 per 3 seats, provided that a minimum of 1 per each individual viewing area or booth with 3 seats or less, is provided.

## **Spectator Assembly**

*Bylaw No. 10207*

*August 15, 1994*

1 per 3.5 seating spaces, or 3.1 per 10 m<sup>2</sup> (1 per 35 sq. ft.) of gross floor area used by the patrons, whichever is greater.

*Bylaw No. 11321*

*September 3, 1996*

14) Exhibition and Convention Facilities, Indoor Participant Recreation Services, Major Amusement Establishments, Natural Science Exhibits, Outdoor Participant Recreation Services, Private Clubs, Public Libraries and Cultural Exhibits, Spectator Entertainment and Sports Establishments, Casinos and Other Gaming Establishments

*Bylaw No. 8206*

1 per 10 seating spaces.

*June 10, 1986*

15) Religious Assembly

1 per 15 seating spaces where a valid Development Permit is issued or a development application is received prior

to January 1, 1987.

16) Funeral Services, Cremation and Interment Services

1 per 5 seats of public seating provided, plus 1 space per funeral home vehicle. (The Development Officer may allow any suitable arrangement of the required parking spaces without the normally required provision of maneuvering aisles.)

17) Community Recreation Services

i) 16 spaces for each Community Recreation Services facility, subject to the additional requirements of Clause (ii). Such requirements shall not be reduced by including parking required or provided on an adjacent site, except as provided in Clause (iii).

ii) Where there is a multiple purpose area, room, or space within the Community Recreation facility, which can be used for general assembly purposes, and where such room or space exceeds 92.9 m<sup>2</sup> (1,000 sq. ft.) in gross floor area, 2.2 stalls shall be provided for each additional 10 m<sup>2</sup> (1 per 50 sq. ft.) of gross floor area or fraction thereof in excess of 92.9 m<sup>2</sup> (1,000 sq. ft.) provided that such multiple purpose areas shall not include dressing rooms, change rooms, washrooms, storage areas, and cooking or kitchen areas which are normally incidental to the primary function of the Community Recreation Service.

iii) Where the Community Recreation Service facility parking area immediately abuts a parking area for a school, a minimum of fifty percent (50%) of the additional parking spaces required pursuant to Clause (ii) may be provided by including the parking facilities on the abutting school parking area.

*Bylaw No. 9987*

*August 17, 1992*

### **Educational and Extended Medical Treatment Services**

18) Public or Private Elementary and Junior High Schools

1.4 spaces for each classroom.

This calculation shall include the ultimate parking requirements for all potential future school development on-site, whether contained in a core facility or in

- |   |  |
|---|--|
|   | attached portable pods. Actual development of parking spaces may, however, be phased in accordance with each phase of school development.  |
| 19) Public or Private High Schools  | 1.4 spaces for each classroom, plus 1 space for every 12 students.<br><br>This calculation shall include the ultimate parking requirements for all potential future school development on-site, whether contained in a core facility or in attached portable pods. Actual development of parking spaces may, however, be phased in accordance with each phase of school development. |
| 20) Conversions of existing Public or Private Elementary, Junior High and High Schools to any other Public or Private Education Service | 1.4 spaces for each classroom, plus 1 space for every 10 students. This requirement may be varied subjected to a Parking Demand Study as described in Section 66.1.(2) of this Bylaw.  |
| 21) Colleges, Universities, Business or Commercial or Technical Schools   | 1 per 10 seats, plus auditorium requirements where applicable.   |
| 22) Extended Medical Treatment Services   | 1.1 per 100 m2 (1 per 1,000 sq. ft.) of gross floor area.  |

*Bylaw No. 7802*

*August 13, 1985*

**Non-residential Use Classes (Within the Boundaries of the Downtown Area Redevelopment Plan)**

- |                                 |  |
|---------------------------------|--|
| 23) Non-residential Use Classes | 1 space per 300 m2 (1 per 3,229 sq. ft.) of gross floor area; notwithstanding this minimum, the maximum shall be 1 space per 100 m2 (1 per 1,076 sq. ft.) of gross floor area. |
|---------------------------------|--|

Edmonton Land Use Bylaw 5996

Schedule 66B

*Bylaw No. 10189*

*November 16, 1992*

### **Schedule 66B Bicycle Parking Spaces**

In addition to required automobile parking, bicycle parking shall be provided as follows:

USE OF BUILDING OR SITE	MINIMUM NUMBER OF BICYCLE PARKING SPACES
1) All Residential and Residential-Related Use Classes of 20 dwelling units or more, and all non-residential Use Classes outside the boundaries of the Downtown Area Redevelopment Plan	5 percent of the number of automobile parking spaces required under Schedule 66A to a maximum of 50 bicycle parking spaces with 5 bicycle parking spaces being the minimum to be provided.
2) Administration Use and Educational Facilities	10 percent of the number of automobile parking spaces required under Schedule 66A, with 5 bicycle parking spaces being the minimum number of spaces to be provided.
3) All Residential and Residential-Related Use Classes of 20 dwelling units or more, and all non-residential Use Classes within the boundaries of the Downtown Area Redevelopment Plan	10 percent of the number of automobile parking spaces required under Schedule 66A to a maximum of 50 bicycle parking spaces, with 5 bicycle parking spaces being the minimum to be provided.

Edmonton Land Use Bylaw 5996

66.3 Size of Vehicular Parking Spaces and Aisles

*Bylaw No. 10189*

*November 16, 1992*

### **66.3 Size of Vehicular Parking Spaces and Aisles**

1) Except as provided in Clause (2) below, each required off-street parking space shall be a minimum of 2.6 m (8.5 ft.) in width, and a minimum of 5.5 m (18.0 ft.) in length, exclusive of access drives or aisles, ramps, columns, or office work areas. Such spaces shall have a vertical clearance of at least 2 m (6.6 ft.). For parallel parking, the length of the parking spaces shall be increased to 7 m (23.0 ft.), except that an end space with an open end shall be a minimum of 5.5 m (18.0 ft.).

2) For parking spaces other than parallel parking spaces, up to 15% of the required parking spaces may be of a length shorter than that required under Clause (1) above, to a minimum of 4.6 m (15.1 ft.).

3) Aisles shall be a minimum of 7 m (23.0 ft.) wide for 90 degree parking, 5.5 m (18.0 ft.) wide for 60 degree parking, and 3.6 m (11.8 ft.) wide for 45 degree and parallel parking.

4) Where parking spaces are located with access directly off a lane, the required width of the aisle may be reduced by the width of the lane, but the entire parking space must be provided on the site.

5) 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 m (9.8 ft.), 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 (10.8 ft.).

6) Where the use of a parking space is limited on one side by a wall or a column, the unobstructed width of the parking space shall be 2.7 m (8.9 ft.), and if in this case a building door opens into the parking space on its long side, the unobstructed width shall be 3 m (9.8 ft.).

Edmonton Land Use Bylaw 5996

66.4 Access to Vehicular Parking Spaces

*Bylaw No. 10189*

*November 16, 1992*

**66.4 Access to Vehicular Parking Spaces**

Adequate access to and exit from individual parking spaces shall be provided to the satisfaction of the Development Officer by means of unobstructed maneuvering aisles except where tandem parking is permitted by this Bylaw.

Edmonton Land Use Bylaw 5996

66.5 Location of Vehicular Parking Facilities

*Bylaw No. 10189*

*November 16, 1992*

### **66.5 Location of Vehicular Parking Facilities**

1) For residential buildings the required parking spaces shall be wholly provided on the same site as the building.

*Bylaw No. 7016*

*December 14, 1982*

2) For all other uses, the parking spaces shall be not more than 120 m (393.7 ft.) from the building, unless otherwise approved by the Development Officer. Such distance shall be measured along an accessible public roadway from the nearest point of the parking area to the nearest point of the site where the building or use is located. In addition, notwithstanding the definition of Accessory in this Bylaw, accessory parking spaces for non-residential Uses may be located on another site where:

a) the principal Use Class to which the parking is an accessory use is a Permitted or a Discretionary Use on the site to be used for parking; or

b) non-accessory parking is a Permitted or a Discretionary Use on the site to be used for parking.

3) Where required parking spaces are not on the same site as the building, the owner shall covenant with the City by agreement that the parking spaces shall be used for such purposes as long as required under this Bylaw.

4) The location of parking spaces on a school site shall be to the satisfaction of the Development Officer.

*Bylaw No. 10936*

*October 16, 1995*

5) Except as otherwise provided for in this Bylaw, parking spaces required in accordance with the minimum standards of this Bylaw shall be located in accordance with the following:

a) parking spaces shall not be located within a required Front Yard, except as provided in [Schedule 66A](#)(1) and (7a). Where the amount of parking provided is in excess of the minimum requirements of this Bylaw, the Development Officer shall have the discretion to allow such additional spaces within a required Front Yard; and

b) on a corner lot in a Residential District, parking spaces, in addition to complying with the other provisions of this Bylaw, shall not be located within the required Side Yard abutting the flanking public roadway, other than a lane. Where the amount of parking provided on a corner lot is in excess of the minimum requirements of this Bylaw, the

Development Officer shall have the discretion to allow such additional spaces within a required Side Yard flanking a public roadway, other than a lane. The parking area shall be landscaped or screened in accordance with the requirements of [Section 69](#) of this Bylaw.

Edmonton Land Use Bylaw 5996

66.6 Size and Location of Bicycle Parking Facilities

*Bylaw No. 10189*

*November 16, 1992*

**66.6 Size and Location of Bicycle Parking Facilities**

- 1) Each bicycle parking space shall be minimum of 0.6 m (2.0 ft.) in width and 1.8 m (6.0 ft.) in length, with a minimum overhead clearance of at least 2.0 m (6.6 ft.).
- 2) Required bicycle parking spaces shall be wholly provided on the same site as the building.
- 3) Adequate access to and exit from individual bicycle parking spaces shall be provided to the satisfaction of the Development Officer, with an aisle of not less than 1.5 m (4.9 ft.) in width to be provided and maintained beside or between each row of bicycle parking.
- 4) Bicycle parking shall be separated from automobile parking by a physical barrier or a minimum 1.5 m (4.9 ft.) of open space.
- 5) Bicycle parking spaces shall be visibly located where possible and provided in one or more of the following ways, to the satisfaction of the Development Officer:
  - a) secure bicycle storage rooms, lockers, racks or railings or other such device inside the building;
  - b) secure bicycle storage rooms, lockers, racks or railings or other such device in any accessory parking area; and/or
  - c) within a required or non-required Yard or building Setback of a site but not more than 15 m from a principal entrance of the building except that in the case of educational services developments where the students are restricted from using the principal entrance of the building, bicycle parking spaces may be provided in the required or non-required Yards of a site, but not more than 15 m from the principal entrance of the building designated for student use.
- 6) Where, in the opinion of the Development Officer, bicycle parking is not visibly located on site, directional signage shall be displayed indicating its location.
- 7) All bicycle parking spaces shall be situated to maximize visibility so as to discourage theft and vandalism.

Edmonton Land Use Bylaw 5996

66.7 Design of Bicycle Parking Facilities

*Bylaw No. 10189*

*November 16, 1992*

### **66.7 Design of Bicycle Parking Facilities**

Bicycle parking shall be designed so that bicycles may be securely locked to the rack, railing or other such device without undue inconvenience and will be reasonably safeguarded from intentional or accidental damage, in accordance with the following standards:

1) Bicycle parking shall hold the bicycle securely by means of the frame. The frame shall be supported so that the bicycle cannot fall or be pushed over causing damage to the bicycle.

2) Bicycle parking shall accommodate:

a) locking both the frame and wheels to the rack, railing or other such device with a high security Ushaped shackle lock, if the cyclist removes the front wheel;

b) locking the frame and one wheel to the rack, railing or other such device with a high security Ushaped shackle lock, if the cyclist leaves both wheels on the bicycle; and

*Bylaw 11261*

*June 17, 1996*

c) locking the frame and wheels both to the rack, railing or other such device with a chain or cable not longer than 2 m (6.6 ft.) without the removal of any wheels; and

3) Bicycle parking racks, railings or other such devices shall be anchored securely to a hard surface or fixed structure.

Edmonton Land Use Bylaw 5996

66.8 Landscaped Islands Within Parking Areas

*Bylaw No. 10207*

*August 15, 1994*

### **66.8 Landscaped Islands Within Parking Areas**

- 1) Landscaped islands shall be required within at-grade parking areas with a capacity of thirty (30) or more vehicles. These islands shall be landscaped in accordance with [Section 69.4\(6\)](#) and (7).
- 2) The minimum total area of these required landscaped islands shall be 1.7 m<sup>2</sup> (18.3 sq. ft.) of landscaped island area per required parking space.
- 3) For parking areas containing required parking for 40 or more vehicles, a minimum of two landscaped islands shall be required. These islands shall be placed to provide visual relief, to assist vehicular circulation and to organize large areas of parking into smaller cells. The number of islands provided shall be to the satisfaction of the Development Officer.

Edmonton Land Use Bylaw 5996

67. Hardsurfacing and Curbing of Parking, Loading, and Unloading

## **67. Hardsurfacing and Curbing of Parking, Loading, and Unloadings**

### **67.1 Residential Districts**

1) Every off-street parking, loading, and unloading space, and access provided or required in any Residential District, including the area contained within City-owned land to which a curb crossing permit applies, shall be hardsurfaced if access is from a public roadway which is hardsurfaced or gravelled. If there are two or less parking or loading spaces, this is not required.

2) For an on-site driveway in any Residential District, the area required to be hardsurfaced may be constructed on the basis or design of separated tire tracks, with natural soil, grass, or gravel between the tracks, but shall be constructed so that the tires of a parked or oncoming vehicle will normally remain upon the hard surface.

### **67.2 Commercial and Industrial Districts**

1) Every off-street parking, loading, and unloading space provided or required in any Commercial District, and the access thereto, including the whole area contained within the City-owned land to which a curb crossing permit applies, shall be hardsurfaced if the access is from a public roadway which is hardsurfaced.

2) Every off-street parking, loading, and unloading space provided or required in an Industrial District, and the access thereto, including the whole area contained within the City-owned land to which a curb crossing permit applies, shall be hardsurfaced if such area lies in front of the principal building. Any area at the rear or the side of the principal building provided or required for offstreet parking, loading, or unloading space need not be hardsurfaced, but shall be of such a surface that will minimize the carrying of dirt or foreign matter upon the highway.

### **67.3 General Requirements**

1) Where hardsurfacing is provided or required, such shall mean the provision of a durable, dustfree, hardsurfaced, constructed of concrete, asphalt or similar pavement, and the same shall be drained with a sufficient number of catch basins, all developed and maintained to the satisfaction of the Development Officer and City Engineer.

2) Where the street or lane from which access is available to any loading, or unloading, or required parking space is hardsurfaced after the time at which the parking space is provided or required, the person responsible for the construction or maintenance of such parking, loading, or unloading space shall forthwith hardsurfaced such spaces and the access thereto, and the whole area contained within the City-owned land to which a curb crossing permit applies.

3) Notwithstanding anything contained in the Clause (2), where hardsurfacing has been provided on a site to the minimum required, then the type of surface permitted on the balance of the site shall be of such material at the City Engineer approves.

4) In parking areas and similarly congested locations, curbs and other protective measures shall be used to protect

adjacent fences, walls, boulevards, landscaped areas or buildings on the site or an adjacent site.

5) Barriers are to be installed and maintained on the periphery of parking lots and access aisles to physically restrict vehicle encroachment or overhang on roadways.

Edmonton Land Use Bylaw 5996

68. Parking Garages

*Bylaw No. 11806*

*August 24, 1998*

### **68. Parking Garages**

68.1 Parking garages shall be developed in accordance with the following:

1) in any Commercial District, Commercial Uses other than parking shall be provided at grade along the street frontage of parking garages when required by the Development Officer to provide continuity of commercial frontage along the street. In the case of a corner site the Development Officer shall pay due regard to the nature of the adjacent uses on the flanking public roadway;

2) in any Commercial District, a parking garage with queuing access shall provide a minimum of 30 m (98.4 ft.) for queuing of motor vehicles on site before any control device is reached;

3) no dangerous goods, or flammable or combustible liquids, shall be permitted within a parking garage, other than as contained within, or permanently installed or connected to the fuel system of a motor vehicle using the parking garage;

4) parking garages and interior stairwells shall be designed for visual accessibility. Machine rooms, heating systems, elevators and stairwell shafts, building columns and other major visual obstructions shall be located to enable visual supervision of the parking spaces and stairwells;

5) entrapment spots in a parking garage shall be eliminated wherever possible. Potential entrapment areas such as storage rooms shall be provided with locking mechanisms. Entrapment areas can be closed with a chain link fence or other types of intrusion resistant material;

6) clear safety glass panels shall be incorporated in all doors leading to stairwells, corridors and entrances including elevator lobbies to allow for clear sightlines;

7) sharp blind corners on stairs or corridors in a parking garage shall be eliminated wherever possible. If blind corners can not be avoided, security mirrors or other devices such as video cameras shall be utilized;

8) landscaping around the parking garage shall be of a type that permits the widest possible view from the street of all pedestrian entry and exit areas; and

9) directional and information signage consistent in design, colour, symbols and graphics shall be provided to:

a) direct patrons to pedestrian exits;

b) direct patrons to vehicular exits;

- c) identify areas so that patrons can locate their vehicles;
- d) advise patrons to lock their vehicle and remove all valuables;
- e) direct patrons to the nearest intercom system;
- f) advise patrons of the presence of security patrols; and
- g) advise patrons of the presence of CCTV security cameras.

68.2 The Development Officer shall require a Crime Prevention Through Environmental Design (CPTED) assessment prepared by a qualified security consultant for any development which includes parking garage.

68.3 The Development Officer shall advise the applicant of and strongly encourage compliance with the security management guidelines contained within Section 3.1 of the Design Guide for a Safer City.

Edmonton Land Use Bylaw 5996

69. Landscaping

**69.Landscaping**

[69.1 General Purpose](#)

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Edmonton Land Use Bylaw 5996

69.1 General Purpose

**69.1 General Purpose**

*Bylaw No. 8994*

*September 12, 1989*

*Bylaw No. 10362*

*May 3, 1993*

*Bylaw No. 10415*

*June 17, 1993*

*Bylaw No. 10457*

*January 25, 1994*

*Bylaw No. 10207*

*August 15, 1994*

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

Edmonton Land Use Bylaw 5996

69.2 Applicability

## **69.2 Applicability**

1)The provision of landscaping, in accordance with this Bylaw, shall be a condition of the issuance of a Development Permit for any of the following types of new development:

- a)Single Detached, Semi-detached, Duplex and Secondary Suite Housing in the RF1, RSL, RF2, RPL, RF3 and RF4 Districts;
- b)Row Housing and Apartment Housing in the RF3 Districts;

*Bylaw No. 11404*

*April 30, 1997*

- c)any development in the HDR, RA7, RA8, RA9, RF5, RF6, RMU and RMX Districts;
- d)any Religious Assembly development in any Residential District;
- e)any development in all Commercial Districts;
- f)any development in all Industrial Districts;
- g)any development in the US, PU, AP and MA Districts; and
- h)any development in all Direct Control Districts DC1, DC2, DC3, DC4 and DC5), unless specifically modified or excluded in a Direct Control District Bylaw or Area Redevelopment Plan Bylaw.

2)The provision of landscaping, in accordance with this Bylaw, shall also be a condition of the issuance of a Development Permit related to an existing development if, in the opinion of the Development Officer, the existing development will be, as a consequence of the work which is the subject of the Development Permit, substantially enlarged or increased in capacity. This Section shall not apply to developments which consist solely of interior alterations or improvements or change of use which do not alter the building shell.

3)Landscaping in the RPL District shall be provided in accordance with Section 130.4(17) of this Bylaw.

4)Landscaping for Single Detached, Semi-detached, Duplex and Secondary Suite Housing in the RF1, RSL, RF2, RF3, RF4 and RF5 Districts shall be provided in accordance with the following:

- a)the owner of the property, or the owner's successors or assignees, shall be responsible for the placement and proper maintenance of landscaping on the site. The Development Officer may require, as a condition of Development Permit approval, that the owner provide a guaranteed security in accordance with the provisions of Section 69.6 of this Bylaw;

b)all yards, visible from a public roadway other than a lane, on a site developed with Single Detached, Semi-detached, Duplex or Secondary Suite Housing, shall be seeded or sodded within eighteen (18) consecutive months of the issuance of an Occupancy Certificate for the development. Alternate forms of landscaping, including hard decorative pavers, washed gravel, shale or similar treatments, flower beds or cultivated gardens, may be substituted for seeding or sodding, provided that all areas of exposed earth are designed as either flower beds or cultivated gardens; and

c)except as required in Section 130.4(17), the tree and shrub planting requirements of Section 69.4(6) shall not apply to Single Detached, Semi-detached, Duplex or Secondary Suite Housing.

Edmonton Land Use Bylaw 5996

69.3 Landscape Plan and Content

### **69.3 Landscape Plan and Content**

1) Every application for a development listed in [Section 69.2](#) shall include a Landscape Plan, drawn at a scale of at least 1:300, which clearly indicates and accurately identifies, to the satisfaction of the Development Officer, the following:

- a) a key plan with a north arrow;
- b) the property lines and dimensions of the site;
- c) the approximate or estimated location of land uses, building perimeters, and landscaping on adjacent property;
- d) adjacent public area features, such as streets, lanes, driveways, vehicular entrances, street furniture and boulevard trees;
- e) overhead, surface and underground utilities, and limits of easements;
- f) outlines of all site structures to include the building footprints at grade, location and type of underground structures and overhangs within the first two storeys;
- g) building entrances, porches, decks, steps, walkways, other hard surfacing or hard landscaping features, parking areas, curbs, lighting, fencing, walls, screens, recreational facilities and garbage collection areas. Materials, colours and patterns shall be indicated;
- h) existing and final site grading, including the established lot boundaries, elevations, berming shown in half-metre contours, direction of site drainage, proposed catch basin rim elevations, top and bottom of retaining wall elevations and existing elevations of plant material to be retained;
- i) the height and materials of all fencing, screens and walls;
- j) existing trees and shrubs labelled by common name, botanical name, size, and condition of health. The sizes shall be graphically illustrated by the spread or canopy. In addition, the calliper of tree trunks shall be identified. The Landscape Plan shall graphically illustrate the spread of the trees to be removed or relocated by the proposed construction;
- k) proposed trees, shrubs, flower beds and ground covers labelled by common name, cross-referenced with a Plant List identifying botanical name, quantity, size and method of planting; and
- l) the method of watering the proposed landscaping.

2) The Development Officer may consider an application for a Development Permit which does not provide all the information required by Section 69.3(1) if, in the opinion of the Development Officer, the information provided is

sufficient to show that the landscaping provisions of the Bylaw will be met.

3)The Development Officer shall approve the Landscape Plan as a condition of the Development Permit approval. Any changes to an approved Landscape Plan require the approval of the Development Officer prior to the landscaping being installed.

## Edmonton Land Use Bylaw 5996

## 69.4 General Requirements

**69.4 General Requirements**

1) All open space including required Yards, at-grade Amenity Areas, Private Outdoor Amenity Areas and Separation Spaces shall be landscaped with trees, shrubs, flower beds, grass, ground cover or suitable decorative hard surfacing, in accordance with the Landscape Plan submitted pursuant to [Section 69.3](#) and approved by the Development Officer. This requirement shall not apply to those areas designated for parking and circulation, which shall be landscaped in accordance with [Section 66.8](#) of this Bylaw. The Development Officer may require landscaping of areas within a site that are intended for future development if, in the opinion of the Development Officer, the lack of landscaping creates a potential negative visual impact, given the visibility of these areas from adjacent properties and public roadways.

2) Hardsurfaced areas such as walkways and plazas shall be enhanced with landscaping, at the discretion of the Development Officer. Provision shall be made for adequate on-site pedestrian circulation, by means of sidewalks or walkways, to connect with public sidewalks and walkways adjacent to roadways or within right-of-ways abutting the site.

3) Any parking lot having eight (8) or more parking spaces and which is visible from an adjoining site in a Residential or Commercial District, or from a public roadway other than a lane, or from a Light Rail Transit line, shall have perimeter planting. The location, length, thickness and height of such perimeter planting at maturity shall, in conjunction with a change in grade or other natural or man-made features, be sufficient to provide substantial interruption of the view of the parking area from any adjoining Residential or Commercial District, and enhance the view of the parking area from any adjacent public roadway or Light Rail Transit line.

4) Any trash collection area, open storage area, or outdoor service area, including any loading, unloading or vehicular service area which is visible from an adjoining site in a Residential or Commercial District, or from a public roadway other than a lane, or from a Light Rail Transit line, shall have screen planting. The location, length, 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 block the view from any adjoining Residential or Commercial District, or from the public roadway or Light Rail Transit line. Such screen planting shall be maintained to provide effective screening from the ground to a height of 1.85 m (6.1 ft.). If, in the opinion of the Development Officer, screen planting cannot reasonably be expected to survive, earth berming, masonry walls, wood fencing or other man-made features may be permitted as a substitution.

5) If the height of materials in an outdoor storage area would limit the effectiveness of a screen planting required by Section 69.4(4), a fence, wall, earth berm, or a combination thereof, may be substituted subject to the approval of the Development Officer.

6) Trees and shrubs shall be provided in accordance with Section 69.8. For development consisting of Residential Use Classes, the number of trees and shrubs provided shall be determined on the basis of the following:

a) one tree for each 35 m<sup>2</sup> (376.5 sq. ft.) and one shrub for each 15 m<sup>2</sup> (161.4 sq. ft.) of any required Yard or Setback at grade; and

b)one tree for each 20 m<sup>2</sup> (215.2 sq. ft.) and one shrub for each 10 m<sup>2</sup> (107.6 sq. ft.) of required parking area islands. In no case shall there be less than one tree per required parking area island.

7)For development consisting of non-residential Use Classes, the number of trees and shrubs provided shall be determined on the basis of the following:

a)one tree for each 25 m<sup>2</sup> (269.0 sq. ft.) and one shrub for each 15 m<sup>2</sup> (161.4 sq. ft.) of any required Yard or Setback at grade;

b)one tree for each 20 m<sup>2</sup> (215.2 sq. ft.) and one shrub for each 10 m<sup>2</sup> (107.6 sq. ft.) of required parking area islands. In no case shall there be less than one tree per required parking area island.

8)Existing vegetation shall be preserved and protected unless removal is demonstrated to be necessary or desirable to efficiently accommodate the proposed development. Trees and shrubs preserved on the site may, at the discretion of the Development Officer, be credited to the total landscaping requirements.

9)All planting shall be installed to the finished grade. Where, in the opinion of the 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.

10)Landscaping which extends onto or over City-owned lands shall be developed in accordance with the Boulevard Bylaw No. 7829, as amended.

11)The Development Officer may, where the Development Officer considers it appropriate, waive any or all of the General Landscaping regulations of this Bylaw. Before granting a waiver of the landscaping regulations, the Development Officer may require the applicant seeking the reduction of the minimum landscaping standards of this Bylaw to submit a report from a qualified or accredited landscape professional, such as a horticulturalist, architect or landscape architect, explaining and justifying the reduction.

Edmonton Land Use Bylaw 5996

69.5 Additional Landscaping Regulations for Specific Land Uses

### **69.5 Additional Landscaping Regulations for Specific Land Uses**

1) The Development Officer may require the application of additional landscaping regulations to those specified in Section 69.4 where, in the opinion of the Development Officer:

a) there is a likelihood that the proposed development will generate undesirable impacts on surrounding sites, such as poor appearance, excessive noise, light, odours, traffic, litter, or dust;

b) there is a likelihood that undesirable impacts may be generated on the site, and cause conflicts among Use Classes within the development; or

c) such additional landscaping is warranted due to combinations of Use Classes including, but not limited to the following:

i) Row Housing development in suburban locations, where the Private Outdoor Amenity Area of the Row Housing units faces Single Detached Housing or land districted for Single Detached Housing as a Permitted Use, public roadways other than lanes, or Light Rail Transit lines;

ii) Low Rise Apartments, where developed on an infill basis abutting existing Single Detached Housing or land districted for Single Detached Housing as a Permitted Use;

iii) Religious Assembly development directly adjacent to a Residential Use Class;

iv) any Non-accessory Parking development; or

v) Rapid Drive-through Vehicle Services, Gas Bars and Drive-in Food Services developments, where located on a site adjacent to residential uses.

2) The additional landscaping that may be required at the discretion of the Development Officer may include, but is not limited to, the following:

a) additional Separation Space between incompatible Use Classes;

b) the use of trees, shrubs, fences, walls and berms to buffer or screen Use Classes which generate negative impacts; and,

c) the use of trees, shrubs, planting beds, street furniture and surface treatments to enhance the appearance of a proposed development.

3) The Development Officer may consult with a qualified or accredited landscape professional, such as a horticulturalist, architect or landscape architect, in determining if additional landscaping requirements are to be imposed, and/or in determining the type of additional landscaping to be required.



## Edmonton Land Use Bylaw 5996

### 69.6 Letters of Credit

#### **69.6 Letters of Credit**

1)The Development Officer may require, as a condition of Development Permit approval, that the owner provide a guaranteed security to ensure that landscaping is provided and maintained for two growing seasons. This security may take the following forms:

- a)cash to a value equal to 100% of the established landscaping costs; or
- b)an irrevocable letter of credit having a value equivalent to 100% of the established landscaping costs.

These two options are the only acceptable forms of security. Performance bonds shall not be accepted by the City.

2)The established landscaping costs shall be calculated by the owner or the owner's representative, based on the information provided on the Landscape Plan. If the Development Officer does not accept the costs identified by the owner or the owner's representative, the Development Officer may establish a higher landscaping cost figure for the purposes of determining the value of the landscaping security.

3)If cash is offered as the landscaping security, it shall be held by the City, without interest payable, until the landscaping has been installed and successfully maintained for two growing seasons, and the Development Officer is satisfied through site inspection that this has occurred. Partial refund after installation of the landscaping and/or after one growing season may be considered upon request of the owner, and at the sole discretion of the Development Officer.

4)If a letter of credit is offered as the landscaping security, it shall be in a form satisfactory to the Office of the City Solicitor. The initial term of the letter of credit shall be one year. The letter of credit shall be renewed for a further one year term by the owner thirty (30) days prior to expiry and delivered to the Financial Services Supervisor in the Planning and Development Department of the City, or the Financial Services Supervisor's designate. This process shall be repeated as many times as is necessary so that the letter of credit is maintained until the installation of landscaping has occurred and maintenance of the landscaping has been carried out for two growing seasons, as determined by and to the satisfaction of the Development Officer.

5)The Financial Services Supervisor shall notify the Building Inspection Branch sixty (60) days prior to the expiry date of the letter of credit, in order to provide sufficient time for the Development Officer to inspect the site and to determine if the landscaping is well maintained and developed in accordance with the regulations of this Bylaw. If landscaping conditions are satisfactory to the Development Officer, the letter of credit may be released by the Financial Services Supervisor upon notification by the Development Officer. If inspection cannot be made within this sixty (60) day time period due to weather conditions or other extenuating circumstances, the Development Officer may require renewal of the letter of credit until a satisfactory inspection can be made. The expiry date for a letter of credit shall fall on a weekday which is not a statutory holiday.

6)Upon application by the owner or the owner's representative, a letter of credit may be amended to a reduced amount,

for attachment to the original letter of credit, at the discretion of the Development Officer, when any of the following events occur and are to the satisfaction of the Development Officer:

a)the required landscaping has been properly installed;

b)the required landscaping has been well maintained and is in a healthy condition after one growing season; and

c)the required landscaping has been well maintained and is in a healthy condition after two growing seasons. In this last case, the letter of credit shall be fully released.

In order to facilitate an amendment to, or a release of, a letter of credit, the Development Officer shall notify the Financial Services Supervisor, who shall then implement the amendment or release, as appropriate.

7)Any letter of credit shall allow for partial draws. If the landscaping is not completed in accordance with the approved Landscape Plan(s) within one growing season after completion of the development or if the landscaping is not well maintained and in a healthy condition two growing seasons after completion of the landscaping, the City may draw on a cash security or a letter of credit and the amount thereof shall be paid to the City for its use absolutely. All expenses incurred by the City to renew or draw upon a letter of credit shall be reimbursed by the owner to the City by payment of invoice or from the proceeds of the letter of credit, at the discretion of the Financial Services Director of the Planning and Development Department.

8)In the event the owner does not complete the required landscaping, or if the owner fails to maintain the landscaping in a healthy condition to the satisfaction of the Development Officer for the specified periods of time and the cash or the proceeds from the letter of credit are insufficient for the City to complete the required work, should it elect to do so, then the owner shall pay such deficiency to the City immediately upon being invoiced therefor. The City shall provide an accounting to the owner indicating how the proceeds of the letters of credit were applied, within sixty (60) days of completing or maintaining the landscaping.

Edmonton Land Use Bylaw 5996

69.7 Inspections

### **69.7 Inspections**

Upon receipt of a written request from the parties involved in the development, including but not limited to the property owner, condominium association or the issuer of the letter of credit, an inspection of the finished landscaping may be scheduled by the Development Officer. Inspections may be made during the normal growing season, approximately April 15 through October 15. All reasonable effort shall be made by the Development Officer to perform the inspection within twenty (20) working days of receipt of the inspection request.

Edmonton Land Use Bylaw 5996

69.8 Specifications for Plant Materials

### **69.8 Specifications for Plant Materials**

- 1) All plant materials shall be hardy to the Edmonton area and to the actual site conditions. The "Alberta Horticultural Guide" may be used by the Development Officer as a reference for plant selection.
- 2) All plant materials shall meet the horticultural standards of the most current edition of the "Guide Specifications for Nursery Stock", produced by the Canadian Nursery Trade Association.
- 3) All planting shall conform to the following:
  - a) the proportion of deciduous to coniferous trees and shrubs shall be approximately 50:50; and
  - b) the following mix of tree sizes shall be used:
    - i) 50% of required deciduous trees shall be a minimum 50 mm (0.16 ft.) calliper and 50% shall be a minimum 75 mm (0.25 ft.) calliper; and
    - ii) 75% of required coniferous trees shall be a minimum of 2.5 m (8.2 ft.) in height and 25% shall be a minimum 3.5 m (11.5 ft.) in height.
- 4) The regulations regarding the required Specifications for Plant Materials of this Bylaw may be waived by the Development Officer at the request of a qualified or accredited landscape professional, such as a horticulturalist, architect or landscape architect acting on behalf of the owner.

Edmonton Land Use Bylaw 5996

70. Excavation, Stripping and Grading

**70. Excavation, Stripping and Grading**

1) For the purpose of this Section, excavation shall mean excavation other than for construction or building purposes, including but not limited to, sand and gravel mining, top soil stripping, and construction of artificial bodies of water.

2) A person wishing to excavate, strip or grade land shall provide the following details in his application:

a) the location and area of the site on which the excavation, stripping or grading is to take place;

b) the existing land use and vegetation;

c) the type and dimensions of the excavation to be made, and the effect on existing drainage patterns; and

d) the condition in which the excavation is to be left when the operations is complete, or the final disposition to be made of the area from which the topsoil is to be removed, including the action which is to be taken for restoring the condition of the surface of the land to be affected, and for preventing, controlling or lessening the creation of erosion or dust from the land.

3) The Development Officer shall consider every application for a permit to excavate land, and shall not issue a permit unless he is satisfied that:

a) the operation will be carried out so as to create a minimum of dust and environmental disturbance;

b) the operation is one which, in the opinion of the Development Officer, is reasonably necessary for the use and development of the land in question, considering the need for preservation of prime agricultural land, the need for natural preservation, and the future need for soil on the site; and

*Bylaw No. 11261*

*June 17, 1996*

c) the operation will not destroy, disturb, or alter any historical resource designated in accordance with the Historical Resources Act, 1980.

4) The Development Officer may require as a condition of issuing a permit to excavate land, that the applicant take the precautions and follow the methods prescribed by the Development Officer for the prevention or control of dust or any other nuisance caused by the proposed operation, and for the reclamation of the site if required.

## Edmonton Land Use Bylaw 5996

### 71. Microclimate

#### **71. Microclimate**

Based upon a Wind Speed or Sun Shadow Impact Study, prepared in accordance with [Sections 16.2](#), or 16.3, the Development Officer may require that the siting, orientation, massing, height, facade, landscaping or other design elements of the proposed development shall be altered to reduce the microclimatic impact or to achieve the microclimatic guidelines established in the applicable Statutory Plan for affected parks, plazas, walkways, or other pedestrian-oriented open spaces intended for the use and enjoyment of the public. When a Microclimatic Impact Study indicates that strict adherence to the Statutory Plan is not feasible, or would result in a design which would conflict with:

- a) other regulation of this Bylaw or the General Purpose of the applicable Land Use District; or
- b) other applicable Statutory Plan objectives; or
- c) the use or enjoyment of private open spaces,

the Development Officer may relax this requirement accordingly.

Edmonton Land Use Bylaw 5996

72. Development Information Signs

### **72.1 Applicability**

*Bylaw 11261*

*June 17, 1996*

1) Within 30 days of the approval of:

a) a RF5, RF6, RA7, RA8, RA9, RMX, CNC, CSC or CMX District to a site in a new suburban area; or

b) a DC2 District to any site,

the owner or applicant shall erect a Development Information Sign or Signs.

2) Such Sign, or Signs, shall be erected at a prominent location upon the site and shall be maintained in a reasonable and legible condition until such time as the site is fully developed. The Sign, prior to its being erected, shall be approved by the Development Officer.

### **72.2 Dimensions**

*Bylaw No. 11261*

*June 17, 1996*

Development Information Signs, as erected, shall be of a maximum Height above ground of 3 m (9.8 ft.), with a maximum area of 3 m<sup>2</sup> (32.3 sq. ft.).

### **72.3 Information**

Development Information Signs shall contain the following information, where available:

1) the applicable Land Use District for the site;

2) the name of the site owner or the developer, or both;

*Bylaw No. 7726*

*April 23, 1985*

3) the type of project to be developed, together with the allowable number of Dwellings, the allowable commercial floor area and the allowable Height of the proposed structures;

4)in the case of the DC2 District:

a)the specific nature of the uses proposed, and their locations on the site;

b)the total floor area, and the non-residential floor area and the number of residential units proposed for each location on the site;

c)the Floor Area Ratio and the residential density proposed; and

d)the building Heights proposed for each location on the site;

5)the estimated date of commencement of the project, and where applicable for each phase of the development;

6)the boundaries of the site, the area of the site, and a representation of adjacent and proposed public roadway, rights-of-way and similar features, so that quick orientation is made possible to the reader of the sign; and

7)the legal description of the parcel.

#### **72.4Amendments**

The applicant or owner of the site shall be solely responsible for amending the sign if redistricting amendments occur.

Edmonton Land Use Bylaw 5996

## 73. Performance Standards for Industrial Developments

*Bylaw No. 10741*

*June 20, 1994*

### **73.1 Applicability**

Any development or site used for any Permitted or Discretionary Use in the IB, IM or IH Districts shall comply with the performance standards of this Section. Where, in the opinion of the Development Officer, a use may not comply with the performance standards of this Section, the Development Officer may require that the applicant submit an approved permit from Alberta Environmental Protection, or may require a statement from a qualified, registered Professional Engineer certifying that the proposed use can meet the performance standards of the appropriate District, or may require both.

### **73.2 Performance Standards**

*Bylaw No. 11832*

*August 24, 1998*

#### **1) Emission of Air and Water Contaminants**

No operation or activity in any Industrial District shall emit air or water contaminants in excess of the standards prescribed by the Province of Alberta pursuant to the Environmental Protection and Enhancement Act, 1992, and the regulations pertaining thereto.

#### **2) Noise**

a) No activity or operation in an Industrial District shall cause, or permit to be caused, a noise level at or inside the boundary line of a Residential District which exceeds the regulations of Part 5 of Noise Abatement Bylaw No. 7255, as amended.

b) No activity or operation in an Industrial District shall cause, or permit to be caused, a noise level which exceeds the regulations of Part 6 of Noise Abatement Bylaw No. 7255, as amended.

c) All noise levels shall be measured in accordance with the procedures of Noise Abatement Bylaw No. 7255, as amended.

*Bylaw No. 11832*

*August 24, 1998*

#### **3) Fire and Explosion Hazards**

In any Industrial District, activities or operations involving the storage, utilization or manufacture of materials which decompose by detonation, shall be located, conducted and housed in accordance with the Safety Codes Act, 1991, and the 1992 Alberta Fire Code.

*Bylaw No. 10741*

*June 20, 1994*

*Bylaw No. 10936*

*October 16, 1995*

#### **4)Appearance**

a)Any use or activity in the IB District shall comply with the following appearance standards:

i)all uses and activities, except those noted in Clauses (ii) and (iii) below, shall be located and carried on within an enclosed building and there shall be no outdoor display areas, except for Automotive and Minor Recreational Vehicle Sales/Rentals and Convenience Vehicle Rentals;

ii)all loading, service, trash collection and accessory storage areas, and trucking yards shall be located to the rear or sides of the principal building, and shall be screened from view from any public roadway other than a lane, and from adjacent sites, by building walls, landscape materials, berms, fences or a combination of these, to the satisfaction of the Development Officer;

iii)the Development Officer may require that exposed projections outside the building such as mechanical and electrical equipment, transformer ducts, cooling towers and materials handling equipment be screened from view from any public roadway other than a lane, and from adjacent sites if, in the Development Officers opinion, such projections are inconsistent with the character and appearance of surrounding development or the intended visual qualities of this District; and

iv)all buildings shall be constructed and finished with durable materials designed to maintain the initial appearance of the development throughout the life of the project. The Development Officer may require that the appearance of metal, or concrete block walls exposed to public view from beyond the site be improved where, in the Development Officers opinion, such walls are inconsistent with the finishing materials or appearance characteristic of surrounding development.

b)Any use or activity in the IM or IH Districts shall comply with the following appearance standards:

i)all outdoor service, assembly, trash collection and storage areas including the trucking yards associated with such activities shall be located to the rear or sides of the principal building. Loading and trash collection facilities serving office, warehouse and similar developments, where the handling or assembly of goods is carried on within a building, shall be allowed to the rear, sides or front of the principal building. The areas and facilities referred to in this Clause shall be screened from view from any public roadway other than a lane, and from adjacent sites, unless the public roadway is a local road serving only sites in an IM or IH District, or the adjacent site is designated IM or IH. Notwithstanding the above, trash collection areas located to the front of the principal building shall be screened from view from any public roadway, including a lane, and from any adjacent site; and

ii)outside display areas are allowed to be located to the side or front of the principal building, provided that such displays are limited to examples of equipment or material related to the industry or business located on the site.

Edmonton Land Use Bylaw 5996

74. General Performance Standards for Non-industrial Development

**74. General Performance Standards for Non-industrial Development**

*Bylaw No. 6626*

*November 10, 1981*

In all non-industrial developments, the design, use of exterior finishing materials and construction shall be to the satisfaction of the Development Officer who shall ensure, as far as reasonably practicable, that materials will be used which ensure that the standard of the buildings will be similar to, or better than, the standard of surrounding development. The Development Officer may require that the appearance of walls exposed to public view from beyond the site be improved where, in his opinion, the appearance of such walls is inconsistent with the finishing standards of surrounding development.

Edmonton Land Use Bylaw 5996

75. Pedestrian Ways

**75. Pedestrian Ways**

*Bylaw No. 6502*

*November 24, 1981*

- 1) Above grade pedestrian ways shall be located a minimum of 120 m (393.7 ft.) apart, measured centre line to centre line, and shall be located no closer than 54 m (177.1 ft.) to an intersection, measured from the centre line of the public roadway to the centre line of the pedestrian ways.
- 2) The minimum height of an above grade or below grade pedestrian way, excluding lighting, directional signs and other fixtures, shall be 2.74 m (9 ft.).
- 3) The maximum gradient of an above grade or below grade pedestrian way shall be 5%.

Edmonton Land Use Bylaw 5996

76. Passenger Drop-off Spaces for Public and Private Elementary, Junior

**76.Passenger Drop-off Spaces for Public and Private Elementary, Junior High and High Schools**

*Bylaw No. 9987*

*August 17, 1992*

**76.1Applicability**

1)When any new school development is proposed, Passenger Drop-off Spaces shall be provided in accordance with Schedule 76A below:

**Schedule 76A**

**Passenger Drop-off Spaces for Public and Private Elementary, Junior High School and High Schools**

USE OF BUILDING OR SITE	TOTAL NUMBER OF DROP-OFF SPACES REQUIRED	NUMBER OF ON-SITE DROPOFF SPACES REQUIRED
Elementary or Junior High School	3 Spaces per 100 Students, but in no case less than 5 Spaces.	1 Space per 100 Students, or 5 Spaces, whichever is greater.
High School	1.5 Spaces per 100 Students, but in no case less than 5 Spaces.	0.5 Spaces per 100 Students, or 5 Spaces, whichever is greater.

Note:For the purposes of this Schedule "On-site Drop-off Spaces" means those Drop-off Spaces located on schools lands, and "Total Number of Drop-off Spaces" means the total of On-site Drop-off Spaces plus any Drop-off Spaces located on City-owned property within the roadway plan, as approved by the Transportation Department.

2)Where an existing school building is to be enlarged to accommodate an increased enrolment of more than 100 students, or of more than 20% of existing student enrolment, whichever is less, the Development Officer shall apply the standards for Passenger Drop-off Spaces, as identified in Schedule 76A, based on the additional school capacity. Where a school development is proposed which is a change of use of an existing structure, the standards identified in Schedule 76A shall apply to the total school enrolment capacity. Where site constraints do not feasibly permit the full application of the standards identified in Schedule 76A, the Development Officer, may apply a lesser standard, at his discretion.

3)Where the calculation of the number of Drop-off Spaces results in a fractional number of spaces, the next highest whole number of Drop-off Spaces shall be required.

4) Required on-site parking spaces shall not be used to satisfy the requirements for the provision of Passenger Drop-off Spaces.

### **76.2 Location of Passenger Drop-off Spaces**

1) Passenger Drop-off Spaces located on-site shall be placed on land other than that used or designated for future use a required on-site parking, and shall be located to the satisfaction of the Development Officer.

2) Passenger Drop-off Spaces may be located within the roadway plan in accordance with Schedule 76A and subject to the approval of the Transportation Department.

3) Passenger Drop-off Spaces located within the roadway plan shall be located not more than 60 m (196.9 ft.) from the nearest school entrance, measured along the sidewalk from the point at which the walkway to the entrance intersects with the sidewalk, and only on the same side of the street as the school.

4) Passenger Drop-off Spaces located within the roadway plan shall not be permitted in the following areas:

a) within designated transit and school bus loading areas;

b) within 1.5 m (4.9 ft.) of a driveway or a marked crosswalk;

c) within 15 m (49.2 ft.) of any intersection; and

*Bylaw No. 10457*

*January 25, 1994*

d) within any area in which stopping is prohibited, or in which, in the opinion of the Transportation Department, other traffic controls would preclude the placement of a Passenger Drop-off Space.

5) The Development Officer shall consult with the Transportation and Parks and Recreation Departments, as well as the applicable school board, to obtain information relevant to the determination of the number and location of Passenger Drop-off Spaces for school developments.

6) Notwithstanding the foregoing, the Development Officer may reduce or eliminate the required number of Passenger Drop-off Spaces for the development of new schools in new subdivisions, in consultation with the Transportation and Parks and Recreation Departments, as well as the applicable school board, where:

a) there are demonstrated physical site constraints for a specific development which will limit the location and/or number of on-site Passenger Drop-off Spaces which can be provided; or

b) there are no physical site constraints, but where all parties are agreed on alternate solutions to the development of Passenger Drop-off Spaces, and where the Development Officer is satisfied that such alternate solutions are adequate.

7) The total number of Passenger Drop-off Spaces shall be calculated on the basis of the ultimate Drop-off requirements for all potential future school development on the site in question whether contained in a core facility or in attached portable pods.

### **76.3 Design of Passenger Drop-off Spaces**

1) Passenger Drop-off Spaces shall be a minimum of 7.0 m (22.3 ft.) in length and a minimum of 2.3 m (7.5 ft.) in width.

2) Passenger Drop-off Spaces shall be oriented parallel to the flow of traffic to accommodate through-movement of vehicles and to eliminate the need for backing or significant turning movements.

Edmonton Land Use Bylaw 5996

77. General Performance Standards for a Safe Physical Environment

**77. General Performance Standards for a Safe Physical Environment**

*Bylaw No. 11076*

*October 9, 1995*

*Bylaw No. 11806*

*August 24, 1998*

The Development Officer shall encourage the inclusion of design elements which readily allow for casual surveillance, particularly for commercial, industrial and multi-unit residential uses. These elements may include, but are not limited to, large window areas, high quality interior and exterior lighting, physical layout which reduces the vulnerability of pedestrians, (avoiding long public corridor spaces, stairwells, or other movement predictors), the placement and use of landscaping which limits areas of concealment, and the location of parking areas close to building access points. The Development Officer shall require a Crime Prevention Through Environmental Design assessment prepared by a qualified security consultant for multi-unit residential/commercial/institutional/industrial developments which in the opinion of the Development Officer requires such an assessment. The Development Officer shall advise applicants of the approved crime prevention design guidelines contained in the Design Guide for a Safer City, such as the layout and design of buildings and associated parking and loading areas, yards and landscaped areas, to promote a safe, well-lit physical environment. In addition, the Development Officer shall apply the requirements of [Section 68.1\(4\)](#) to parking garages.

Edmonton Land Use Bylaw 5996

79. Sign Regulations

**79. Sign Regulations**

[79.1 Sign Applicability](#)

[79.2 Prohibited Signs](#)

[79.3 Abandoned and Unlawful Signs](#)

[79.4 Establishment of Sign Schedules](#)

[79.5 Special Regulations for Highway Entrance Routes and Limited Access Routes](#)

[79.6 Comprehensive Sign Design Plan](#)

[79.7 General Regulations for On-premise Signs](#)

[79.8 General Regulations for General Advertising Signs](#)

[79.9 General Regulations for Temporary Signs, Portable Signs and Balloon Signs](#)

[79A Sign Schedule for Land Use Districts: RF1, RSL, RF2, RPL, RF3, RF4, RR, RMH, AG, AGU, AP and A](#)

[79B Sign Schedule for Land Use Districts: RF5, RF6, RA7 and RA8](#)

[79C Sign Schedule for Land Use Districts: HDR, RA9, RMU and RMX](#)

[79D Sign Schedule for Land Use Districts: CNC and CSC](#)

[79E Sign Schedule for Land Use Districts: CB1, CB2 and CHY](#)

[79F Sign Schedule for Land Use Districts CMX and CO Located Outside the Downtown Area Redevelopment Plan Area\\*](#)

[79G Sign Schedule for Land Use Districts CCA, CMU, EZ and MSC Located within the Downtown Area Redevelopment Plan Area\\*](#)

[79H Sign Schedule for Land Use Districts: AGI, MA, IB, IM and IH](#)

[79I Sign Schedule for Land Use Districts: US, PU and DC4](#)

[79J Sign Schedule for Land Use Districts: DC1, DC2 and HA](#)

Edmonton Land Use Bylaw 5996

79.1 Sign Applicability

*Bylaw No. 6610*

*May 11, 1982*

**79.1 Applicability**

Any person applying to erect any one [Sign](#), or to change or relocate any existing Sign shall comply with the provisions of Section 79, unless exemption from the regulations of this Section have been granted elsewhere in this Bylaw.

Edmonton Land Use Bylaw 5996

79.2 Prohibited Signs

**79.2 Prohibited Signs**

No [Sign](#) shall be erected, operated, used or maintained which:

- a) due to its position, shape, colour, format or illumination obstructs the view of, or may be confused with, an official traffic Sign, signal or device, as determined by the Development Officer in consultation with the City Engineer;
- b) display lights resembling the flashing lights usually associated with danger or those used by police, fire, ambulance and other emergency vehicles;
- c) operates or employs any stereooption or motion picture projection, or the use of holography; and
- d) due to its method of erection or attachment allows a swinging motion, except that swinging motion shall be allowed on a [Freestanding Sign](#) which does not exceed 2 m (6.6 ft.) in Height and 0.5 m<sup>2</sup> (5.4 sq. ft. in area).

Edmonton Land Use Bylaw 5996

79.3 Abandoned and Unlawful Signs

*Bylaw No. 10627*

*April 18, 1994*

### **79.3 Abandoned and Unlawful Signs**

- 1) Where the Development Officer/Bylaw Enforcement Officer finds a Sign to be abandoned he may commence enforcement in accordance with [Section 25](#) of this Bylaw.
- 2) Where the Development Officer/Bylaw Enforcement Officer finds that a Sign contravenes the provisions of this Bylaw he may commence enforcement in accordance with Section 25 of this Bylaw.

Edmonton Land Use Bylaw 5996

79.4 Establishment of Sign Schedules

**79.4 Establishment of Sign Schedules**

Signs shall be allowed in Land Use Districts as stated in Sign Schedules 79A to 79J inclusive, and according to the assignment of Land Use Districts to those Schedules as set out in this Section 79.4.

*Bylaw No. 10362*

*May 3, 1993*

1) Sign Schedule 79A

Land Use Districts: RF1, RSL, RF2, RPL, RF3, RF4, RR, RMH, AG, AGU, AP and A

2) Sign Schedule 79B

Land Use Districts: RF5, RF6, RA7, and RA8

*Bylaw No. 11404*

*April 30, 1997*

3) Sign Schedule 79C

Land Use Districts: HDR, RA9, RMU and RMX

4) Sign Schedule 79D

Land Use Districts: CNC and CSC

5) Sign Schedule 79E

Land Use Districts: CB1, CB2, and CHY

6) Sign Schedule 79F

Land Use Districts: CMX and CO Located Outside the Downtown Area Redevelopment Plan Area

*Bylaw No. 11404*

*April 30, 1997*

7) Sign Schedule 79G

Land Use Districts: CCA, CMU, EZ and MSC Located Within the Downtown Area Redevelopment Plan Area

8)Sign Schedule 79H

Land Use Districts: AGI, MA, IB, IM, and IH

9)Sign Schedule 79I

Land Use Districts: US, PU, and DC4

*Bylaw No. 11404*

*April 30, 1997*

10)Sign Schedule 79J

Land Use Districts: DC1, DC2 and HA

Edmonton Land Use Bylaw 5996

79.5 Special Regulations for Highway Entrance Routes and Limited Access Routes

### **79.5 Special Regulations for Highway Entrance Routes and Limited Access Routes**

1) Where a site is located along a Highway Entrance Route or Limited Access Route described in Subsection (2) below, the following Sign regulations shall apply in addition to, and take precedence over, the provision of the Sign Schedule applicable to the site.

a) Where a building faces a public roadway designated as a Highway Entrance Route or Limited Access Route but does not have direct access to that roadway or access via a service road, only an [On-Premise Facia](#) Identification Sign or [Logogram](#) may be allowed on the side of the building which faces the roadway. Such Signs may be illuminated.

b) No [General Advertising Signs](#) shall be permitted along designated Highway Entrance Routes or Limited Access Routes on parcels of land which do not have direct access to that route or access via an abutting service road. On parcels having the required access, General Advertising Signs shall comply with the building setback line of the District.

*Bylaw No. 8744*

*May 24, 1988*

c) The minimum radial distance between General Advertising Signs facing the same traffic direction along a Highway Entrance Route or Limited Access Route shall be 300 m (984.0 ft.).

d) All power servicing to the signs located on a Highway Entrance Route or Limited Access Route shall be buried underground, unless reasonable access to an underground power source is not available.

*Bylaw No. 10741*

*June 20, 1994*

2) Highway Entrance Routes and Limited Access Routes subject to the additional regulations of this Section 79.5.

a) **Calgary Trail Northbound and Southbound** (Highway 2) south from 51 Avenue to the City limits;

b) **St. Albert Trail** (Highway 2) north from 125 Avenue to the City limits;

*Bylaw No. 8744*

*May 24, 1988*

c) **Stony Plain Road** (Highway 16) west from 170 Street to the City limits;

*Bylaw No. 8744*

*May 24, 1988*

d) **100 Avenue** west from 149 Street to the City limits;

e) **Mayfield Road** from 170 Street to 111 Avenue;

f) **111 Avenue** from Mayfield Road to 149 Street;

*Bylaw No. 8744*

*May 24, 1988*

g) The entire length of the **Yellowhead Trail** (Highway 16) within the City limits;

*Bylaw No. 8744*

*May 24, 1988*

h) **101 Avenue** (Highway 16A) east from 50 Street to the City limits;

i) **82 Avenue and the Sherwood Park Freeway** (Highway 14) east from 75 Street to the City limits;

*Bylaw No. 8744*

*May 24, 1988*

j) **Manning Freeway** (Highway 15) north from 137 Avenue to the City limits;

*Bylaw No. 8744*

*May 24, 1988*

k) **Whitemud Drive** east from Calgary Trail Southbound to the City limits;

l) **91 Street** south from 51 Avenue to the City limits;

m) **97 Street** north from 137 Avenue to the City limits;

n) **50 Street** south from Whitemud Drive to the City limits; and

o) **Whitemud Drive** west from 170 Street to Anthony Henday Drive.

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79.6 Comprehensive Sign Design Plan

### **79.6 Comprehensive Sign Design Plan**

1) An applicant may, at his discretion, submit a Comprehensive Sign Design Plan for special approval by the Development Officer for Sign developments which do not comply with the provisions of the Sign Schedule applicable to the Land Use District where the Sign or Signs are proposed, subject to the provisions of this Subsection. A Comprehensive Sign Design Plan may be applied for in any Land Use District.

2) Comprehensive Sign Design Plans shall be consistent with the overall intent of this Bylaw and the provisions of the applicable [Sign Schedule](#) with respect to the type of Signs allowed and the maximum Sign area regulations.

3) In addition to the normal sign application requirements, a Comprehensive Sign Design Plan shall also include a coloured rendering of the Sign development and a narrative outlining the following information:

a) the exception(s) to the Sign Schedule required by the Comprehensive Sign Design Plan; and

b) an explanation of how these exceptions achieve a greater degree of visual harmony between the proposed Sign and the building or site than would be possible through the provisions of the Sign Schedule having regard for:

i) the compatibility of the design, scale and location of the Sign in relation to the scale and architectural character of the building upon which the Sign is to be erected and the type, scale and location of other Signs on the building;

ii) the compatibility of the materials from which the Sign is constructed and the illumination of the Sign in relation to the architectural character and the exterior finish of the building; and

iii) the compatibility of the proposed Sign with land use and landscape and architectural character of surrounding development.

4) The Development Officer shall assess the merits of the Comprehensive Sign Design Plan and may grant exceptions to the Sign Schedule to permit the Comprehensive Sign Design Plan, if, in his opinion, the Plan complies with the following requirements:

a) the Comprehensive Sign Design Plan is consistent with the Sign development intended in the Sign Schedule which applies to the District in which it is proposed; and

b) the Comprehensive Sign Design Plan results in a greater degree of visual harmony between the proposed Sign and the building or site than would be possible through the provisions of the applicable Sign Schedule having regard for the factors listed in Clause (3)(b) above.

Edmonton Land Use Bylaw 5996

79.7 General Regulations for On-premise Signs

### **79.7 General Regulations for On-premise Signs**

This Section contains the general regulations with which the various types of permanent [On-premise Identification](#) and [Business Identification Signs](#) must comply, subject to any exceptions or additional regulations specified in a Sign Schedule. The regulations apply to [Awning](#), [Canopy](#), [Under-canopy](#), [Facia](#), [Freestanding](#), [Projecting](#), [Roof](#) and [Window Signs](#). In addition, this Section contains regulations for On-Premise Signs relating to lighting, [changeable copy](#), [local advertising](#) and signage co-ordination on multiple occupancy business developments.

[79.7\(1\) General Provisions](#)

[79.7\(2\) Lighting](#)

[79.7\(3\) Changeable Copy](#)

[79.7\(4\) Local Advertising](#)

[79.7\(5\) Awning Signs](#)

[79.7\(6\) Canopy Signs](#)

[79.7\(7\) Facia Signs](#)

[79.7\(8\) Freestanding Signs](#)

[79.7\(9\) Projecting Signs](#)

[79.7\(10\) Roof Signs](#)

[79.7\(11\) Window Signs](#)

[79.7\(12\) Regulations for Sign Coordination on Multiple Occupancy Business Developments](#)

Edmonton Land Use Bylaw 5996

79.7(1) General Provisions

**1)General Provisions**

- a)Any Sign which projects more than 15 cm (6 in.) over a lane, loading area or parking lot aisle shall maintain a minimum vertical clearance of 4.4 m (14 ft.).
- b)All [Roof](#), [Canopy](#) and [Projecting Signs](#) or any combination of these Signs shall be erected in such manner that the structural support elements are designed or concealed so as to appear as an integral part of the overall Sign design and such that no angle iron bracing, guide wires or similar support elements are visible from a public roadway or other public right-of-way.

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79.7(2) Lighting

**2) Lighting**

The following regulations shall apply to the lighting of all [On-Premise](#) Signs, with the exception of the lampbanks used in electronically controlled [Changeable Copy](#) Signs:

- a) no flashing, [Scintillating](#) or [Running Lights](#), or lighting used to produce animation shall be used on a Sign unless specifically allowed by a Sign Schedule;
- b) electronically [Animated Signs](#) or Signs with [Scintillating](#) or [Running Lights](#) shall be located or constructed such that the illumination from these light sources does not project onto any surrounding residential premises so as to cause variations in light intensity in or on those premises. The intensity of exposed bulbs on a Sign shall not exceed 75 watts;
- c) the use of spot or reflector lights directed at on-coming traffic is prohibited on a Sign. The addition of [Running](#) or [Scintillating](#) Lights to an existing Sign shall require a Development Permit;
- d) subject to Clauses (a) and (b) above, the use of flashing, [Scintillating](#) or [Running Lights](#) shall be used only in a manner that is accessory and decorative to the principal portion of the Sign;
- e) Signs having animation, [Scintillating](#) or [Running Lights](#) shall, when the Sign is lit, not have more than one third of the light source producing the intermittent illumination turned off at any one time; and
- f) Signs placed inside a window and intended to be viewed from the street are prohibited from having flashing, [Scintillating](#) or [Running Lights](#) or any other means not providing steady illumination.

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79.7(3) Changeable Copy

### 3)Changeable Copy

[Changeable copy](#) shall be used only where allowed by a Sign Schedule, and shall comply with the following provisions:

- a)for a theatre marquee the entire area of the Sign faces of the marquee may be used to display changeable copy;
- b)for [Spectator Entertainment Establishments](#) or [Spectator Sports Establishments](#) having a seating capacity of at least 5,000 persons, the area for a Changeable Copy Sign shall be subject to the approval of the Development Officer. In determining the allowable area for a Changeable Copy Sign, the Development Officer shall have regard for the scale and architectural character of the building and the land use characteristics of surrounding development;
- c)except as provided for in Clauses (a) and (b) above, the area of changeable copy on an Identification Sign or Business Identification Sign shall not exceed 50 percent of the area of the Sign on which it is displayed, subject to the maximum area of changeable copy, per sign face specified below:
- i)where the changeable copy is intended to be viewed from a public roadway with a posted traffic speed less than 70 km/hr (43.5 mph), the maximum allowable area for changeable copy per Sign face shall be:
- | LENGTH OF BUSINESS FRONTAGE                              | MAXIMUM AREA OF MANUAL CHANGEABLE COPY | MAXIMUM AREA OF ELECTRONIC CHANGEABLE COPY |
|--|--|--|
| 30 m (98.4 ft.) or less                                  | 4 m <sup>2</sup> (43.0 sq. ft.)        | 5.5 m <sup>2</sup> (59.2 sq. ft.)          |
| More than 30 m (98.4 ft.) but less than 60 m (196.8 ft.) | 6 m <sup>2</sup> (64.6 sq. ft.)        | 7.5 m <sup>2</sup> (80.7 sq. ft.)          |
| More than 60 m   | 7.5 m <sup>2</sup> (80.7 sq. ft.)      | 12 m <sup>2</sup> (129.2 sq. ft.)          |
- ii)where changeable copy is intended to be viewed from a public roadway with a posted traffic speed of 70 km/hr (43.5 mph) or greater, the maximum allowable area of changeable copy referred to in Clause (c)(i) above shall be increased by 35 percent;
- d)Changeable Copy Signs shall be designed as an integral component of the [Business Identification](#) Signage for the development, and the scale and placement of changeable copy shall not appear to visually dominate the Business Identification Signage. Where changeable copy is not part of a permitted Business Identification Sign, the proposed Changeable Copy Sign shall be applied for through the Comprehensive Sign Design Plan provisions of this Bylaw;
- e)one changeable copy area shall be allowed for each business premise, except that:
- i)on the site of a Service Station or [Gas Bar](#) an additional Changeable Copy Sign shall be allowed on the canopy

located over the pump islands, when such Sign is used only to advertise the price of gasoline or other motor vehicle fuels;

ii) one additional Changeable Copy Sign shall be allowed for the second frontage of a business premise, provided that the changeable copy is located for viewing from that frontage; and

iii) an additional Changeable Copy Sign, not exceeding 0.5 m<sup>2</sup> (5.4 sq. ft.) in area may be placed inside a window located within the first storey;

f) for multiple occupancy business developments, the use of changeable copy on Freestanding Signs shall comply with the following additional regulations:

i) not more than one Changeable Copy Sign shall be allowed for each frontage of the site; and

ii) the Changeable Copy Sign shall be located on a permitted Freestanding Business Identification Sign;

g) the area of changeable copy shall be included in calculating the allowable area for a specific Sign type;

h) changeable copy shall not be used on the face of a Sign which rotates, except that a Changeable Copy Sign which is used to alternately display only time and temperature may rotate; and

i) if, in the opinion of the City Engineer, a proposed Changeable Copy Sign which displays travelling or flashing messages is likely to create a hazard to traffic on a public roadway from which the Sign is visible, the Development Officer shall refuse the permit, upon recommendation from the City Engineer.

Edmonton Land Use Bylaw 5996

79.7(4) Local Advertising

#### **4)Local Advertising**

- a) [Local Advertising](#) Signs which exceed 0.5 m<sup>2</sup> (5.4 sq. ft.) in area and which are not part of a [Business Identification](#) Sign allowed by this Bylaw are prohibited.
- b) Local advertising on Business Identification Signs shall not exceed 50 percent of the area of the face of the Sign on which it is displayed, except that local advertising which consists only of a single Logogram or trademark which represents the business' primary dealership or franchise association may exceed 50 percent of the area of the face of the Sign on which it is displayed.
- c) The changeable copy portion of a Business Identification Sign shall be deemed to be local advertising.
- d) The local advertising portion of a Sign shall be included in calculating the allowable area for a specific Sign type.

Edmonton Land Use Bylaw 5996

79.7(5) Awning Signs

**5)Awning Signs**

- a) [Awning Signs](#) shall be painted on, or directly affixed to, the awning covering. No Sign shall be suspended from an awning covering or support structure.
- b) Copy on Awning Signs shall be restricted to the name or [Logogram](#) of the business conducted within the premises, and shall not include local advertising.
- c) Awning Signs shall not be permitted above the window sill level of the second storey.

Edmonton Land Use Bylaw 5996

79.7(6) Canopy Signs

## **6) Canopy Signs**

a) Where a canopy, marquee or similar architectural projection is constructed solely as a support structure for Signs, such structures, and the Signs erected upon them, shall comply with the following regulations for [Canopy Signs](#):

i) on a one-storey building the top of a Canopy Sign shall not extend more than 30 cm (12 in.) above the building roof or parapet wall;

ii) on a building of two or more storeys the top of a Canopy Sign shall not extend more than 75 cm (2.5 ft.) above the floor of the second storey nor higher than the window sill of the second storey;

iii) the bottom of a Canopy Sign shall be not less than 2.4 m (7.9 ft.) above grade;

iv) the vertical dimension of a Canopy Sign shall not exceed 1.5 m (4.9 ft.); and

v) a Canopy Sign may project 30 cm (12 in.) for each lineal metre (3.3 ft.) of frontage measured from the horizontal limit of the frontage where the Sign is to be erected to the face of the Sign nearest the limits of the frontage except that:

A) the horizontal separation between a Canopy Sign and the curb lane of a public roadway shall be not less than 0.6 m (1.97 ft.);

B) the maximum projection of a Canopy Sign shall be 2.5 m (8.2 ft.); and

C) subject to (A) and (B) above, the maximum projection for a corner Canopy Sign shall not exceed one hundred and twenty percent (120%) of the projection allowed for a Canopy Sign located at the centre of the shorter of the two building frontages; and

*Bylaw No. 10457*

*January 25, 1994*

b) where a canopy, marquee or similar architectural projection has been included as an integral component of the overall architectural design of a building or designed to provide protection from the weather over an entrance or sidewalk, and has been constructed in accordance with the provisions of Bylaw No. 8664, being the Edmonton Building Permit Bylaw and the Alberta Uniform Building Standards Act, R.S.A. 1980 c. U4, as amended, the following Canopy Sign regulations shall apply:

i) any Sign erected upon the vertical surfaces of the canopy shall not extend horizontally beyond the limits of the vertical surfaces;

ii) any Sign erected upon the vertical surfaces of the canopy shall not extend more than 30 cm (12 in.) above the top of

the vertical surface of the canopy; and

iii)no Sign suspended under a canopy shall exceed a vertical dimension of 30 cm (12 in.) nor shall it extend beyond the horizontal limits of the canopy. Signs suspended under a canopy shall have a clearance of at least 2.4 m (7.9 ft.).

Edmonton Land Use Bylaw 5996

79.7(7) Facia Signs

*Bylaw No. 8744*

*May 24, 1988*

## **7) Facia Signs**

a) A [Facia](#) Sign shall not extend higher than the window sill of the third storey or, in the absence of such a window, 75 cm (2.5 ft.) above the floor of the third storey. The top of a Facia Sign on a one-storey building or two-storey building shall not extend more than 30 cm (12 in.) above the building roof or parapet wall. Any Facia Sign which extends over a public right-of-way or passageway intended for pedestrian travel shall maintain a minimum clearance of 2.4 m (7.9 ft.).

b) A Facia Sign shall not extend more than 40 cm (16 in.) beyond a building wall.

c) Notwithstanding (a) above, Facia Signs which consist only of a company [Logogram](#), or an Identification Sign formed of individual letters, shall be allowed above the first floor level. Not more than one such Sign shall be allowed per building face and the Sign shall only be used to identify the principal tenant of the building.

Edmonton Land Use Bylaw 5996

79.7(8) Freestanding Signs

*Bylaw No. 8324*

*September 24, 1986*

*Bylaw No. 10244*

*November 16, 1992*

## **8) Freestanding Signs**

- a) [Freestanding](#) Signs shall be allowed for the first frontage of a business premise or multiple occupancy development, provided that such frontage is at least 30 m (98.4 ft.) in length. Where such frontage is less than 30 m (98.4 ft.), a Freestanding Sign shall be allowed in accordance with Clause (e) of this Subsection.
- b) Freestanding Signs shall be allowed for each additional frontage of the same business premise or multiple occupancy development, provided that the said frontage is not less than 45 m (147.6 ft.) in length.
- c) Freestanding Signs shall be allowed for each 45 m (147.6 ft.) of frontage that is in addition to the frontages set out in Clauses (a) and (b) above.
- d) The allowable Sign area for a Freestanding Sign shall be 0.3 m<sup>2</sup> (3.2 sq. ft.) for each lineal metre (3.3 ft.) of the frontage where the Sign is to be erected, subject to the maximum Sign area for Freestanding Signs specified in the Sign Schedule applicable to the site. Where more than one Freestanding Sign is to be erected along the same frontage, the combined area of all Freestanding Signs shall not exceed the maximum area allowed by the ratio of this Clause.
- e) For a business premise or multiple occupancy development with a frontage of less than 30 m (98.4 ft.) but not less than 15 m (49.2 ft.), one Freestanding Sign not exceeding 3 m (9.8 ft.) in Height and not exceeding 3 m<sup>2</sup> (32.3 sq. ft.) in area shall be allowed. A Freestanding Sign shall not be allowed for a business premise or site with a frontage of less than 15 m (49.2 ft.).
- f) Unless otherwise allowed by a Sign Schedule, no part of a Freestanding Sign shall extend beyond the property line of the site which the Sign is intended to serve.
- Bylaw No. 10244*
- November 16, 1992*
- g) Where two or more Freestanding Signs are located on the same business premise or site, or along the same frontage; a minimum horizontal separation distance of 30 m (98.4 ft.) shall be provided between Signs, except that the minimum separation distance between Signs complying with the maximum Height and area regulations of Clause (e) of this Subsection shall be 15 m (49.2 ft.).

h)A Freestanding Sign may rotate to expose different copy where permitted by a Sign Schedule. Not more than one rotating Freestanding Business Identification Sign shall be erected for each frontage and no other Freestanding Business Identification Sign shall be erected along the same frontage.

i)Where a Freestanding Sign and a Projecting Sign are located along the same frontage of a site, a minimum horizontal separation distance of 10 m (32.8 ft.) shall be maintained between the Freestanding Sign and the Projecting Sign.

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79.7(9) Projecting Signs

**9)Projecting Signs**

- a)A [Projecting](#) Sign shall not be used to identify businesses which are located entirely at or above the second storey level.
- b)A Projecting Sign shall have a vertical clearance of at least 2.4 m (7.9 ft.).
- c)The top part of a Projecting Sign on a one-storey building shall not extend more than 30 cm (12 in.) above the building roof or parapet wall.
- d)The top of a Projecting Sign on a building two storeys or higher shall not extend more than 75 cm (2.5 ft.) above the floor of the second storey nor higher than the window sill level of the second floor.
- e)A Projecting Sign may project 30 cm (12 in.) for each lineal metre (3.3 ft.) of frontage measured from the horizontal limit of the frontage where the Sign is to be erected to the face of the Sign nearest the limits of the frontage, except that:
- i)the horizontal separation distance between a Projecting Sign and the curb line of a public roadway shall be not less than 0.6 m (1.97 ft.);
  - ii)the maximum projection from the building face shall not exceed 2.5 m (8.2 ft.); and
  - iii)subject to (i) and (ii) above, the maximum projection for a corner Projecting Sign shall not exceed one hundred and twenty percent (120%) of the projection allowed for a Projecting Sign located at the centre of the shorter of the two building frontages. Such corner Signs shall be placed at equal angles to the two frontages at the corner of the building.
- f)No Projecting Sign shall be located closer than 1.5 m (4.9 ft.) to the horizontal limits of the frontage of an adjacent business.
- g)No Projecting Sign shall be placed such that the distance between the nearest edge of the Sign and the building wall to which it is attached is more than 30 cm (12 in.).
- h)Except in the case of corner Signs, a Projecting Sign shall be placed at right angles to the building face to which it is attached.
- i)Not more than one Projecting Sign shall be allowed for each frontage of a business premise.
- j)No Projecting Sign shall be allowed where the building setback from the curb line of a public roadway exceeds 10 m (32.8 ft.).
- k)Where a Projecting Sign and [Freestanding](#) Sign are located along the same frontage of a site, a minimum horizontal separation distance of 10 m (32.8 ft.) shall be provided between such Signs.



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79.7(10) Roof Signs

**10)Roof Signs**

- a) [Roof](#) Signs may only be allowed where, in the opinion of the Development Officer, they are a common feature of signage on surrounding developments and provided that the Sign is framed by a higher building wall such that the display does not break the skyline when viewed at a distance of 150 m (492.0 ft.) from any public roadway, other than a lane.
- b) The maximum vertical dimension of a Roof Sign, including the support structure, shall not exceed one-fifth of the Height of the building to a maximum vertical dimension of 4 m (13.1 ft.).
- c) The maximum area of a Roof Sign shall not exceed the allowable area for a Freestanding Sign specified in the Sign Schedule applicable to the site.
- d) Roof Signs may be illuminated, but may not have flashing, [Scintillating](#) or [Running Lights](#).
- e) Business Identification Roof Signs shall not have [changeable copy](#) and [local advertising](#).

Edmonton Land Use Bylaw 5996

79.7(11) Window Signs

**11) Window Signs**

a) Only one permanent window [Business Identification](#) Sign shall be allowed per window and the area of the Sign shall not exceed twenty-five percent (25%) of the window in which it is located.

b) A business may display permanent [Window](#) Signs at the first or second storey level, but not both.

Edmonton Land Use Bylaw 5996

79.7(12) Regulations for Sign Coordination on Multiple Occupancy Business Developments

## **12) Regulations for Sign Coordination on Multiple Occupancy Business Developments**

The following additional regulations shall apply to signage for developments which are purposely designed for multiple business occupancy at the ground floor level such as shopping centres, business parks, industrial malls and commercial plazas:

a) where the architectural design and appearance of a building facade are uniform, individual [Business Identification](#) Signs located on the facade shall, in the opinion of the Development Officer, be similar as to proportion, construction materials and placement. The design and placement of the Signs shall also be compatible with any architectural guidelines for signage contained in the approved Development Permit for the building upon which the Signs are to be erected;

b) on buildings where [Facia](#) Signs have been used for, or are intended as, the principal means of individual business identification, a [Projecting](#) Sign or a [Canopy](#) Sign not having a removable cloth cover shall be allowed only if it is used to identify the building or development as a whole. The copy on such Signs shall not include the name of any individual business nor local advertising or changeable copy;

c) not more than four businesses may be identified on a [Freestanding](#) Sign, except that in the case of a multi-faced Sign, four businesses may be identified on each face, to a total of sixteen businesses;

d) the minimum Height for individual business identification panels on a Freestanding Sign shall be 1 m (3.3 ft.) and the minimum length shall be 2 m (6.6 ft.). The copy on such Signs shall be limited to the name of the business and its [Logogram](#);

e) where more than two businesses are identified on the same Freestanding Sign, the business identification panels shall be of uniform proportion and character;

f) the minimum separation distance between Freestanding Signs used for multiple business identification on the same site or along the same frontage shall be 45 m (147.6 ft.); and

*Bylaw No. 10244*

*November 16, 1992*

g) where Freestanding Signs allowed by Clause (8)(e) of Section 79.7 are used to identify individual businesses in a multiple occupancy business development, the Sign shall be designed such that the total width of the support structure for the Sign is equal to, or greater than, 50 percent of the width of the sign face or sign cabinet when viewed from any side.

Edmonton Land Use Bylaw 5996

79.8 General Regulations for General Advertising Signs

### **79.8 General Regulations for General Advertising Signs**

This Section contains the general regulations with which the various types of [General Advertising](#) Signs must comply, subject to any exceptions or additional regulations specified in a Sign Schedule.

[79.8\(1\) General Provisions](#)

[79.8\(2\) Billboard Signs](#)

[79.8\(3\) Junior Panel Signs](#)

Edmonton Land Use Bylaw 5996

79.8(1) General Provisions

*Bylaw No. 8744*

*May 24, 1988*

### **1) General Provisions**

The following regulations shall apply to all [General Advertising Signs](#).

- a) General Advertising Signs shall be purposely designed to display painted bulletins, poster panels or vinyl backlite panels.
- b) General Advertising Signs shall be located only on sites which abut the public roadways from which the Sign is intended to be viewed, or which abut a service road parallel to such public roadway.
- c) The Development Officer may require Freestanding General Advertising Signs to be landscaped, if:
  - i) the expected duration of the Sign display is at least two years;
  - ii) the Sign is not backed by a building wall located within 6 m (19.7 ft.) of the Sign; and
  - iii) the adjacent developments and properties are landscaped.
- d) General Advertising Roof Signs shall comply with the following regulations:
  - i) the Sign shall be mounted on, or framed by, a higher building wall such that the display does not break the skyline when viewed from a distance of 150 m (492.0 ft.) from any public roadway, not including a lane;
  - ii) wall-mounted Signs shall be mounted parallel to and within 0.5 m (1.6 ft.) of the building face. The support elements for a Roof Sign shall be concealed from any public roadway, not including a lane; and
  - iii) General Advertising Roof Signs shall not contain time and temperature units, electronically controlled changeable copy or any animation devices.
- e) General Advertising Signs may be illuminated provided that the lighting is concealed or shielded to minimize glare.

Edmonton Land Use Bylaw 5996

79.8(2) Billboard Signs

*Bylaw No. 8744*

*May 24, 1988*

## **2) Billboard Signs**

- a) The total Sign area per location shall not exceed 65 m<sup>2</sup> (699.4 sq. ft.). The Development Officer may increase the Sign area to a maximum of 80 m<sup>2</sup> (860.8 sq. ft.) at his discretion.
- b) The minimum radial distance between any two [Billboard](#) locations visible from the same traffic direction shall be 100 m (328.1 ft.).
- c) No part of any Freestanding Billboard shall be closer to any public roadway than the building setback line of the Land Use District in which the Sign is located.
- d) Billboard Signs shall not exceed a maximum Height of 8 m (26.2 ft.) nor extend more than 30 cm (12 in.) above the building parapet if the Sign is mounted on a wall, except as provided for in Section 79.8(1)(c) of this Bylaw.

Edmonton Land Use Bylaw 5996

79.8(3) Junior Panel Signs

**3) Junior Panel Signs**

- a) [Junior Panel](#) Signs shall be allowed on a site with a minimum frontage of 30 m (98.4 ft.).
- b) A maximum of two (2) Junior Panel Signs shall be allowed on each frontage of a site.
- c) The minimum radial distance between any two (2) Junior Panel Signs shall be 50 m (164.05 ft.).
- d) Junior Panel Signs shall not exceed a maximum Height of 5 m (16.4 ft.).
- e) All power servicing to Junior Panel Signs shall be buried underground.

Edmonton Land Use Bylaw 5996

79.9 General Regulations for Temporary Signs, Portable Signs and Balloon Signs

*Bylaw No. 8324*

*September 24, 1986*

### **79.9 General Regulations for Temporary Signs, Portable Signs and Balloon Signs**

This Section contains the general regulations and use regulations with which [Temporary Signs](#), [Portable Signs](#) and [Balloon Signs](#) must comply, subject to any exceptions or additional regulations specified in a Sign Schedule. The regulations govern Temporary Signs, Portable Signs and Balloon Signs used for such purposes as political campaigns, business identification, local advertising, real estate advertising, building construction identification and land development information.

[79.9\(1\) General Provisions](#)

[79.9\(2\) Removal of Temporary Signs, Portable Signs and Balloon Signs](#)

[79.9\(3\) Regulations for Specific Uses of Temporary Signs, Portable Signs and Balloon Signs](#)

Edmonton Land Use Bylaw 5996

79.9(1) General Provisions

*Bylaw No. 7418*

*January 24, 1984*

### **1)General Provisions**

- a)Any [Portable Sign](#), [Temporary Sign](#) or [Balloon Sign](#) that requires a Development Permit shall be located within the property lines of the site as identified by the legal or municipal description indicated in the permit.
- b)No Portable Sign, Temporary Sign or Balloon Sign shall be located closer than 1 m (3.3 ft.) to any property line. Where a Sign is located at a site on a corner formed by the intersection of two or more public roadways, not including a lane, the Sign shall not be located within a 10 m (32.8 ft.) radius of the corner measured from the midpoint of the curved portion of the curb line.
- c)A Portable Sign, Temporary Sign or Balloon Sign shall not interfere with access to or from a site.
- d)Portable Signs, Temporary Signs or Balloon Signs may be illuminated but may not contain flashing, [Scintillating](#) or [Running Lights](#) or animation devices, and any device designed to intensify or vary the illumination of lighting. Illumination shall be from a steady light source located within the interior of the Sign, or from an exterior light source directed at the face of the Sign and shielded to eliminate glare when viewed by on-coming traffic. No exterior accessory lighting may be attached to any portion of a Portable Sign, including the trailer or support structure, except that lights required by the Highway Traffic Act shall be allowed.
- e)The trailer frame excluding the hitch and the support legs, or structure used to support a Portable Sign shall not exceed 3.5 m (11.5 ft.) in length nor 2.2 m (7.2 ft.) in width.
- f)All Portable Signs shall be double-faced. The horizontal dimension of the Sign face shall not exceed 3.1 m (10.2 ft.) and the vertical dimension of the Sign face shall not exceed 1.7 m (5.6 ft.). The frame surrounding the Sign face shall not include embellishments and animation devices.
- g)The background face of a Portable Sign shall be of a single uniform colour.
- h)A Portable Sign shall not exceed a maximum Height of 3 m (9.8 ft.) above grade.
- i)A Temporary Sign on a single storey building shall not be located above the roof or parapet wall. A Temporary Sign, other than a temporary Window Sign, on a building of two or more storeys shall not be located higher than the sill of the windows on the second storey.

*Bylaw No. 11404*

*April 30, 1997*

j)Where the use regulations of Subsection (3) below make reference to Commercial and Industrial Districts, such reference shall include sites within the DC1, DC2, DC4, DC5, HA, MA, PU or PU Districts which, in the opinion of the Development Officer, are contained within a larger area of commercially or industrially districted land.

*Bylaw No. 9269*

*January 30, 1990*

k)The maximum vertical dimension of a Balloon Sign shall not exceed 7.92 m (26.0 ft.), except that if the location of a proposed Balloon Sign is less than 30 m (98.4 ft.) from a site districted Residential (such distance to be measured from the building on which the Sign is to be displayed to the property line of the site districted Residential), the maximum vertical dimension shall not exceed 5 m (16.4 ft.). Any Balloon Sign which is located less than 30 m (98.4 ft.) from a site districted Residential shall not be illuminated between the hours of 9:00 p.m. and 8:00 a.m.

Edmonton Land Use Bylaw 5996

79.9(2) Removal of Temporary Signs, Portable Signs and Balloon Signs

**2)Removal of Temporary Signs, Portable Signs and Balloon Signs**

a)A [Temporary Sign](#), a [Portable Sign](#) or a [Balloon Sign](#) shall be removed on or before the expiry date specified in the Development Permit.

*Bylaw No. 10244*

*November 16, 1992*

b)Temporary Signs not requiring a Development Permit shall be removed within five (5) days after the close of the event or activity to which they refer, unless otherwise specified in Section 79.9 of this Bylaw.

Edmonton Land Use Bylaw 5996

79.9(3) Regulations for Specific Uses of Temporary Signs, Portable Signs and Balloon Signs

**3) Regulations for Specific Uses of Temporary Signs, Portable Signs and Balloon Signs**

The following regulations shall apply in addition to the general provisions of Subsection (1) above.

[79.9\(3\)\(a\) Use of Temporary Signs, Portable Signs and Balloon Signs for Political Campaigns](#)

[79.9\(3\)\(b\) Use of Temporary Signs, Portable Signs and Balloon Signs for Business Identification and Local Advertising & General Advertising within Commercial and Industrial Districts](#)

[79.9\(3\)\(c\) Use of Temporary Signs and Portable Signs and Balloon Signs for Advertising Special Events](#)

[79.9\(3\)\(d\) Use of Temporary Signs, Portable Signs and Balloon Signs for Advertising Community Activities and Recreation Facilities](#)

[79.9\(3\)\(e\) Use of Temporary Signs and Portable Signs for Real Estate and Advertising and Development Information in Developing Areas](#)

[79.9\(3\)\(f\) Use of Temporary and Portable Signs for Building Construction Identification](#)

[79.9\(3\)\(g\) Use of Temporary and Portable Signs for Real Estate Advertising in Non-developing Areas](#)

Edmonton Land Use Bylaw 5996

79.9(3)(a) Use of Temporary Signs, Portable Signs and Balloon Signs for Political Campaigns:

a) Use of [Temporary Signs](#), [Portable Signs](#) and [Balloon Signs](#) for Political Campaigns:

i) Political election Signs shall not be placed upon public property except on public service kiosks or unless permitted by the provision of any Election Act;

ii) Political Signs shall be removed within ten days after the election to which they refer;

iii) the maximum Height of a Freestanding Political Sign, when erected on a site, shall not exceed 3 m (9.8 ft.). The maximum area for a Political Sign located within a Residential District shall be 1 m<sup>2</sup> (10.7 sq. ft.); and

*Bylaw No. 7418*

*January 24, 1984*

iv) the use of a Portable Sign or a Balloon Sign for political campaign advertising shall be allowed on properties located within a Commercial or Industrial District only in accordance with the provisions of Subclause 79.9(3)(b)(iii);

Edmonton Land Use Bylaw 5996

79.9(3)(b) Use of Temporary Signs, Portable Signs and Balloon Signs for Business Identification and Local Advertising & General Advertising within Commercial and Industrial Districts

*Bylaw No. 7418*

*January 24, 1984*

b) Use of [Temporary Signs](#), [Portable Signs](#) and [Balloon Signs](#) for Business Identification and Local Advertising and General Advertising within Commercial and Industrial Districts:

*Bylaw No. 10627*

*April; 18, 1994*

i) the use of [On-premise](#) banners, pennants or similar Signs announcing the opening of a new business, closing of a business, or change in management, shall be allowed for a period not exceeding 30 days. The owner or manager of the business shall notify the Development Officer in writing of the property address of the Sign and the date on which it was erected. Where no such written notification is provided, the Development Officer may commence enforcement in accordance with Section 25 of this Bylaw;

ii) Temporary [Facia](#) or [Freestanding Business Identification](#) Signs constructed of rigid materials shall comply with the regulations for Facia and Freestanding Signs of the Sign Schedule applicable to the Land Use District in which the Sign is to be erected. For businesses intended to be of an ongoing nature, Temporary Identification Signs shall be allowed for a maximum period of 90 days, except that any Temporary Identification Sign shall be removed once a permanent Business Identification Sign allowed by this Bylaw has been erected. For businesses of a seasonal or short term nature which operate for six months or less in a calendar year, a Temporary Identification Sign shall be allowed for the operating period of the business. [Local advertising](#) shall be allowed on Temporary Business Identification Signs, provided that such advertising shall not exceed 50 percent of the area of the Business Identification Sign;

*Bylaw No. 7418*

*January 24, 1984*

iii) the use of Portable Signs and Balloon Signs for business identification, local advertising and general advertising within Commercial and Industrial Districts shall comply with the following provisions:

A) one Portable Sign and one Balloon Sign shall be allowed for each 30 m (98.4 ft.) of frontage of a business premise or multiple occupancy development provided that not more than one Portable Sign and one Balloon Sign shall be displayed on any site;

*Bylaw No. 9269*

*January 30, 1990*

B)the maximum duration of display for each Portable Sign location complying with Clause (A) above shall be a total of 180 days in a calendar year, provided that no Portable Sign shall remain at a location for more than 90 consecutive days, and following each removal of a Sign, the location shall remain free of Portable Signs for a minimum of 30 consecutive days. The maximum duration of display for each Balloon Sign location complying with Clause (A) above shall be a total of 90 days in a calendar year, provided that no Balloon Sign shall remain at a location for more than 30 consecutive days, and following each removal of a Sign, the location shall remain free of a Balloon Sign for a minimum of 30 consecutive days;

C)a business may apply to use a Portable Sign or Balloon Sign more than once in a calendar year and at more than one location, subject to compliance with Clauses (A) and (B) above;

D)on shopping centre sites districted CNC or CSC and planned as part of a residential subdivision or Neighbourhood Structure Plan, Portable Signs and Balloon Signs shall not be used for general advertising; and

*Bylaw No. 9269*

*January 30, 1990*

E)Balloon Signs shall be allowed in Commercial and Industrial Districts except where the site is:

aa)districted CNC or DC5 of a convenience retail nature;

bb)located adjacent to the following highway entrance roads:

i)Calgary Trail (Highway 2) Northbound and Southbound from 51 Avenue to the City limits; and

ii)Stony Plain Road (Highway 16), west from 170 Street to the City limits; and

cc)located within the PRIDE area of the Downtown, the Strathcona Historical area of Whyte Avenue, or any area where Council has established an Urban Design Scheme aimed at preserving an historical or urban design character;

*Bylaw No. 9269*

*January 30, 1990*

iv)notwithstanding the provisions of Subclause (iii) above, a business may display a Portable Sign for more than 90 days in the following circumstances:

A)the business is of a seasonal or temporary nature which operates for six months or less in a calendar year. In such cases, a Portable Sign shall be allowed for the operating period of the business; and

B)the business is a new business for which the manufacture and installation of an approved permanent Identification Sign has taken longer than 90 days. In such cases, the Development Officer may allow a Portable Sign to be used for up to an additional 60 days, provided that he is satisfied the business owner has made every effort to obtain a permanent Sign prior to the expiry of the 90 day limit and the delays are attributable to factors beyond the control of the applicant; and

v)Temporary Signs exceeding 0.5 m<sup>2</sup> (5.4 sq. ft.) in area or greater than 1.5 m (4.9 ft.) in Height, other than Window Signs or Signs provided for in Subclauses (i) and (ii) of this Clause 79.9(3)(b), which are used for local or general advertising of business services or products shall be subject to the Development Permit requirements for Portable Signs and shall comply with the provisions of Subclause (iii) of this Clause 79.9(3)(b). A business shall be permitted to display Window Signs for local advertising at any time during the year, without time limitation. Window Signs used for local advertising shall be located in windows at the first or second storey level only, and the Sign shall not cover more than 25 percent of the area of the window where the sign is displayed;

Edmonton Land Use Bylaw 5996

79.9(3)(c) Use of Temporary Signs and Portable Signs and Balloon Signs for Advertising Special Events

*Bylaw No. 7418*

*January 24, 1984*

c)Use of [Temporary Signs](#) and [Portable Signs](#) and [Balloon Signs](#) for Advertising Special Events:

i)Temporary Signs, Portable Signs and Balloon Signs shall be allowed for advertising special events of general public interest such as charity drives, health and safety campaigns, national or international amateur athletic and sports events, and City-wide celebrations such as Klondike Days, subject to the regulations of Subclauses (ii), (iii) and (iv) below;

*Bylaw No. 9269*

*January 30, 1990*

ii)the use of a Portable Sign or a Balloon Sign to advertise a special event referred to in Subclause (i) shall be allowed within Commercial and Industrial Districts in accordance with the provisions of Clause 79.9(3)(b)(iii) and, with the exception of Balloon Signs, within the A, AP and US Districts in accordance with the provisions of Clause 79.9(3)(d)(iii);

iii)Temporary [Facia](#) or [Freestanding](#) Signs constructed of rigid materials shall comply with the regulations of the Sign Schedule applicable to the Land Use District in which the Sign is to be erected; and

iv)banners, pennants or similar Signs shall be allowed on the site where the special event takes place and on any site of developed land within a Commercial or Industrial Land Use District. The maximum area of a banner or similar Sign shall be 10 m<sup>2</sup> (107.6 sq. ft.);

Edmonton Land Use Bylaw 5996

79.9 (3)(d) Use of Temporary Signs, Portable Signs and Balloon Signs for Advertising Community Activities and Recreation Facilities

*Bylaw No. 7418*

*January 24, 1984*

d)Use of [Temporary Signs](#), [Portable Signs](#) and [Balloon Signs](#) for Advertising Community Activities and Recreation Facilities:

i)Community leagues, churches, fraternal organizations and similar social or recreational organizations shall be allowed one Temporary On-premise Sign not exceeding 2 m<sup>2</sup> (21.5 sq. ft.) in area nor 3 m (9.8 ft.) in Height when freestanding, for the purpose of advertising community, social and recreational events or fund raising activities for the duration of the event;

ii)a Portable Sign or a Balloon Sign shall be allowed for the advertising purposes noted in Subclause (i) above on sites located within a Commercial or Industrial Land Use District in accordance with the provisions of Subclause 79.9(3)(b)(iii); and

*Bylaw No. 9269*

*January 30, 1990*

iii)a Portable Sign shall be allowed for the advertising purposes noted in Subclause (i) above in sites located within the [A](#), [AP](#) and [US](#) Land Use Districts in accordance with the following provisions:

A)District level park sites, parks or major facilities serving a regional or City-at-large function, and school sites shall be limited to two Signs per site, provided that the Signs are separated by a minimum distance of 30 m (98.4 ft.);

B)Neighbourhood park sites and sites other than those defined in Clause (A) above, shall be limited to one Portable Sign per site;

C)the maximum duration of display of a Portable Sign for each event or activity shall be specified by the District Parks and Recreation Director for A and AP sites and by the Principal for school sites. For all other sites, the duration of display shall be specified by the Development Officer. Such time limits shall not exceed 30 consecutive days for each event or activity and the cumulative use of Portable Signs shall not exceed a total of 180 days per calendar year; and

D)the use of Portable Signs shall be restricted to the identification or advertising of events or activities which take place on the site where the Sign is displayed;

Edmonton Land Use Bylaw 5996

79.9(3)(e) Use of Temporary Signs and Portable Signs for Real Estate and Advertising and Development Information in Developing Areas

*Bylaw No. 7418*

*January 24, 1984*

*Bylaw No. 9269*

*January 30, 1990*

*Bylaw No. 11832*

*August 24, 1998*

e)Use of [Temporary Signs](#) for Real Estate and Advertising and Development Information in Developing Areas.

The use of Temporary Signs within industrial subdivisions and residential neighbourhoods under development shall comply with the following regulations:

i)one Temporary Sign identifying the name of the subdivision or neighbourhood shall be allowed for each entrance, to a maximum of three Signs. The Sign shall be located wholly within the boundary of the subdivision or neighbourhood which it identifies and shall not encroach onto any public roadway, City right-of-way or boulevard. The Sign may identify the names of individual builders or general contractors with projects in the area. The maximum area of the Sign shall not exceed 10 m<sup>2</sup> (107.6 sq. ft.) and the maximum Height of the Sign, when freestanding, shall not exceed 4 m (13.1 ft.). The Sign shall be removed once the area under development it refers to has nearly been constructed, provided that in all cases the Sign shall be removed within two years after the date upon which Residential or Industrial Districts were passed;

*Bylaw No. 7322*

*September 16, 1983*

*Bylaw No. 7418*

*January 24, 1984*

ii)on a site for a Show Home or Residential Sales Centre, Signs shall comply with the following regulations:

A)one Temporary Freestanding Sign shall be allowed for each frontage of the development for the purpose of providing sales information and identifying the home builder, contractor or real estate company associated with the development. The maximum area of this Sign shall not exceed 3 m<sup>2</sup> (32.3 sq. ft.) and the maximum Height when freestanding shall not exceed 3 m (9.8 ft.), unless the site is located more than 60 m (196.8 ft.) from existing residential development and the frontage where the Sign is to be displayed is greater than 45 m (147.6 ft.) in length. In

such cases the maximum area of the Sign shall be 6 m<sup>2</sup> (64.6 sq. ft.) and the maximum Height when freestanding shall be 5 m (16.4 ft.);

B)banners and pennants identifying the builder, contractor or real estate company associated with the Show Home or Residential Sales Centre shall be allowed on site. The maximum area for any such single Sign shall not exceed 2 m<sup>2</sup> (21.4 sq. ft.) and where such Sign is affixed to a building, the top of the Sign shall not be located higher than the second storey;

C)hoardings or false fronts enclosing temporary structures may be used to display advertising copy and supergraphics provided that the total maximum area of advertising copy and supergraphics shall not exceed twenty-five percent (25%) of the total area of the hoarding or false front on which the copy is displayed. The total maximum area of advertising copy and supergraphics shall be determined on the basis of the one or more rectangles required to enclose the limits of each copy area; and

*Bylaw No. 9269*

*January 30, 1990*

D)~~Deleted~~; and

*Bylaw No. 7322*

*September 16, 1983*

iii)Temporary offsite Signs providing direction to the location of a [Residential Sales Centre](#) shall be allowed in accordance with the following provisions:

*Bylaw No. 7418*

*January 24, 1984*

A) each Residential Sales Centre shall be allowed a maximum of two Freestanding [Directional](#) Signs not exceeding an area of 6 m<sup>2</sup> (64.6 sq. ft.). Such Signs shall be located within a 2 km (1.24 mile) radius of the Residential Sales Centre and shall be located on undeveloped land having a minimum frontage of 45 m (147.6 ft.) and separated from any existing residential development by a minimum distance of 60 m (196.8 ft.). The copy on the Sign shall give primary emphasis to identifying the location of the Residential Sales Centre and may be used to identify the name of the builders or real estate companies associated with the Centre; and

B)in addition to the Signs allowed in (A) above, Temporary [Freestanding](#) Signs not exceeding 1 m<sup>2</sup> (10.8 sq. ft.) in area and 1.5 m (4.9 ft.) in Height shall be allowed for the purpose of giving direction to the location of Show Homes and Sales Centres. Such Signs shall be located wholly within the boundaries of the area under development within which the Residential Sales Centre or Show Home is located. The Sign shall not be located on vacant lands within neighbourhoods or subdivisions that border on an area under development. The copy on the Signs shall be limited to the name of the builder or the real estate company active in the area, an arrow, and the words "Open House", or "Show Home", or words of similar intent;

Edmonton Land Use Bylaw 5996

79.9(3)(f) Use of Temporary and Portable Signs for Building Construction Identification

*Bylaw No. 7418*

*January 24, 1984*

f) Use of [Temporary](#) and [Portable Signs](#) for Building Construction Identification:

i) one Temporary Construction Identification Sign shall be allowed for each frontage of the site;

ii) the copy on the Sign shall be limited to the identification of the architects, engineers, contractors or financiers involved in the project, a graphic representation of the development, and leasing or sales information;

iii) the maximum area of a Construction Identification Sign shall not exceed 10 m<sup>2</sup> (107.6 sq. ft.) and the Height of the Sign when freestanding, shall not exceed 4 m (13.1 ft.), except that developments on a site with an area of at least 4 ha (9.88 acres) shall be allowed a Sign with a maximum area of 20 m<sup>2</sup> (215.3 sq. ft.) and a maximum Height, when freestanding, of 6 m (19.7 ft.);

iv) construction Identification Signs shall be removed once the construction of the development they refer to has been completed; and

v) a Portable Sign shall not be used as a construction Identification Sign; and

Edmonton Land Use Bylaw 5996

79.9(3)(g) Use of Temporary and Portable Signs for Real Estate Advertising in Non-developing Areas:

*Bylaw No. 7418*

*January 24, 1984*

g) Use of [Temporary](#) and [Portable Signs](#) for Real Estate Advertising in Non-developing Areas:

i) one Temporary Real Estate Sign shall be allowed for a site, business premise or Dwelling unit, except that a site having more than one frontage shall be allowed one Sign for each additional frontage;

*Bylaw No. 10362*

*May 3, 1993*

ii) the maximum area for a real estate Sign in a RF1, RSL, RF2, RPL, RF3, RF4, RR, RMH, AP or A District shall be 0.5 m<sup>2</sup> (5.4 sq. ft.) and the maximum Height of the Sign, when freestanding, shall not exceed 1.5 m (4.9 ft.);

*Bylaw No. 11404*

*April 30, 1997*

iii) the maximum area for a Real Estate Sign in a DC1, HA, HDR, RA7, RA8, RA9, RF5, RF6, RMU, RMX or US District shall be 1.5 m<sup>2</sup> (16.1 sq. ft.) and the maximum Height of the Sign, when freestanding shall not exceed 2 m (6.6 ft.);

*Bylaw No. 11404*

*April 30, 1997*

iv) the maximum area for a Real Estate Sign in a AG, AGI, AGU, CB1, CB2, CCA, CHY, CMU, CMX, CNC, CO, CSC, DC2, DC4, EZ, IB, IM, IH, MA or MSC District shall be 2 m<sup>2</sup> (21.5 sq. ft.) and the maximum Height of the Sign, when freestanding, shall not exceed 2.5 m (8.2 ft.), except that sites having a frontage of at least 150 m (492.1 ft.) shall be allowed a Sign with a maximum area of 3 m<sup>2</sup> (32.2 sq. ft.) and the maximum Height of the Sign, when freestanding, shall not exceed 3 m (9.8 ft.);

*Bylaw No. 7418*

*January 24, 1984*

v) Portable Signs shall be allowed for real estate advertising in Commercial and Industrial Districts in accordance with the provision of Subsection 79.9(3)(b)(iii); and

*Bylaw No. 7418*

*January 24, 1984*

*Bylaw No. 11404*

*April 30, 1997*

vi)for sites districted HDR, RA7, RA8, RA9, RMU or RMX, one Portable Sign per site shall be allowed for the purpose of real estate advertising. Such Sign may be displayed for a maximum period of 180 days in a calendar year, provided that the Sign shall not remain on a site for more than 60 consecutive days and, following removal of the Sign, the site shall remain free of a Portable Sign for 30 consecutive days. Where a Portable Sign is used on a site, no Temporary Freestanding Sign shall be used for real estate advertising.

Edmonton Land Use Bylaw 5996

79A Sign Schedule for Land Use Districts: RF1, RSL, RF2, RPL, RF3, RF4, RR, RMH, AG, AGU, AP and A

*Bylaw No. 10362*

*May 3, 1993*

**79A Sign Schedule for Land Use Districts: RF1, RSL, RF2, RPL, RF3, RF4, RR, RMH, AG, AGU, AP and A**

### **79A.1 Allowable Signs and Sign Regulations**

1) The following Signs shall be allowed:

a) Class O Signs not requiring a Development Permit as listed in [Section 14.1](#), Clause (4) of this Bylaw;

b) [Temporary](#) Signs requiring a Development Permit as provided for in [Section 79.9](#) of this Bylaw;

*Bylaw No. 7418*

*January 24, 1984*

c) on any site of a non-residential use, not more than one Facia Identification Sign per business or use, of a maximum area not exceeding 1.5 m<sup>2</sup> (16.2 sq. ft.), except that:

i) in the A and AP Districts the maximum allowable area for a Facia Sign shall be 3 m<sup>2</sup> (32.4 sq. ft.);

ii) the Development Officer may approve additional Identification Signs on public recreational lands if, in his opinion, the Height, area and design of the Sign are compatible with the architectural and landscape character of the recreational lands and development; and

iii) a single non-electric Freestanding Identification Sign not exceeding 1.5 m<sup>2</sup> (16.2 sq. ft.) in area and not exceeding 2 m (6.6 ft.) in Height shall be allowed in place of a Facia Sign, where a site in a Residential District has a frontage of at least 30 m (98.4 ft.);

d) one permanent [Freestanding](#) Identification Sign may be placed at each entrance to a subdivision, neighbourhood or Mobile Home Park not exceeding 3 m (9.8 ft.) in Height or 4 m<sup>2</sup> (43.1 sq. ft.) in area. The copy on such Signs shall be restricted to the name of the subdivision, neighbourhood or Mobile Home Park and shall be located entirely upon private property within the area to which they refer. The Sign may be illuminated by an exterior light source and shall be landscaped in a manner consistent with the character and appearance of adjacent development. The person or company owning the Sign shall be solely responsible for the maintenance of the Sign and if the Sign is abandoned, the costs of its removal;

e) on sites districted AP and A, [Portable Signs](#) in accordance with the provision of [Section 79.9](#) of this Bylaw;

*Bylaw No. 10529*

*November 15, 1993*

f) Signs for [Minor Home Occupations](#) shall be in accordance with [Section 84](#) (1) of this Bylaw; and

*Bylaw No. 10529*

*November 15, 1993*

g) Signs for [Major Home Occupations](#) shall be in accordance with [Section 85](#) (1) of this Bylaw.

Edmonton Land Use Bylaw 5996

79B Sign Schedule for Land Use Districts: RF5, RF6, RA7 and RA8

## **79B Sign Schedule for Land Use Districts: RF5, RF6, RA7 and RA8**

### **79B.1 Allowable Signs and Sign Regulations**

1) The following Signs shall be allowed:

- a) Class O Signs not requiring a Development Permit as listed in [Section 14.1](#), Clause (4) of this Bylaw;
- b) [Temporary](#) Signs requiring a Development Permit as provided for in [Section 79.9](#) of this Bylaw;
- c) [Facia](#) Identification Signs on an Apartment Housing building not exceeding 1.5 m<sup>2</sup> (16.1 sq. ft.) in area;
- d) a [Canopy](#) Identification Sign, the maximum area of the copy of which shall not exceed 1.5 m<sup>2</sup> (16.2 sq. ft.), may be substituted for a Facia Identification Sign on an Apartment Housing building, provided that the Sign is erected upon a canopy which provides a protective covering over an entrance to the building;
- e) on any site of non-residential development, not more than one Facia Identification Sign per business or use, and not exceeding 1.5 m<sup>2</sup> (16.1 sq. ft.) in area. Such Sign may be illuminated;
- f) on the site of non-residential development, a single [Freestanding](#) Identification Sign not exceeding 1.5 m<sup>2</sup> (16.1 sq. ft.) in area, nor 2 m (6.6 ft.) in Height, may be allowed in place of a Facia Identification Sign where the site has a frontage of at least 15 m (49.2 ft.) and such Sign may be illuminated;
- g) on a site of residential development, Freestanding Illuminated or non-illuminated On-premise Identification and Directional Signs with a maximum Height of 2 m (6.6 ft.) and not exceeding 1.5 m<sup>2</sup> (16.1 sq. ft.) in area. Such Signs shall identify and give direction to individual buildings within a multi-family development. The size, number and placement of Signs shall be subject to the approval of the Development Officer who shall have regard for the orientation of the buildings, the complexity of the project and the number of access points thereto;
- h) one permanent Freestanding Identification Sign may be placed at each entrance to a subdivision or neighbourhood, not exceeding 3 m (9.8 ft.) in Height nor 4 m<sup>2</sup> (43.1 sq. ft.) in area. The copy on such Signs shall be restricted to the name of the neighbourhood or subdivision and shall be located entirely upon private property within the area to which they refer. The Sign may be illuminated by an exterior light source and shall be landscaped in a manner consistent with the character and appearance of adjacent development. The person or company owning the Sign shall be solely responsible for the maintenance of the Sign and if the Sign is abandoned, the cost of its removal; and

*Bylaw No. 7418*

*January 24, 1984*

- i) [Portable Signs](#), on sites districted RA7 and RA8, for the purpose of real estate advertising shall comply with the general provisions and use regulations for Portable Signs of [Section 79.9](#).



Edmonton Land Use Bylaw 5996

79C Sign Schedule for Land Use Districts: HDR, RA9, RMU and RMX

*Bylaw No. 11404*

*April 30, 1997*

**79C Sign Schedule for Land Use Districts: HDR, RA9, RMU and RMX**

**79C.1 Allowable Signs and Sign Regulations**

1) The following Signs shall be allowed:

a) Class O Signs not requiring a Development Permit as listed in [Section 14.1](#), Clause (4) of this Bylaw;

b) [Temporary Signs](#) requiring a Development Permit as provided for in [Section 79.9](#) of this Bylaw;

c) [Facia](#) Identification Signs on an Apartment Housing building not exceeding 1.5 m<sup>2</sup> (16.1 sq. ft.) in area;

d) a [Canopy](#) Identification Sign, the maximum copy of which shall not exceed 1.5 m<sup>2</sup> (16.9 sq. ft.) may be substituted for a [Facia](#) Identification Sign on an Apartment Housing building, provided that the Sign is erected upon a canopy which provides a protective covering over an entrance to the building;

e) on a site of residential development, [Freestanding](#) Illuminated or non-illuminated [On-premise](#) Identification and [Directional Signs](#) with a maximum Height of 2 m (6.6 ft.) and not exceeding 1.5 m<sup>2</sup> (16.1 sq. ft.) in area. Such Signs shall identify and give direction to individual buildings within a multifamily development and the size, number and placement of Signs shall be subject to the approval of the Development Officer who shall have regard for the orientation of buildings, the complexity of the project and the number of access points thereto;

f) on any site of a non-residential development not more than one [Facia](#) or [Canopy](#) Identification Sign per business or use, not exceeding 5 m<sup>2</sup> (53.8 sq. ft.) in area. [Canopy](#) and [Facia](#) Signs shall comply with general regulations of [Section 79.7](#) and may be illuminated;

g) on the site of a non-residential development one [Freestanding](#) Identification Sign not exceeding 1.5 m<sup>2</sup> (16.1 sq. ft.) in area nor 2 m (6.6 ft.) in Height may be allowed in place of a [Facia](#) or [Canopy](#) Identification Sign where the site has a frontage of at least 15 m (49.2 ft.) and such sign may be illuminated;

h) on sites of mixed residential and commercial development, individual business premises shall be restricted to one [Facia](#) [Business Identification](#) Sign which may be illuminated. Where a building is used for, or intended to be used for, multiple business occupancy at the ground floor level, [Facia](#) [Business Identification](#) Signs on the building shall be of similar proportion and construction materials, and in similar locations on the building facade. [Facia](#) [Business Identification](#) Signs shall comply with the general regulations of [Section 79.7](#); and

*Bylaw No. 7418*

*January 24, 1984*

i) [Portable Signs](#) for the purpose of real estate advertising shall comply with the general provisions and use regulations for Portable Signs of [Section 79.9](#).

Edmonton Land Use Bylaw 5996

79D Sign Schedule for Land Use Districts: CNC and CSC

## **79D Sign Schedule for Land Use Districts: CNC and CSC**

### **79D.1 Allowable Signs**

1) The following Signs shall be allowed, subject to the Sign Regulations of this Schedule:

- a) Class O Signs not requiring a Development Permit as provided for in [Section 14.1](#), Clause (4) of this Bylaw;
- b) [Temporary](#) Signs requiring a Development Permit as provided for in [Section 79.9](#) of this Bylaw;
- c) [Awning](#), [Canopy](#), [Under-canopy](#), [Facia](#), [Freestanding](#), [Projecting](#) and [Window](#), [On-premise Business Identification](#) Signs and On-premise [Changeable Copy](#) and [Local Advertising](#) Signs;
- d) [Portable Signs](#);

*Bylaw No. 8324*

*September 24, 1986*

- e) [Facia](#) and [Freestanding General Advertising](#) Signs; and

*Bylaw No. 8744*

*May 24, 1988*

*Bylaw No. 9269*

*January 30, 1990*

- f) [Balloon](#) Signs on CSC sites only, as provided for in Section 79.9(3)(b)(iii) of this Bylaw.

### **79D.2 Sign Regulations**

1) All On-premise Business Identification, Changeable Copy and Local Advertising Signs shall comply with the general regulations for On-premise Signs of [Section 79.7](#), subject to the following additional regulations and exceptions:

- a) Projecting Signs shall be allowed only where, in the opinion of the Development Officer, they are a common feature of signage on developments adjacent to the site where the Sign is proposed, and where the CNC or CSC site is part of a larger commercial strip area;
- b) the maximum area of a Canopy or Projecting Sign shall be 9 m<sup>2</sup> (96.9 sq. ft.);

*Bylaw No. 8324*

*September 24, 1986*

c)the maximum Height of a Freestanding Sign shall be 8 m (26.2 ft.) for a business premise or multiple occupancy business development having frontage of at least 30 m (98.4 ft.);

d)the maximum area of a Freestanding Sign shall be 20 m<sup>2</sup> (215.3 sq. ft.);

e)Freestanding Signs shall be allowed to rotate where the rotation is designed to expose sign faces with different copy;

*Bylaw No. 8324*

*September 24, 1986*

f)the maximum number of Freestanding Signs per site shall be four provided that the required minimum frontages and Separation Space are met;

g)**Deleted;**

h)**Deleted;**

i)**Deleted;** and

j)**Running Lights** shall be allowed only on Facia or Canopy Business Identification Signs on premises used for **Drive-in Food Services**, Indoor Amusement Establishments, **Major** or **Minor** Eating and Drinking Establishments and **Spectator Entertainment Establishments**.

*Bylaw No. 7418*

*January 24, 1984*

*Bylaw No. 8324*

*September 24, 1986*

2)Portable Signs and Balloon Signs shall comply with the general provisions and use regulations for Portable and Balloon Signs of [Section 79.9](#).

*Bylaw No. 8744*

*May 24, 1988*

3)General Advertising Signs shall comply with the general regulations of [Section 79.8](#), and may be allowed only on CNC and CSC sites which are an integral part of a commercial strip.

Edmonton Land Use Bylaw 5996

79E Sign Schedule for Land Use Districts: CB1, CB2 and CHY

## **79E Sign Schedule for Land Use Districts: CB1, CB2 and CHY**

### **79E.1 Allowable Signs**

1) The following Signs shall be allowed, subject to the Sign Regulations of this Schedule:

- a) Class O Signs not requiring a Development Permit as provided for in [Section 14.1](#), Clause (4), of this Bylaw;
- b) [Temporary](#) Signs requiring a Development Permit as provided for in [Section 79.9](#) of this Bylaw;
- c) [Awning](#), [Canopy](#), [Under-canopy](#), [Facia](#), [Freestanding](#), [Projecting](#) and [Window](#), [On-premise Business Identification](#) Signs and On-premise [Changeable Copy](#) and [Local Advertising](#) Signs;
- d) [Roof](#) Business Identification Signs, except that such Signs are prohibited in CHY District;
- e) [Portable Signs](#);

*Bylaw No. 8744*

*May 24, 1988*

- f) [Facia](#) and [Freestanding](#) [General Advertising](#) Signs;

*Bylaw No. 8324*

*September 24, 1986*

- g) [Roof](#) [General Advertising](#) Signs, except that such Signs are prohibited in the CHY District; and

*Bylaw No. 9269*

*January 30, 1990*

- h) [Balloon](#) Signs except where prohibited under Section 79.9(3)(b)(iii) of this Bylaw.

### **79E.2 Sign Regulations**

1) All On-premise Business Identification, Changeable Copy and Local Advertising Signs shall comply with the general regulations for On-premise Signs of [Section 79.7](#), subject to the following additional regulations and exceptions:

- a) the maximum Height of a Freestanding Sign shall be:

- i) 8 m (26.2 ft.) for a business premise or multiple occupancy business development having a frontage of at least 30 m (98.4 ft.) but not greater than 60 m (196.8 ft.);
  - ii) 10 m (32.8 ft.) for a business premise or multiple occupancy business development having a frontage greater than 60 m (196.8 ft.); and
  - iii) where a Freestanding Sign is located adjacent to a public roadway having a posted traffic speed of 70 km/hr (43.5 mph) or greater, the maximum allowable sign Height set out in Clauses (i) and (ii) above shall be increased by 2 m (6.6 ft.).
- b) the allowable Sign area for a Freestanding Sign located adjacent to a public roadway having a posted traffic speed of 70 km/hr (43.5 mph) or greater shall be 0.4 m<sup>2</sup> (4.3 sq. ft.) for each lineal metre (3.3 ft.) of frontage where the Sign is to be erected;
- c) the maximum area of a Freestanding Sign shall be 24 m<sup>2</sup> (258.3 sq. ft.) except that where the Sign is located adjacent to a public roadway having a posted traffic speed of 70 km/hr (43.5 mph) or greater, the maximum area shall be 30 m<sup>2</sup> (322.9 sq. ft.);
- d) Freestanding Signs shall be allowed to rotate where the rotation is designed to expose sign faces with different copy;
- e) where a site is adjacent to a public roadway designated as a Highway Entrance Route or Limited Access Route in [Section 79.5](#), the additional regulations of that Section for Business Identification Signs shall apply; and
- f) [Running Lights](#) and [animated](#) graphics shall be allowed only on Facia, Canopy or Projecting Signs on business premises used for Drive-in Food Services, Indoor Amusement Establishments, Hotels, Motels, Major or Minor Eating and Drinking Establishments and Spectator Entertainment Establishments.

*Bylaw No. 8324*

*September 24, 1986*

*Bylaw No. 8744*

*May 24, 1988*

2) Portable and Balloon Signs shall comply with the general provisions and use regulations for Portable and Balloon Signs of [Section 79.9](#).

Edmonton Land Use Bylaw 5996

79F Sign Schedule for Land Use Districts CMX and CO Located Outside the Downtown Area Redevelopment Plan Area\*

**79F Sign Schedule for Land Use Districts CMX and CO Located Outside the Downtown Area Redevelopment Plan Area\***

*Bylaw No. 10741*

*June 20, 1994*

*\*For the boundaries of the Downtown ARP area, please refer to the Downtown Statutory Plan Overlay map in Section 910.*

**79F.1 Allowable Signs**

1) The following Signs shall be allowed, subject to the Sign Regulations of this Schedule:

- a) Class O Signs not requiring a Development Permit as provided for in [Section 14.1](#), Clause (4) of this Bylaw;
- b) [Temporary](#) Signs requiring a Development Permit as provided for in [Section 79.9](#) of this Bylaw;
- c) [Awning](#), [Canopy](#), [Under-canopy](#), [Facia](#), [Freestanding](#), [Projecting](#) and [Window](#), [On-premise Business Identification](#) Signs and On-premise [Changeable Copy](#) and [Local Advertising](#) Signs;
- d) [Portable Signs](#);

*Bylaw No. 8324*

*September 24, 1986*

*Bylaw No. 8744*

*May 24, 1988*

- e) [Facia](#) and [Freestanding General Advertising](#) Signs; and

*Bylaw No. 9269*

*January 30, 1990*

- f) [Balloon Signs](#) except where prohibited under [Section 79.5](#) and 79.9(3)(b)(iii) of this Bylaw.

**79F.2 Sign Regulations**

1)All On-premise Business Identification, Changeable Copy and Local Advertising Signs shall comply with the general regulations for On-Premise Signs of [Section 79.7](#), subject to the following additional regulations and exceptions:

*Bylaw No. 8324*

*September 24, 1986*

- a)the maximum Height of a Freestanding Sign shall be 8 m (26.2 ft.) and the maximum area shall be 12 m<sup>2</sup> (129.2 sq. ft.);
- b)animated graphics and Running Lights shall be allowed on Facia, Canopy and Projecting Business Identification Signs on premises used for Drive-in Food Services, Indoor Amusement Establishments, Hotels, Motels, Major and Minor Eating and Drinking Establishments, and Spectator Entertainment Establishments; and
- c)where a site is adjacent to a public roadway designated as a Highway Entrance Route or Limited Access Route in [Section 79.5](#), the additional regulations of that Section for Business Identification Signs shall apply.

*Bylaw No. 8324*

*September 24, 1986*

*Bylaw No. 8744*

*May 24, 1988*

2)Portable and Balloon Signs shall comply with the general provisions and use regulations for Portable and Balloon Signs of [Section 79.9](#).

Edmonton Land Use Bylaw 5996

79G Sign Schedule for Land Use Districts CCA, CMU, EZ and MSC Located within the Downtown Area Redevelopment Plan Area\*

*Bylaw No. 11404*

*April 30, 1997*

**79G Sign Schedule for Land Use Districts CCA, CMU, EZ and MSC Located within the Downtown Area Redevelopment Plan Area\***

*Bylaw No. 10741*

*June 20, 1994*

*\*For the boundaries of the Downtown ARP area, please refer to the Downtown Statutory plan Overlay map in Section 910.*

### **79G.1 Allowable Signs**

1) The following Signs shall be allowed, subject to the Sign Regulations of this Schedule:

- a) Class O Signs not requiring a Development Permit as provided for in [Section 14.1](#), Clause (4) of this Bylaw;
- b) [Temporary](#) Signs requiring a Development Permit as provided for in [Section 79.9](#) of this Bylaw;
- c) [Awning](#), [Canopy](#), [Under-canopy](#), [Facia](#), [Freestanding](#), [Projecting](#) and [Window](#), [On-premise Business Identification](#) Signs and On-premise [Changeable Copy](#) and [Local Advertising](#) Signs;

d) [Portable Signs](#);

*Bylaw No. 8744*

*May 24, 1988*

e) Facia and Freestanding [General Advertising](#) Signs;

*Bylaw No. 8324*

*September 24, 1986*

f) General Advertising [Roof Signs](#) and On-premise Business Identification Roof Signs, except that such Signs are prohibited in the civic centre area bounded by the Canadian National Railway's Central Yard to the north, the North Saskatchewan River Valley to the south, 97 Street to the east, and 100 Street to the west; and

*Bylaw No. 9269*

*January 30, 1990*

**g) Deleted.**

## **79G.2 Sign Regulations**

1) Real Estate Signs and Construction Identification Signs may be constructed as electrical Signs.

2) All On-premise Business Identification, Changeable Copy and Local Advertising Signs, shall comply with the general regulations for On-premise Signs of [Section 79.7](#), subject to the following additional regulations and exceptions:

*Bylaw No. 8324*

*September 24, 1986*

a) the maximum Height of a Freestanding Sign shall be 8 m (26.2 ft.) and the maximum area shall be 12 m<sup>2</sup> (129.2 sq. ft.);

b) animated graphics, Scintillating Lights and Running Lights shall be allowed only on Facia, Canopy and Projecting Business Identification Signs on premises used for Indoor Amusement Establishments, Hotels, Motels, Major and Minor Eating and Drinking Establishments and Spectator Entertainment Establishments;

c) businesses located below grade shall not be allowed individual Identification Signs above grade. Such businesses shall be allowed identification on an above grade Identification Sign which complies with the following regulations:

i) the Sign shall be designed as a Freestanding ground Sign in which the total width of the support structure is equal to, or greater than, 50 percent of the width of the sign face when viewed from any side of the Sign, or shall be designed as a Facia Sign;

ii) the maximum area of a single Sign face shall not exceed 2 m<sup>2</sup> (21.5 sq. ft.);

iii) the maximum Height shall not exceed 2 m (6.6 ft.) in the case of a ground Sign and in the case of a Facia Sign, the highest part of the Sign shall not be located higher than 2 m (6.6 ft.) above the sidewalk immediately below the Sign;

iv) the copy on the sign shall be limited to identification of business and shall be scaled for viewing by pedestrians; and

v) one Sign shall be allowed for each entrance providing a direct underground connection to the businesses below grade.

*Bylaw No. 8324*

*September 24, 1986*

*Bylaw No. 8744*

*May 24, 1988*

*Bylaw No. 9269*

*January 30, 1990*

3) Portable Signs shall comply with the general provisions and use regulations for Portable Signs of [Section 79.9](#).

*Bylaw No. 8744*

*May 24, 1988*

4) General Advertising Signs shall comply with the general regulations of [Section 79.8](#), subject to the following additional regulations:

a) Billboards located in the civic area bounded by the Canadian National Railway's Central Yard to the north, the North Saskatchewan River Valley to the south, 97 Street to the east and 100 Street to the west may be allowed at the discretion of the Development Officer, if:

i) the Sign is a Freestanding Sign or wall-mounted Sign; and

ii) the Sign is located on vacant land or buildings intended for demolition and redevelopment.

Edmonton Land Use Bylaw 5996

79H Sign Schedule for Land Use Districts: AGI, MA, IB, IM and IH

## **79H Sign Schedule for Land Use Districts: AGI, MA, IB, IM and IH**

### **79H.1 Allowable Signs**

1) The following Signs shall be allowed, subject to the Sign Regulations of this Schedule:

- a) Class O Signs not requiring a Development Permit as provided for in [Section 14.1](#), Clause (4) of this Bylaw;
- b) [Temporary](#) Signs requiring a Development Permit as provided for in [Section 79.9](#) of this Bylaw;
- c) [Awning](#), [Canopy](#), [Under-canopy](#), [Facia](#), [Freestanding](#), [Projecting](#) and [Window](#), [On-premise Business Identification](#) Signs and On-premise [Changeable Copy](#) and [Local Advertising](#) Signs;
- d) [Roof](#) Business Identification Signs, except that such Signs are prohibited in the AGI, MA and IB Districts;
- e) [Portable Signs](#);

*Bylaw No. 8324*

*September 24, 1986*

*Bylaw No. 8744*

*May 24, 1988*

f) [Facia](#), [Freestanding](#) and [Roof](#) [General Advertising Signs](#), except that:

- i) [Billboards](#) are prohibited in the MA District; and
- ii) [General Advertising](#) [Roof](#) Signs are prohibited in the AGI and IB Districts; and

*Bylaw No. 9269*

*January 30, 1990*

g) [Balloon Signs](#), except where prohibited under Section 79.9(3)(b)(iii) of this Bylaw.

### **79H.2 Sign Regulations**

1) All On-premise Business Identification, Changeable Copy and Local Advertising Signs shall comply with the general regulations for On-premise Signs of [Section 79.7](#), subject to the following additional regulations and exceptions:

a) the maximum Height of a Freestanding Sign shall be:

i) 8 m (26.2 ft.) for a business premise or multiple occupancy business development having a frontage of at least 30 m (98.4 ft.) but not greater than 60 m (196.8 ft.);

ii) 10 m (32.8 ft.) for a business premise or multiple occupancy business development having a frontage greater than 60 m (196.8 ft.); and

iii) where a Freestanding Sign is located adjacent to a public roadway having a posted traffic speed of 70 km/hr (43.5 mph) or greater, the maximum allowable sign Height set out in Clauses (i) and (ii) above shall be increased by 2 m (6.6 ft.);

b) the allowable Sign area for a Freestanding Sign located adjacent to a public roadway having a posted traffic speed of 70 km/hr (43.5 mph) or greater shall be 0.4 m<sup>2</sup> (4.3 sq. ft.) for each lineal metre (3.3 ft.) of frontage along which the Sign is to be erected;

c) the maximum area of a Freestanding Sign shall be 24 m<sup>2</sup> (258.3 sq. ft.) except that where the Sign is located adjacent to a public roadway having a posted traffic speed of 70 km/hr (43.5 mph) or greater the maximum area shall be 30 m<sup>2</sup> (322.9 sq. ft.);

d) a Freestanding Sign shall be allowed to rotate where the rotation is designed to expose sign faces with different copy;

e) where a site is adjacent to a public roadway designated as a Highway Entrance Route or Limited Access Route in [Section 79.5](#), the additional regulations of that Section for Business Identification Signs shall apply; and

f) animated graphics and Running Lights shall be allowed only on Facia, Canopy and Projecting Signs on premises used for Drive-in Food Services, Hotels, Motels and Major and Minor Eating Establishments.

2) Portable and Balloon Signs shall comply with the general provisions and use regulations for Portable and Balloon Signs of [Section 79.9](#).

*Bylaw No. 8744*

*May 24, 1988*

3) General Advertising Signs shall comply with the general regulations of [Section 79.8](#), subject to the following additional regulations:

a) General Advertising Signs may be allowed at the discretion of the Development Officer in the IB and AGI Districts where:

i) the Land Uses and development surrounding the subject site are predominantly commercial in nature and their visual character and site orientation is similar to that of the commercial strip areas typical of the CB2 District; and

ii) the site where the Sign is proposed has direct access or access from a service road from the public roadway from which the Sign is intended to be viewed.

Edmonton Land Use Bylaw 5996

79I Sign Schedule for Land Use Districts: US, PU and DC4

**79I Sign Schedule for Land Use Districts: US, PU and DC4**

**79I.1 Allowable Signs**

1) Signs shall be allowed in these Districts in accordance with the provisions of the Sign Schedule applicable to the most restrictive abutting District.

2) Where, in the opinion of the Development Officer, it is unreasonable for a Sign development to comply with Clause (1) above because of characteristics fundamental to the nature of the site and the development, he may relax the requirements of Clause (1) in accordance with the provisions of [Section 11.5](#) of this Bylaw.

Edmonton Land Use Bylaw 5996

79J Sign Schedule for Land Use Districts: DC1, DC2 and HA

*Bylaw No. 11404*

*April 30, 1997*

## **79J Sign Schedule for Land Use Districts: DC1, DC2 and HA**

### **79J.1 Allowable Signs and Sign Regulations**

1) Signs requiring a Development Permit may be allowed for developments in a DC1 District at the discretion of the Development Officer, who shall have regard for all or any of the following:

- a) the Sign use provisions and criteria of an applicable Area Structure Plan or Area Redevelopment Plan;
- b) the Sign provisions of a Sign Schedule specified for the DC1 District in an applicable Area Structure Plan or Area Redevelopment Plan;
- c) the visual harmony and compatibility of the proposed Sign with the architectural character and finish of the development and with the design, location and appearance of other Signs on the development;
- d) any relevant development criteria or conditions applying to a site as a result of its designation as a historical resource under the Historical Resources Act, 1980; and
- e) the Sign provisions of the Sign Schedules applicable to the Land Use Districts abutting the DC1 District in cases where there are no Sign provisions for the DC1 District, pursuant to Clauses (a), (b) and (d) above.

2) Signs requiring a Development Permit may be allowed for developments in a DC2 District at the discretion of the Development Officer who shall have regard for all or any of the following:

- a) Sign criteria specified within the Development Agreement approved by Council to regulate the use and development of the site where the Sign is proposed;
- b) the Sign provisions of the Sign Schedules applicable to the Land Use Districts abutting the DC2 site where the proposed Sign is to be erected; and
- c) the visual harmony and compatibility of the proposed Sign with the architectural character and finish of the development and with the design, location and appearance of other Signs on the development.

Edmonton Land Use Bylaw 5996

80. Applicability

**80.Applicability**

The Special Land Use Provisions apply to the uses listed irrespective of the District in which they are located. Where these Provisions appear to be in conflict with the District or Overlay regulations in which the use is either a Permitted or a Discretionary Use, the Special Land Use Provisions shall take precedence and shall be applied in addition to the requirements in the District, except in the case of the Airport Protection Overlay and provided that a District or Overlay may, in its regulations, specifically exclude or modify these provisions with respect to any use.

Edmonton Land Use Bylaw 5996

81. Religious Assembly

**81. Religious Assembly**

A Religious Assembly shall comply with the following special provisions:

1) the site for a Religious Assembly shall have a frontage of at least 30 m (98.4 ft.) and an area of at least 930 m<sup>2</sup> (10,010.4 sq. ft.);

2) where a manse, rectory, parsonage or other building for a minister's residence is to be erected on the same site as the Religious Assembly, the combined area of the site shall not be less than 1 300 m<sup>2</sup> (13,993.1 sq. ft.);

*Bylaw No. 10207*

*August 15, 1994*

3) where a Religious Assembly is to be developed directly adjacent to a Residential or Residential-Related Use Class which is not associated with the Religious Assembly use, the following regulations shall apply:

a) the maximum total site coverage shall not exceed 40%;

b) the maximum Height shall not exceed 10 m (32.8 ft.) or the maximum allowable building Height of the applicable District, whichever is greater;

c) the building Setback shall be a minimum of 4.5 m (14.8 ft.) along Side Yards flanking abutting residential development;

d) the building Setback shall be a minimum of 7.5 m (24.6 ft.) along Rear Yards; and

e) the building Setback shall be a minimum of 6.0 m (19.7 ft.) along Front Yards separated by a public roadway not wider than 20 m (65.6 ft.) from residential development shall be required. Where the roadway is wider than 20 m (65.6 ft.), the normal Front Yard applicable in the relevant Land Use District shall apply; and

4) where a Religious Assembly is to be erected which, due to its proximity to a use or uses on another site may, in the opinion of the Development Officer, adversely impact on such other uses, the Development Officer may require that the development be designed to reduce the perceived massing of the structure through techniques including, but not limited to, increased Setbacks, articulation of elevations and rooflines, and the colour of finishing materials.

Edmonton Land Use Bylaw 5996

82. Vehicular - Oriented Uses

## **82.Vehicular - Oriented Uses**

### **82.1Applicability**

1)Developments in the following Use Classes shall comply with the special regulations of this Section:

- a)Drive-in Food Services;
- b)Gas Bars;
- c)Minor and Major Service Stations; and
- d)Rapid Drive-through Vehicle Services.

2)The Development Officer may also require that developments not included in the Use Classes listed in Clause (1) above, shall comply with the regulations of this Section if, in his opinion, such developments provide Drive-in service or service in which patrons remain within their vehicle.

### **82.2Development Regulations**

1)Sites shall be located:

- a)at the intersection of two or more public roadways, but not including lanes, provided that a site may be located between intersections where there is a service road or a centre dividing strip on the public roadway; or
- b)adjacent to a traffic interchange, but not including a rotary or traffic circle; or

*Bylaw No. 11261*

*June 17, 1996*

c)as part of a shopping centre or in conjunction with other commercial development, if the Transportation Department is satisfied that the development will not adversely affect the functioning of surrounding public roadways, or traffic circulation on the site.

2)The minimum frontage shall be 30 m (98.42 ft.).

3)Service Stations and Rapid Drive-through Vehicle Services shall have a minimum lot depth of 30 m (98.42 ft.).

4)Site area and coverage shall be provided as follows:

a)the minimum site area for Drive-in Food Services, or developments defined in Section 82.1(2), shall be 930 m<sup>2</sup>

(10,010.42 sq. ft.), and the maximum site coverage shall be 15%;

b)the minimum site area for a Service Station as an independent development shall be 1 200 m<sup>2</sup> (12,916.68 sq. ft.) and the maximum site coverage, including pump islands, shall not exceed 20%;

c)the minimum site area and coverage for a Gas Bar as an independent development shall be determined on the basis of 60 m<sup>2</sup> (645.83 sq. ft.) of space not covered by buildings or structures for each fuel pump;

d)the minimum site area and coverage for a Rapid Drive-through Vehicle Services development shall be determined on the basis of 140 m<sup>2</sup> (1,506.94 sq. ft.) of space not covered by buildings or structures for each service bay, except that the minimum site area and coverage for any complete service car wash shall be determined on the basis of 370 m<sup>2</sup> (3,982.64 sq. ft.) of space not covered by buildings or structures for each car wash bay; and

e)where two or more of the aforementioned uses are part of a mixed use development on the same site, the total site area requirements shall be the sum of the requirements of the uses computed separately, unless the applicant can demonstrate to the Development Officer that there is a complementary use of space which would warrant a reduction in site area requirement.

5)Queuing Space shall be provided as follows:

a)for Drive-in Food Services, and other developments having a driveup service window, a minimum of six inbound queuing spaces shall be provided for vehicles approaching the driveup service window. One outbound queuing space shall be provided on the exit side of each service position and this space shall be located so as not to interfere with service to the next vehicle;

b)for Rapid Drive-through Vehicle Services, a minimum of five inbound and three outbound queuing spaces shall be provided for each service bay, except that in the case of a complete service car wash a minimum of twenty inbound and five outbound queuing spaces shall be provided for each bay; and

*Bylaw No. 10457*

*January 25, 1994*

c)all queuing spaces shall be a minimum of 6.5 m (21.32 ft.) long and 3 m (9.84 ft.) wide. Queuing lanes shall provide sufficient space for turning and maneuvering.

6)Gas Bars and Service Stations shall adhere to the following additional regulations:

a)all pump islands shall be located at least 6 m (19.68 ft.) from any boundary of the site, parking area on the site, or laneways intended to control traffic circulation on the site; and

*Bylaw No. 10207*

*August 15, 1994*

b)any canopy over a gas pump island shall be no closer than 3 m (9.84 ft.) to any boundary of the site, and shall be designed, finished, and of a height and scale satisfactory to the Development Officer, such that, in the opinion of the Development Officer, the canopy is not obtrusive, and maintains consistency with the design and eave line of the principal building on site. The canopy area shall not be included in the calculation of site coverage for the purpose of this Section 82.2; and

*Bylaw No. 10207*

*August 15, 1994*

c)where these Use Classes are adjacent to residential uses, or separated from them by a lane, or are directly visible to

residential uses across a public roadway, the design, finishing, lighting and siting of development, including the orientation of gas pump islands and service bays, shall be carried out to the satisfaction of the Development Officer, with the intent of achieving a compatible relationship with surrounding development and a high standard of appearance when viewed from adjacent roadways.

*Bylaw No. 10207*

*August 15, 1994*

7)Rapid Drive-through Vehicle Services shall adhere to the following additional regulations:

a)the orientation of service bays, vehicular circulation and queuing aisles shall be to the satisfaction of the Development Officer, in consultation with the Transportation Department, having regard to the minimization of on-site and off-site traffic impacts;

b)the design, finishing and siting of such development shall be to the satisfaction of the Development Officer, with the intent of achieving a compatible relationship with surrounding development and a high standard of appearance when viewed from adjacent roadways; and

c)such uses shall be set back a minimum of 15 m (49.2 ft.), from the property line of adjacent residential development where such development is adjacent or is separated by a public lane.

*Bylaw No. 10207*

*August 15, 1994*

8)Drive-in Food Services shall adhere to the following additional regulations:

a)the location, orientation and setback of food pick-up windows shall be to the satisfaction of the Development Officer in consultation with the Transportation Department, having regard to the minimization of on-site and off-site traffic impacts.

Edmonton Land Use Bylaw 5996

83. Carnivals

### **83. Carnivals**

#### **83.1 Applicability**

The following regulations shall apply to Carnivals which are located on a site other than Exhibition Grounds approved under this Bylaw, except the regulations shall not apply to Carnivals and Fairs sponsored by non-profit community organizations developed in accordance with the provisions for such uses within the A and AP Districts.

#### **83.2 Development Regulations**

- 1) An application to develop a Carnival shall be made to the Development Officer by the owners or managers of the subject site.
- 2) The maximum period of time a Development Permit shall remain in effect for a Carnival shall be 30 days.
- 3) Sites shall be located as follows:
  - a) a Carnival shall be located as part of a shopping centre site of a minimum of 4 ha (9.88 acres) in area, or on the site of an Outdoor Amusement Establishment for which a Development Permit has been issued;
  - b) notwithstanding Clause (a) above, the Development Officer may refuse the proposed location for a Carnival development if, in his opinion, the size or operational characteristics of such developments are likely to cause a nuisance or undue annoyance to residents in the immediate vicinity of the site by reason of such factors as noise, dust, odour, animal waste and traffic circulation; and
  - c) where a Carnival is listed as a permitted or Discretionary Use in any other District of this Bylaw, the location shall be subject to the approval of the Development Officer having regard to any nuisance or undue annoyance that the development may cause to property owners in the immediate vicinity of the site by reason of such factors as noise, dust, odour, animal waste and traffic circulation.

Edmonton Land Use Bylaw 5996

84. Minor Home Occupation

**84.Minor Home Occupation**

*Bylaw No. 10529*

*November 15, 1993*

A Minor Home Occupation shall comply with the following regulations:

- 1)there shall be no exterior signage, display or advertisement other than a business identification plaque or sign 10 cm (4") x 30.5 cm (12 ") in size located on the Dwelling;
- 2)there shall be no mechanical or electrical equipment used which creates external noise, or visible and audible interference with home electronics equipment in adjacent Dwellings;
- 3)the Minor Home Occupation shall not employ any person on-site other than a resident of the Dwelling;
- 4)there shall be no outdoor business activity, or outdoor storage of materials or equipment associated with the business allowed on the site. Indoor storage shall only be allowed inside the Dwelling;
- 5)the Minor Home Occupation shall not change the principal character or external appearance of the Dwelling involved; and
- 6)in addition to the information requirements of Section 15.1 of this Bylaw, each application for a Development Permit for the Use Class Minor Home Occupation shall include a description of the business to be undertaken in the Dwelling, an indication of the anticipated number of business visits per week and details for the provision of parking.

Edmonton Land Use Bylaw 5996

85. Major Home Occupation

**85. Major Home Occupation**

*Bylaw No. 10529*

*November 15, 1993*

*Bylaw 11261*

*June 17, 1996*

A Major Home Occupation shall comply with the following regulations:

- 1) there shall be no exterior display or advertisement other than an identification plaque or sign a maximum of 20 cm (8") x 30.5 cm (12") in size located on the Dwelling;
- 2) there shall be no mechanical or electrical equipment used which creates external noise, or visible and audible interference with home electronics equipment in adjacent Dwellings;
- 3) the Major Home Occupation shall not, in the opinion of the Development Officer, generate pedestrian or vehicular traffic, or parking, in excess of that which is characteristic of the District in which it is located;
- 4) the number of non-resident employees or business partners working on-site shall not exceed two (2) at any one time;
- 5) there shall be no outdoor business activity, or outdoor storage of material or equipment associated with the business. Indoor storage related to the business activity shall be allowed in either the Dwelling or accessory buildings;
- 6) the Major Home Occupation shall not change the principal character or external appearance of the Dwelling or accessory buildings;
- 7) a Bed and Breakfast Operation, operating as a Major Home Occupation shall have a maximum of two (2) Sleeping Units. Cooking facilities shall not be located within the Sleeping Units. In addition to any other parking requirements of this Bylaw, one additional parking space shall be provided for each Sleeping Unit;
- 8) in addition to the information requirements of Section 15.1 of this Bylaw, each application for a Development Permit for the Use Class Home Occupation, Major shall include a description of the business to be undertaken at the premise, an indication of the number of business visits per week, provision for parking, and where any materials or equipment associated with the business use are to be stored; and
- 9) the Major Home Occupation shall not be allowed if, in the opinion of the Development Officer, such use would be more appropriately located in a Commercial or Industrial District having regard for the overall compatibility of the use with the residential character of the area.

Edmonton Land Use Bylaw 5996

86. Boarding and Lodging Houses

**86.Boarding and Lodging Houses**

For the purpose of calculating the density of this Use Class, a Sleeping Unit shall be considered to be a Dwelling. The same shall apply to any other Use Class for which the residential component is, by definition, a Boarding and Lodging House.

Edmonton Land Use Bylaw 5996

87. Apartment Housing and Boarding and Lodging Houses, for Senior Citizens

**87. Apartment Housing and Boarding and Lodging Houses, for Senior Citizens**

*Bylaw No. 7729*

*March 12, 1985*

The following provisions apply where Apartment Housing or a Boarding and Lodging House is to be developed for the purpose of accommodating Senior Citizens and where, in the opinion of the Development Officer, the development provides bona fide non-profit Senior Citizen accommodation:

*Bylaw No. 11404*

*April 30, 1997*

1) notwithstanding [Section 11.6](#), where the site is in one of the HDR, RA7, RA8 or RA9 Districts, or a combination thereof, the maximum density specified in the specific District may be increased by 50% for this purpose. In addition, the maximum Floor Area Ratio for such Senior Citizen accommodation in the RA8, Medium Rise Apartment District, shall be 2.25; and

*Bylaw No. 11404*

*April 30, 1997*

2) notwithstanding [Section 11.6](#), where the site is in one of the HDR, RA7, RA8 or RA9 Districts, or a combination thereof, the Development Officer may increase the maximum Height, Floor Area Ratio and further increase the density regulations of this Bylaw for Senior Citizen accommodation in accordance with the provisions of [Section 11.5](#) of this Bylaw, in which case the development shall be considered a Class D development and subject to the provisions of [Section 14.5](#).

Edmonton Land Use Bylaw 5996

88. Conversion of Single Detached, Semi detached, or Duplex Dwellings to Professional Offices

**88. Conversion of Single Detached, Semi-detached, or Duplex Dwellings to Professional Offices**

1) In considering any application for the Conversion of a Single Detached, Semi-detached, or Duplex Dwelling to a Professional Office, the Development Officer shall ensure the development complies with the following requirements:

- a) parking shall be provided in accordance with [Section 66](#) of this Bylaw;
- b) where the Conversion involves exterior renovation, such renovation shall be of a nature which maintains a Height and coverage which is generally in keeping with the Height and coverage of existing adjacent Single Detached, Semi-detached and Duplex Housing;

*Bylaw No. 11261*

*June 17, 1996*

c) existing vegetation shall be governed by the provisions of subsection 69.4(8) of this Bylaw, provided that any replacement vegetation shall be of a species which is in keeping with other vegetation in the area; and

d) exterior lighting shall be provided in a manner which provides safety for pedestrians on the site and adjacent to it, and in accordance with [Section 62](#) of this Bylaw.

2) In addition, the Development Officer shall have regard to the following in exercising his discretion to approve such developments:

a) a proposed Conversion should not be approved where approval would result in a concentration of such Conversions on a group of adjacent sites, or within a block, which would alter the residential character of the area;

b) the level of activity resulting from the use should not be an intrusion into an area primarily residential in character, nor should it generate traffic or parking in excess of the capacity of adjacent public roadways;

c) the Conversion should not adversely affect pedestrian movement on adjacent sidewalks; and

d) the Conversion should maintain an external appearance which is generally in keeping with the external appearance of existing adjacent Single Detached, Semi-detached and Duplex Housing.

3) The Development Officer shall also be guided by the provisions of any applicable Statutory Plan.

Edmonton Land Use Bylaw 5996

89. Mobile Homes

**89.Mobile Homes**

Mobile Homes shall comply with the following:

- 1)a Mobile Home in any District shall conform to the requirements of the CSA Z-240 Standards; and
- 2)in any District other than the RMH District, where a Mobile Home is the development proposed in an application for a Development Permit for Single Detached Housing, the following regulations shall apply:

*Bylaw No. 6190*

*September 9, 1980*

- a)the Mobile Home shall be not less than 5.5 m (18.04 ft.) in width or length; and
- b)the Mobile Home shall be erected on a permanent foundation.

Edmonton Land Use Bylaw 5996

90. Essential Utility Services

**90. Essential Utility Services**

1) Notwithstanding the Permitted and Discretionary Uses contained within any District in this Bylaw, Essential Utility Services are a Permitted Use in any District.

*Bylaw No. 6626*

*November 10, 1981*

2) Notwithstanding [Section 14.1](#), the Setback, Yard, lot size and frontage regulations of any District within this Bylaw shall not apply to the development of Essential Utility Services.

Edmonton Land Use Bylaw 5996

91. Group Homes

**91.Group Homes**

A Group Home shall comply with the following regulations:

- 1)the maximum number of residents shall be established by the Development Officer who shall have regard for the nature of the Group Home and the density of the District in which it is located; and
- 2)the Group Home shall not generate pedestrian or vehicular traffic or parking in excess of that which is characteristic of the District in which it is located.

Edmonton Land Use Bylaw 5996

92. Community Housing Designator

**92. Community Housing Designator**

*Bylaw No. 7726*

*April 23, 1985*

**Deleted.**

Edmonton Land Use Bylaw 5996

93. Child Care Services

**93. Child Care Services**

*Bylaw No. 6626*

*November 10, 1981*

*Bylaw No. 10362*

*May 3, 1993*

*Bylaw No. 10207*

*August 15, 1994*

*Bylaw No. 11095*

*November 6, 1995*

A Child Care Service shall comply with the following regulations:

1)a Child Care Service shall provide outdoor play space in accordance with the following regulations:

a) drop in centres, or those facilities that provide part-time and casual care for children for three or more consecutive hours each day, up to 40 hours a month per child, and nursery schools, or those facilities that provide play-based activities for children for three or less consecutive hours each day, do not require outdoor play space;

b) out-of-school care centres, or those facilities that provide care for school-aged children before and after school, at lunch, and those days schools are closed, shall provide at least 7 m<sup>2</sup> (75.3 sq. ft.) of outdoor play space per child. This space does not have to be fenced or adjacent to the facility. Alternative play space, such as a public park, is acceptable as long as the alternative play space is within 500 m (1,640.4 ft.) walking distance of the facility;

c) daycare centres, or those facilities that provide regular and extended periods of care for preschool-aged children for more than three but less than 24 consecutive hours each day, shall provide outdoor play space and include the following elements:

i) each facility shall provide at least 7 m<sup>2</sup> (75.3 sq. ft.) of outdoor play space per child and this space shall be abutting the daycare facility;

ii) outdoor play space shall be located at ground level in a safe location. Noisy, noxious or hazardous adjacent uses such as loading/unloading areas, garbage bins, large parking lots, arterial roads, passenger drop-off areas, rail lines, LRT lines or stormwater lakes should either be avoided or their effects mitigated through landscaping, buffering, fencing, or other means, to the satisfaction of the Development Officer;

- iii)if no reasonable or safe opportunity exists for at-grade outdoor play space, the Development Officer may approve an above grade outdoor play space provided that the following conditions are met to the satisfaction of the Development Officer:
- A)secure perimeter fencing is provided which is at least 1.83 m (6.0 ft.) in height and is, in the opinion of the Development Officer, set back a reasonable distance from the edge of the building and designed so that children cannot climb over it;
  - B)roof top mechanical equipment is located a reasonable distance away from the play space to avoid sources of noise and fumes unless, in the opinion of the Development Officer, the mechanical equipment is designed so that it does not create adverse effects related to noise and fumes and can be integrated into the play area;
  - C)all landscaping and playground equipment is securely anchored against the effects of wind and normal use; and
  - D)the play space and location of playground equipment is designed, in the opinion of the Development Officer, to provide a safe location for the play space;
- iv)outdoor play space shall be securely enclosed on all sides, to the satisfaction of the Development Officer;
- v)in a Residential District, outdoor play space may be allowed in any required Yard providing it is designed to limit any interference with other uses, or the peaceful enjoyment of the properties of nearby residents, through landscaping, buffering and the placement of fixed play equipment, to the satisfaction of the Development Officer;
- vi)in any non-residential district, the outdoor play space shall not be located in any required Yard that abuts a public roadway unless, in the opinion of the Development Officer, the design, size and other characteristics of the proposed play space will mitigate the potential impact of the traffic on the public roadway on children using the play space;
- vii)the length of the outdoor play space shall be no more than 1.5 times the width to maximize the useability of the space and allow opportunities for a variety of outdoor activities;
- viii)the outdoor play space shall have a shaded area, wind protection, adequate sunlight, and 25% of the total required area shall have a hard surface for the use of wheeled toys, to the satisfaction of the Development Officer; and
- ix)in the case of a Child Care Service Use that includes both a daycare centre and an out-of-school care centre, the facility must meet the outdoor play space requirements of each facility;
- 2)exterior lighting of the facility shall provide for a well lit environment, to the satisfaction of the Development Officer;
- 3)parking shall be provided according to the regulations outlined in [Schedule 66A](#) of this Bylaw. In addition, drop-off parking shall be provided as follows:
- a)a separate on-site drop-off area shall be provided at the rate of one on-site drop-off space for every 10 children;
  - b)each drop-off space shall be a minimum of 2.6 m (8.5 ft.) in width and a minimum of 5.5 m (18.0 ft.) in length; and
  - c)the drop-off area shall be located within 60 m (196.9 ft.) from the main entrance of the Child Care Service facility;
- Bylaw No. 11261*
- June 17, 1996*
- 4)all major indoor play spaces used by children shall have direct source of natural light from windows with an area equivalent to a minimum of 10% of the total floor area of the room;

5)in Residential Districts, the following conditions shall apply:

a)in all low density Residential Districts (RF1, RSL, RF2, RPL, RF3, RF4 and RR) the Development Officer shall, in making a decision on the suitability of the Child Care Service for the location proposed, give preference to those facilities that would be located on a collector or an arterial road, on a corner site, adjacent to or in community facilities such as a school, park, church or community centre, or adjacent to commercial areas or multi-family development;

*Bylaw No. 11404*

*April 30, 1997*

b) Child Care Services in the HDR, RA7, RA8, RA9, RF5, RF6, RMU or RMX Districts shall be in a separate facility, either within the principal building on the site or in an accessory or secondary building, with a separate access to ground level; and

c)a Child Care Service in any Residential District shall not change the principal character or external appearance of the Dwelling in which it is located. If a new building is constructed, it must retain the character of a residential Dwelling. Any associated signage on the Dwelling must not, in the opinion of the Development Officer, detract from the residential character of the neighbourhood;

6)no portion of a Child Care Service Use, including the building or bay of building and outdoor play space, shall be located within 50 m (164.0 ft.) of a Major or Minor Service Station or a Gas Bar. This distance shall be measured from the pump island, fill pipes, vent pipes, or service station or gas bar building, depending on whichever is closest to the child care facility;

7)the Development Officer, in deciding whether to approve or refuse a Child Care Service in a Commercial District, shall consider the suitability of surrounding development, taking into account, among other matters, traffic, noise and proximity to hazardous uses, to ensure the proposed Child Care Service is in a safe location; and

8)all Development Permit applications for Child Care Services shall include plans that show all elevations, floor plans that show indoor play and rest areas including the location of windows, and a site plan that shows the required on-site parking, drop-off facilities and, where appropriate, the outdoor play area, its access from the building, location and type of fixed play equipment, shaded and sheltered areas, the hard surfaced area, as well as fencing, landscaping and any buffering to be provided.

Edmonton Land Use Bylaw 5996

94. Fraternity and Sorority Housing

**94.Fraternity and Sorority Housing**

*Bylaw No. 6220*

*May 25, 1982*

Fraternity and Sorority Housing shall comply with the development regulations of the Land Use District in which it is to be located, subject to the following exceptions:

- 1)the minimum site area shall be 400 m<sup>2</sup> (4,305.7 sq. ft.) in all cases and a minimum of 100 m<sup>2</sup> (1,076.4 sq. ft.) of site area shall be provided for each Sleeping Unit;
- 2)in the RF3 District not more than 4 Sleeping Units may be developed upon a site; and
- 3)where existing Single Detached, Semi-detached or Duplex Housing is converted to Fraternity and Sorority Housing in the RA7, RA8, or RA9 Districts, the minimum site width, Amenity Area and Separation Space requirements of these Districts shall not apply.

Edmonton Land Use Bylaw 5996

95. Residential Sales Centres

## **95. Residential Sales Centres**

*Bylaw No. 7322*

*September 16, 1983*

The following regulations shall apply to all Residential Sales Centres except those developments provided for in Clauses 3(g) and 3(o) of [Section 14.1](#) of this Bylaw:

- 1) sites containing Residential Sales Centres shall be located and developed such that their impacts on local roadways and surrounding residential development are minimized. In deciding upon an application, the Development Officer shall take into consideration the scale of the Residential Sales Centre, its proximity to arterial or neighbourhood collector roadways, and to occupied residential development;
- 2) where sites are located within 60 m (196.8 ft.) of existing development, the applicant shall demonstrate to the satisfaction of the Development Officer, that sufficient parking is available on or adjacent to the site so that parking congestion will not develop on that portion of local streets serving existing development in the vicinity of the Residential Sales Centre. The Development Officer shall determine the adequacy of parking based on a requirement of five parking spaces per 100 m<sup>2</sup> (1,076.4 sq. ft.) of gross floor area of the sales centre;
- 3) the siting and development of Residential Sales Centre buildings shall comply with the regulations of the Land Use District applying to the site except that:
  - a) the Development Officer may require additional setbacks to minimize any adverse impacts on adjacent development;
  - b) in the case of a temporary structure, the Height of the building including any hoardings or false fronts shall not exceed one storey or 4 m (13.1 ft.); and
  - c) all curb crossings and access points shall be to the satisfaction of the Development Officer in consultation with the City Engineer.
- 4) where a site is located within a Residential District or is visible from residential development located within 60 m (196.8 ft.) of the site, the colour and material of the exterior finish of the temporary structure and hoardings or false fronts, excluding advertising copy, shall be compatible with those commonly found in Residential Districts;
- 5) all off-premise directional signage and on-premise advertising signage, including the display of advertising copy and supergraphics on hoardings or false fronts used to enclose temporary structures, shall be in accordance with subsection 79.9(3)(e) this Bylaw;
- 6) any exterior lighting shall be developed in accordance with Section 62 of this Bylaw;
- 7) a development application for Residential Sales Centre shall be accompanied by the following information in

addition to the information required by Section 15.3 of this Bylaw:

- a) a context plan identifying the nature of the land uses and development within a 60 m (196.8 ft.) radius of the proposed site;
  - b) a description of the exterior finish materials and colours for any temporary sales structure including any proposed hoardings or false fronts;
  - c) drawings showing the location, area, Height, construction material, colour and method of support for any proposed on-site identification and advertising Signs, including any advertising or supergraphics that will be displayed on a hoarding or false front; and
  - d) drawings showing the area, Height, construction materials and method support for any proposed off-site directional Signs which will exceed 1 m<sup>2</sup> (10.76 sq. ft.) in area of 1.5 m (4.9 ft.) in Height, and a description of the proposed location for the Signs.
- 8) the Development Permit for a Residential Sales Centre shall be valid for such a period of time as specified by the Development Officer having regard for the amount of land or development being marketed, but in no case shall the time period exceed two years.

Edmonton Land Use Bylaw 5996

96. Adult Mini-Theatre

**96. Adult Mini-Theatre**

*Bylaw No. 9859*

*October 9, 1991*

An Adult Mini-Theatre shall comply with the development regulations of the Land Use District in which it is to be located, subject to the following exceptions:

1) there shall be no minimum site area requirement; and

2) an Adult Mini-Theatre shall be located only on a site with a minimum radial separation distance of 150 m or more from the property line of any site in a Residential District, any site with an existing Public or Private Education Service, any site with an existing Religious Assembly, Public Park or other use which may have a playground as an ancillary element, and any site with another existing Adult Mini-Theatre.

Edmonton Land Use Bylaw 5996

97. Recycled Materials Drop off Centres

### **97. Recycled Materials Drop-off Centres**

*Bylaw No. 9949*

*November 25, 1991*

A Recycled Materials Drop-off Centre shall comply with the following regulations:

- 1) maximum area of this Use Class on a given site shall not exceed 464.5 m<sup>2</sup> (5,000 sq. ft.);
- 2) the area of the Drop-off Centre shall be surrounded by a fence or wall at least 1.82 m (6.0 ft.) in height. The fence shall be constructed to the satisfaction of the Development Officer;
- 3) the Drop-off Centre shall have a minimum of two gates in the fence, suitable for vehicular access and egress;
- 4) landscaping shall be placed along the sides of the Drop-off Centre which are visible from any adjacent roadway, not including a lane, or are visible from adjacent lands which are districted as residential. The landscaping shall consist of coniferous trees and shrubs, or a mix of coniferous and deciduous trees and shrubs, of a height and density sufficient, in the opinion of the Development Officer, to substantially screen the development from view from an adjacent roadway, not including a lane, or adjacent sites districted residential. Such landscaping may be placed in temporary, movable planters or containers;
- 5) any on-site lighting provided specifically for a Drop-off Centre development shall comply with the provisions of [Section 62](#) (Lighting of Sites) of this Bylaw; and
- 6) any signage placed on or within a Drop-off Centre shall comply with both the applicable Sign regulations contained in [Section 79](#) of this Bylaw, and the applicable Sign Schedule for the Land Use District governing the site on which the Drop-off Centre is located.

Edmonton Land Use Bylaw 5996

98. Major and Minor Alcohol Sales

**98. Major and Minor Alcohol Sales**

*Bylaw No. 10581*

*November 15, 1993*

*Bylaw No. 11066*

*October 9, 1995*

Major and Minor Alcohol Sales shall comply with the following regulations:

1) the Development Officer may require lighting, signage and/or screening measures that, in his opinion, make the proposed development compatible with adjacent or nearby residential or commercial development;

2) the Development Officer may require that a Traffic Impact Study be conducted for Major Alcohol Sales Use Classes prior to the issuance of a Development Permit, if it appears that traffic volumes or vehicular turnover may create a significant negative impact on surrounding development. This Traffic Impact Study shall be prepared to the satisfaction of the Transportation Department;

*Bylaw No. 11066*

*October 9, 1995*

*Bylaw No. 11832*

*August 24, 1998*

3) Any site containing Major and/or Minor Alcohol Sales Use Classes shall not be located closer than 100 m (328 ft.) to any site being actively used for community or recreation activities, public parks, and/or public or private education facilities, at the time of the application for the Development Permit for the Alcohol Sales Use Class. Sites which are greater than two hectares (4.94 acres) in size and which are districted either as CSC (Shopping Centre) District or as DC5 (Site Specific Development Control) District are exempted from this restriction. For the purposes of this subsection only:

i) the 100 m separation distance shall be measured from the closest point of the subject site boundary to the closest point of another site boundary, and shall not be measured from district boundaries or from the edges of structures;

*Bylaw No. 11095*

*November 6, 1995*

ii)the term community or recreation activities is limited to Community Recreation Services Uses, as defined in Section 10.7(1) of this Bylaw, which includes community league buildings and facilities and is also intended to apply to childrens playgrounds and play areas which may be associated with these uses. This term does not include arenas or other public assembly uses, Child Care Services, Public Libraries or Religious Assemblies;

iii)the term public or private education facilities is limited to elementary through to high schools inclusive only, and does not include dance schools, driving schools or other commercial schools; and

iv)the term public parks is limited to park sites districted as AP (Public Parks) District, and does not include passive river valley areas and other areas districted as A (Metropolitan Recreation) District; and

4)the Development Officer may consider Crime Prevention Through Environmental Design Criteria by ensuring:

a)the exterior of all stores have ample glazing from the street to allow natural surveillance;

b)exterior lighting should be in accordance with the minimum safety standards prescribed by the Illuminating Engineers Society;

c)any landscaping around the facilities be low-growing shrubs or deciduous trees with a high canopy at maturity and that all foliage be kept trimmed back to prevent loss of natural surveillance;

d)no customer parking is in behind a facility and that all parking areas in front of the building be well-lighted; and

e)customer access to the store be limited to a store front that is visible from the street, shopping centre parking lot or a mall access that allows visibility from the interior.

Edmonton Land Use Bylaw 5996

99. Secondary Suites

**99.Secondary Suites**

*Bylaw No. 10457*

*January 25, 1994*

A Secondary Suite shall comply with the following regulations:

- 1)the floor area occupied by a Secondary Suite shall be considered as part of the principal use of the structure for the purpose of calculating site coverage;
- 2)there shall be no more than one Secondary Suite developed in conjunction with a principal Dwelling;
- 3)in developing a Secondary Suite, the owner shall comply with all relevant requirements of the Alberta Building Code, as amended from time to time. The issuance of a Development Permit for a Secondary Suite does not relieve the applicant of the requirement to comply with the Alberta Building Code;
- 4)on-site parking shall be required in accordance with [Section 66](#) of this Bylaw;
- 5)notwithstanding [subsection 9.1\(29\)](#) of this Bylaw, the number of unrelated persons occupying a Secondary Suite shall not exceed three; and
- 6)the principal use in the structure intended to contain the Secondary Suite shall be existing prior to the application for the Development Permit for the Secondary Suite.

Edmonton Land Use Bylaw 5996

100. Uses With Special Siting, Access and Traffic Impact Requirements

**100.Uses With Special Siting, Access and Traffic Impact Requirements**

*Bylaw No. 10207*

*August 15, 1994*

1)The siting, vehicular access and traffic movements generated by the development of the following Use Classes may be reviewed by the Transportation Department, to ensure that the traffic impacts generated by these developments are acceptable and do not prejudice safety and traffic movements on adjacent public roadways:

*Bylaw No. 11095*

*November 6, 1995*

- a)Child Care Services, where a passenger drop-off zone is to be provided;
- b)General Retail uses with more than 2 500 m<sup>2</sup> (26,896.0 sq. ft.) of floor space;
- c)Hotels;
- d)Major Amusement Establishments;
- e)Major Eating and Drinking Establishments;
- f)Professional, Financial and Office Support Services;
- g)Spectator Entertainment Establishments; and
- h)Warehouse Sales.

2)The Development Officer, based upon the advice of the Transportation Department, may as a condition of approval, limit the gross floor area and/or seating capacity for any of the Use Classes listed in Section 100.1 above, so as to minimize the adverse traffic impact of the development.

Edmonton Land Use Bylaw 5996

101. Restaurant, Hotel and Entertainment Uses

**101. Restaurant, Hotel and Entertainment Uses**

*Bylaw No. 10207*

*August 15, 1994*

1) Any application for a Development Permit for a Hotel, an Indoor Participant Recreation Service, a Major Eating and Drinking Establishment, a Motel, a Private Club, a Spectator Entertainment Establishment, or any combination thereof, where parking is required pursuant to [Schedule 66A](#) of this Bylaw for combined seating and/or occupancy by 500 patrons or more, and where the full provision of such parking is not provided for in the application, shall include a comprehensive Parking Demand Study. This Study shall contain, but not be limited to, the following:

- a) design of the proposed development;
- b) the parking requirements of all Use Classes within the development in accordance with the standards identified in Schedule 66A of this Bylaw;
- c) the amount and location of parking available on the site and available on nearby sites; and
- d) the means by which sufficient parking and circulation are to be provided for the proposed development, if not fully available on-site.

2) The Development Officer shall review such a Parking Demand Study, in consultation with the Transportation Department, in order to determine the appropriate number and location of parking spaces for the development. This number may be higher or lower than the standard identified for parking in Schedule 66A of this Bylaw, at the discretion of the Development Officer, based on the individual circumstances of the application, such as excessive demand for parking during certain hours, the staggered hours of operation of some uses on the site, which may allow complementary use of parking stalls, or the availability of guaranteed offsite parking.

Edmonton Land Use Bylaw 5996

102. Flea Markets

**102.Flea Markets**

*Bylaw No. 10773*

*July 26, 1994*

A Flea Market shall comply with the following regulations:

1)no Flea Market shall be developed within 50 m (164 ft.) of a Residential District. This distance shall be measured from the closest portion of the site containing the Flea Market to the closest portion of a Residential District;

2)parking shall be provided in accordance with the provisions of [Schedule 66A](#), subject to the following additional regulations:

a)no more than 33% of the minimum required on-site parking, as specified under Schedule 66A, shall be allowed on nearby properties as prescribed under [subsection 66.5\(2\)](#) of this Bylaw. Parking for Flea Markets provided in excess of the minimum requirement is not subject to this provision;

b)for Flea Markets located on sites where onsite parking is shared with other businesses having space in the same building or complex, the calculation for required parking shall not include parking spaces required for these other businesses, subject to subsection 102.2(c) below; and

c)the Development Officer may allow use of offsite or other onsite parking spaces used by other businesses to fulfil up to 33% of the minimum parking requirement for the Flea Market, if these other businesses have hours of operation which have no overlap with the hours of operation of the Flea Market, and if the applicant can produce a written agreement with the owners/lessees of such other businesses which guarantees the complementary use of these spaces to the satisfaction of the Development Officer;

3)sites containing Flea Market development should have direct vehicular access to arterial roadways, unless the site is located within an industrial park. The Development Officer shall consult with the Transportation Department to determine if vehicular access to a Flea Market site is satisfactory; and

4)notwithstanding the provisions of Subsection 79.9(3)(b)(iv) of this Bylaw, the placement of Portable or Balloon Signs advertising Flea Market operations, regardless of weekend-only hours, shall be subject to the regulations of Subsection 79.9(3)(b)(iii) of this Bylaw.

Edmonton Land Use Bylaw 5996

110. (RF1) Single Detached Residential District

### **110.1 General Purpose**

To establish a District primarily for Single Detached Housing.

### **110.2 Permitted Uses**

#### 1) [Single Detached Housing](#)

*Bylaw No. 7229*

*September 27, 1983*

#### 2) [Limited Group Homes](#)

*Bylaw No. 10529*

*November 15, 1993*

#### 3) [Minor Home Occupations](#)

*Bylaw No. 10457*

*January 25, 1994*

### **110.3 Discretionary Uses**

1) [Semi-detached Housing](#), [Duplex Housing](#) and [Secondary Suites](#), where the side lot line abuts a lot in an Industrial, Commercial, Row Housing, or Apartment District, or is not separated from it by a public roadway more than 10 m (32.8 ft.) wide

*Bylaw No. 10529*

*November 15, 1993*

#### 2) **Deleted**

*Bylaw No. 10529*

*November 15, 1993*

#### 3) **Deleted**

4) [Group Homes](#)

5) [Foster Homes](#)

*Bylaw No. 11095*

*November 6, 1995*

6) [Child Care Services](#)

7) [Private Education Services](#), where lawfully existing on a site in this District at the effective date of this Bylaw, on the same site only

8) [Religious Assembly](#)

*Bylaw No. 7322*

*September 16, 1983*

9) [Residential Sales Centre](#)

*Bylaw No. 10529*

*November 15, 1993*

10) [Major Home Occupations](#)

#### **110.4 Development Regulations for Permitted and Discretionary Uses**

The following regulations shall apply to Permitted and Discretionary Uses, except where altered by a Statutory Plan Overlay:

- 1) the minimum site area shall be 360 m<sup>2</sup> (3,875.0 sq. ft.) per Dwelling;
- 2) the minimum site width shall be 12 m (39.4 ft.);
- 3) the minimum site depth shall be 30 m (98.4 ft.);
- 4) the maximum Height shall not exceed 10 m (32.8 ft.) nor 2½ storeys;
- 5) the maximum total site coverage shall not exceed 40%, with a maximum of 28% for a principal building and a maximum of 12% for accessory buildings. Where a garage is attached to or designed as an integral part of a Dwelling, the maximum for the principal building shall be 40%;
- 6) the minimum Front Yard shall be 6 m (19.7 ft.);
- 7) the minimum Rear Yard shall be 7.5 m (24.6 ft.), except in the case of a corner site it shall be 4.5 m (14.8 ft.);
- 8) Side Yards shall be established on the following basis:
  - a) Side Yards shall total at least 20% of the site width, with a minimum Side Yard of 1.2 m (3.94 ft.), except that the minimum Side Yard for buildings over 7.5 m (24.6 ft.) in Height shall be 2 m (6.6 ft.);
  - b) where there is no lane abutting the site, one Side Yard shall be at least 3 m (9.8 ft.) for vehicular access, unless there is an attached garage or a garage which is an integral part of a Dwelling;

c) on a corner site where the building fronts on the Front Yard the minimum Side Yard abutting the flanking public roadway other than a lane shall be 20% of the site width, to a maximum of 4.5 m (14.8 ft.); and

d) on a corner site where the building fronts on a flanking public roadway other than a lane, the minimum Side Yard abutting the flanking public roadway shall be 4.5 m (14.8 ft.);

*Bylaw No. 6626*

*November 10, 1981*

*Bylaw No. 11844*

*August 24, 1998*

9) Separation Space shall be provided between two or more Dwellings or portions thereof on the same site, in accordance with [Section 58](#) of this Bylaw;

*Bylaw No. 10741*

*June 20, 1994*

*Bylaw No. 11844*

*August 24, 1998*

10) Minor Home Occupations shall be developed in accordance with [Section 84](#) of this Bylaw; and

*Bylaw No. 11844*

*August 24, 1998*

11) Except where Semi-detached Housing, Duplex Housing and Secondary Suites are allowed in this District, and may thereby constitute two Dwellings on a lot, a maximum of one Dwelling per lot shall be allowed.

### **110.5 Additional Development Regulations for Discretionary Uses**

*Bylaw No. 6190*

*September 9, 1980*

*Bylaw No. 10936*

*October 16, 1995*

1) Notwithstanding Section 110.4, Semi-detached and Duplex Housing, and Secondary Suites in this District, shall be developed in accordance with the provisions of the RF2 District.

*Bylaw No. 10529*

*November 15, 1993*

*Bylaw No. 10741*

*June 20, 1994*

2) **Deleted.**

*Bylaw No. 10529*

*November 15, 1993*

3)Major Home Occupations shall be developed in accordance with [Section 85](#) of this Bylaw.

4)Group Homes shall be developed in accordance with [Section 91](#) of this Bylaw.

5)Notwithstanding the minimum site area and minimum site width provisions of this District, Religious Assembly Uses shall be developed in accordance with [Section 81](#) of this Bylaw.

*Bylaw No. 6626*

*November 10, 1981*

*Bylaw No. 11095*

*November 6, 1995*

6)Child Care Services shall be developed in accordance with [Section 93](#) of this Bylaw.

*Bylaw No. 7322*

*September 16, 1983*

7)Residential Sales Centres shall be developed in accordance with [Section 95](#) of this Bylaw.

*Bylaw No. 10457*

*January 25, 1994*

8)Secondary Suites shall be developed in accordance with [Section 99](#) of this Bylaw.

*Bylaw No. 10457*

*January 25, 1994*

9)The Development Officer may exercise discretion in considering Secondary Suite development having regard to:

- a)compatibility of the use with the siting, grade elevations, Height, building types and materials characteristic of surrounding Single Detached Housing and development, where a Secondary Suite is developed in whole or in part as an above-grade addition to an existing residential structure;
- b)the effect on the privacy of adjacent properties; and
- c)the policies and guidelines for Secondary Suite Housing contained in a Statutory Plan or Community Plan for the area.

Edmonton Land Use Bylaw 5996

111. (RSL) Residential Small Lot District

*Bylaw No. 10362*

*May 3, 1993*

### **111.1 General Purpose**

To establish a District for smaller lot Single Detached Housing with attached garages in a suburban setting that provides the opportunity for the more efficient utilization of undeveloped suburban areas.

### **111.2 Permitted Uses**

1) [Single Detached Housing](#)

2) [Limited Group Homes](#)

*Bylaw No. 10529*

*November 15, 1993*

3) [Minor Home Occupations](#)

*Bylaw No. 10457*

*January 25, 1994*

### **111.3 Discretionary Uses**

1) [Semi-detached Housing](#), [Duplex Housing](#) and [Secondary Suites](#), where the side lot line abuts a lot in an Industrial, Commercial, Row Housing, or Apartment District, or is not separated from it by a public roadway more than 10 m (32.8 ft.) wide

*Bylaw No. 10529*

*November 15, 1993*

2) **Deleted**

*Bylaw No. 10529*

*November 15, 1993*

3) **Deleted**

4) [Group Homes](#)

5) [Foster Homes](#)

*Bylaw No. 11095*

*November 6, 1995*

6) [Child Care Services](#)

7) [Religious Assembly](#)

8) [Residential Sales Centre](#)

*Bylaw No. 10529*

*November 15, 1993*

9) [Major Home Occupations](#)

**111.4 Development Regulations for Permitted and Discretionary Uses**

The following regulations shall apply to Permitted and Discretionary Uses, except where altered by a Statutory Plan Overlay:

- 1) the minimum site area shall be 312 m<sup>2</sup> (3,358.5 sq. ft.) per Dwelling;
- 2) the minimum site width shall be 10.4 m (34.0 ft.);
- 3) the minimum site depth shall be 30 m (98.4 ft.);
- 4) the maximum Height shall not exceed 10 m (32.8 ft.) nor 2½ storeys;
- 5) the maximum total site coverage shall not exceed 45%, inclusive of the attached garage and any other accessory buildings;
- 6) the minimum Front Yard shall be 5.5 m (18.0 ft.);
- 7) the minimum Rear Yard shall be 7.5 m (24.6 ft.), except in the case of a corner site it shall be 4.5 m (14.8 ft.);
- 8) Side Yards shall be established on the following basis:
  - a) Side Yards shall total at least 20% of the site width, with a minimum Side Yard of 1.2 m (3.94 ft.), except that the minimum Side Yard for buildings over 7.5 m (24.6 ft.) in Height shall be 2 m (6.6 ft.);
  - b) on a corner site where the building fronts on the Front Yard, the minimum Side Yard abutting the flanking public roadway other than a lane shall be 20% of the site width, to a maximum of 4.5 m (14.8 ft.); and
  - c) on a corner site where the building fronts on a flanking public roadway other than a lane, the minimum Side Yard abutting the flanking public roadway shall be 4.5 m (14.8 ft.);
- 9) Single Detached Housing shall be developed in accordance with the following regulations:
  - a) all Dwellings shall include a front attached garage;
  - b) identical floor plans with similar front elevations must be separated by a minimum of 1 lot unless finishing

treatments are substantially different to the satisfaction of the Development Officer;

c)the Development Officer may require a graduated transition between different housing styles which shall be accommodated by varied roof lines, architectural projections, and/or the interjection of bilevel or split level designs between bungalow and twostorey designs; and

d)Dwellings on corner lots shall have flanking side treatments similar to the front elevation to the satisfaction of the Development Officer;

*Bylaw No. 11844*

*August 24, 1998*

10)Separation Space shall be provided between two or more Dwellings or portions thereof on the same site, in accordance with [Section 58](#) of this Bylaw;

*Bylaw No. 10741*

*June 20, 1994*

*Bylaw No. 11844*

*August 24, 1998*

11)Minor Home Occupations shall be developed in accordance with [Section 84](#) of this Bylaw; and

*Bylaw No. 11844*

*August 24, 1998*

12)Except where Semi-detached Housing, Duplex Housing and Secondary Suites are allowed in this District, and may thereby constitute two Dwellings on a lot, a maximum of one Dwelling per lot shall be allowed.

*Bylaw No. 10936*

*October 16, 1995*

### **111.5Additional Development Regulations for Discretionary Uses**

1)In addition to Section 111.4, Semi-detached and Duplex Housing, and Secondary Suites in this District, shall be developed in accordance with the provisions of subsections 120.4(1), 120.4(2) and 120.5(1) of the RF2 District.

*Bylaw No. 10529*

*November 15, 1993*

*Bylaw No. 10741*

*June 20, 1994*

2)**Deleted.**

*Bylaw No. 10529*

*November 15, 1993*

3)Major Home Occupations shall be developed in accordance with [Section 85](#) of this Bylaw.

4)Group Homes shall be developed in accordance with [Section 91](#) of this Bylaw.

5)Notwithstanding the minimum site area and minimum site width provisions of this District, Religious Assembly Uses shall be developed in accordance with [Section 81](#) of this Bylaw.

*Bylaw No. 11095*

*November 6, 1995*

6)Child Care Services shall be developed in accordance with [Section 93](#) of this Bylaw.

7)Residential Sales Centres shall be developed in accordance with [Section 95](#) of this Bylaw.

*Bylaw No. 10457*

*January 25, 1994*

8)Secondary Suites shall be developed in accordance with [Section 99](#) of this Bylaw.

*Bylaw No. 10457*

*January 25, 1994*

9)The Development Officer may exercise discretion in considering Secondary Suite development having regard to:

a)compatibility of the use with the siting, grade elevations, Height, building types and materials characteristic of surrounding Single Detached Housing and development, where a Secondary Suite is developed in whole or in part as an above-grade addition to an existing residential structure;

b)the effect on the privacy of adjacent properties; and

c)the policies and guidelines for Secondary Suite Housing contained in a Statutory Plan or Community Plan for the area.

Edmonton Land Use Bylaw 5996

120. (RF2) Low Density Infill District

### **120.1 General Purpose**

To provide a District to retain Single Detached Housing, while allowing sensitive infill at a slightly higher density.

### **120.2 Permitted Uses**

#### 1) [Single Detached Housing](#)

*Bylaw No. 7229*

*September 27, 1983*

#### 2) [Limited Group Homes](#)

*Bylaw No. 10529*

*November 15, 1993*

#### 3) [Minor Home Occupations](#)

### **120.3 Discretionary Uses**

#### 1) [Semi-detached Housing](#)

*Bylaw No. 10457*

*January 25, 1994*

2) [Duplex Housing](#) and [Secondary Suites](#), where the side lot line abuts a lot in an Industrial, Commercial, Row Housing or Apartment District, or is not separated from it by a public roadway more than 10 m (32.8 ft.) wide

*Bylaw No. 10529*

*November 15, 1993*

#### 3) **Deleted**

*Bylaw No. 10529*

*November 15, 1993*

#### 4) **Deleted**

5) [Group Homes](#)

6) [Foster Homes](#)

*Bylaw No. 11095*

*November 6, 1995*

7) [Child Care Services](#)

*Bylaw No. 6190*

*September 9, 1980*

8) [Religious Assembly](#)

*Bylaw No. 7322*

*September 16, 1983*

9) [Residential Sales Centre](#)

*Bylaw No. 10529*

*November 15, 1993*

10) [Major Home Occupations](#)

**120.4 Development Regulations for Permitted and Discretionary Uses**

The following regulations shall apply to Permitted and Discretionary Uses, except where altered by a Statutory Plan Overlay:

*Bylaw No. 10457*

*January 25, 1994*

*Bylaw No. 10936*

*October 16, 1995*

1) the minimum site area shall be 360 m<sup>2</sup> (3,875.0 sq. ft.) for each Single Detached Dwelling, 300 m<sup>2</sup> (3,229.2 sq. ft.) for each Duplex or Semi-detached Dwelling, and 100 m<sup>2</sup> (1,076.4 sq. ft.) for each Secondary Suite;

*Bylaw No. 10457*

*January 25, 1994*

*Bylaw No. 10741*

*June 20, 1994*

*Bylaw No. 10936*

*October 16, 1995*

2) the minimum site width shall be 7.5 m (24.6 ft.) for each Duplex or Semi-detached Dwelling and 12 m (39.4 ft.) for

each Single Detached Dwelling, with or without a Secondary Suite;

3)the minimum site depth shall be 30 m (98.4 ft.);

4)the maximum Height shall not exceed 10 m (32.8 ft.), nor 2½ storeys;

5)the maximum total site coverage shall not exceed 40% with a maximum of 28% for a principal building and a maximum of 12% for accessory buildings. Where a garage is attached to or designed as an integral part of a Dwelling, the maximum for the principal building shall be 40%;

6)the minimum Front Yard shall be 6 m (19.7 ft.);

7)the minimum Rear Yard shall be 7.5 m (24.6 ft.), except in the case of a corner site it shall be 4.5 m (14.8 ft.);

8)Side Yards shall be established on the following basis:

a)Side Yards shall total at least 20% of the site width, the a minimum Side Yard of 1.2 m (3.94 ft.), except that the minimum Side Yard for buildings over 7.5 m (24.6 ft.) in Height shall be 2 m (6.6 ft.);

b)on a corner site where the building fronts on the Front Yard, the minimum Side Yard abutting a flanking public roadway other than a lane shall be 20% of the site width, to a maximum requirement of 4.5 m (14.8 ft.); and

c)on a corner site where the building fronts on a flanking public roadway other than a lane, the minimum Side Yard abutting the flanking public roadway shall be 4.5 m (14.8 ft.);

*Bylaw No. 6626*

*November 10, 1981*

*Bylaw No. 11844*

*August 24, 1998*

9)Separation Space shall be provided between two or more Dwellings or portions thereof on the same site, in accordance with [Section 58](#) of this Bylaw;

*Bylaw No. 10741*

*June 20, 1994*

*Bylaw No. 11844*

*August 24, 1998*

10)Minor Home Occupations shall be developed in accordance with [Section 84](#) of this Bylaw; and

*Bylaw No. 11844*

*August 24, 1998*

11)Except where Semi-detached Housing, Duplex Housing and Secondary Suites are allowed in this District, and may thereby constitute two Dwellings on a lot, a maximum of one Dwelling per lot shall be allowed.

*Bylaw No. 10457*

*January 25, 1994*

## **120.5 Additional Development Regulations for Discretionary Uses**

1) The Development Officer may exercise discretion in considering Duplex, Semi-detached and Secondary Suite development having regard to:

a) compatibility of the Duplex or Semi-detached use with the siting, grade elevations, Height, building types and materials characteristic of surrounding Single Detached Housing and development, or where a Secondary Suite is developed in whole or in part as an above-grade addition to an existing residential structure;

b) the effect on the privacy of adjacent properties; and

c) the policies and guidelines for Duplex, Semi-detached and Secondary Suite Housing contained in a Statutory Plan or Community Plan for the area.

*Bylaw No. 10529*

*November 15, 1993*

*Bylaw No. 10741*

*June 20, 1994*

**2) Deleted.**

*Bylaw No. 10529*

*November 15, 1993*

3) Major Home Occupations shall be developed in accordance with [Section 85](#) of this Bylaw.

4) Group Homes shall be developed in accordance with [Section 91](#) of this Bylaw.

*Bylaw No. 6190*

*September 9, 1980*

5) Notwithstanding the minimum site area and minimum width provisions of this District, Religious Assembly uses shall be developed in accordance with [Section 81](#) of this Bylaw.

*Bylaw No. 6626*

*November 10, 1981*

*Bylaw No. 11095*

*November 6, 1995*

6) Child Care Services shall be developed in accordance with [Section 93](#) of this Bylaw.

*Bylaw No. 7322*

*September 16, 1983*

7) Residential Sales Centres shall be developed in accordance with [Section 95](#) of this Bylaw.

*Bylaw No. 10457*

*January 25, 1994*

8)Secondary Suites shall be developed in accordance with [Section 99](#) of this Bylaw.

Edmonton Land Use Bylaw 5996

130. (RPL) Planned Lot Residential District

*Bylaw No. 6626*

*November 10, 1981*

*Bylaw No. 7322*

*September 16, 1983*

*Bylaw No. 7229*

*September 27, 1983*

*Bylaw No. 8994*

*September 12, 1989*

### **130.1 General Purpose**

To provide a District for small lot Single Detached Housing that provides the opportunity for the more efficient utilization of suburban areas, while maintaining the privacy and independence afforded by Single Detached Housing forms; and also, a District that provides greater flexibility for infill development.

### **130.2 Permitted Uses**

1) [Single Detached Housing](#)

2) [Limited Group Homes](#)

*Bylaw No. 10529*

*November 15, 1993*

3) [Minor Home Occupations](#)

*Bylaw No. 10529*

*November 15, 1993*

### **130.3 Discretionary Uses**

1) **Deleted**

*Bylaw No. 10529*

*November 15, 1993*

2) **Deleted**

3) [Group Homes](#)

4) [Foster Homes](#)

*Bylaw No. 11095*

*November 6, 1995*

5) [Child Care Services](#)

6) [Residential Sales Centre](#)

*Bylaw No. 10529*

*November 15, 1993*

7) [Major Home Occupations](#)

#### **130.4 Development Regulations for Permitted and Discretionary Uses**

The following regulations shall apply to Permitted and Discretionary Uses, except where altered by a Statutory Plan Overlay:

- 1) the minimum site area shall be 270 m<sup>2</sup> (2,906.4 sq. ft.) per Dwelling;
- 2) the minimum site width shall be 9.0 m (29.5 ft.);
- 3) the minimum site depth shall be 30 m (98.4 ft.);
- 4) the maximum Height shall not exceed 10 m (32.8 ft.) nor 2 1/2 storeys;

*Bylaw No. 10363*

*May 3, 1993*

5) the following minimum Yards shall be provided on each lot or potential lot:

- a) the minimum Front Yard shall be 4.5 m (14.8 ft.); however, the Development Officer, having regard for the siting and appearance of adjoining residences and other residences within the block face, may increase the Front Yard requirement to improve sunlight exposure, views, privacy and to add general interest to the streetscape;
- b) identical floor plans with similar front elevations must be separated by a minimum of 1 lot unless finishing treatments are substantially different to the satisfaction of the Development Officer;

*Bylaw No. 10244*

*November 16, 1992*

*Bylaw No. 10363*

*May 3, 1993*

- c) the Development Officer may require a graduated transition between different house styles which shall be accommodated by varied roof lines, architectural projections, and/or the interjection of bi-level or split level designs between bungalow and two-storey designs;
- d) corner lots shall have flanking side treatments similar to the front elevation;
- e) the minimum required Side Yard shall be 1.2 m (3.94 ft.) except that a minimum Side Yard for buildings over 7.5 m (24.6 ft.) in Height shall be 2 m (6.6 ft.); and
- f) the minimum Side Yard abutting a public roadway other than a lane shall be 20% of the site width or 2.4 m (7.9 ft.), whichever is greater. Where a garage is an integral part of the building in which the Dwelling is located, and the vehicle doors of the garage face a flanking public roadway other than a lane, the distance between any portion of these vehicle doors and the flanking public roadway shall be not less than 4.5 m (14.8 ft.). The minimum Side Yard abutting a lane shall be 1.2 m (3.94 ft.);

*Bylaw No. 10363*

*May 3, 1993*

6) notwithstanding Clause 130.4(5)(e) above, the Development Officer may allow the Side Yard to be less than 1.2 m (3.94 ft.) where:

- a) the wall facing onto such Side Yard shall be a blank wall; and
- b) a maintenance easement shall be granted by the owner of the adjacent lot which shall:
  - i) be registered by caveat against the title of the adjacent lot; and
  - ii) include any required encroachment easements to establish a minimum separation distance of 2.4 m (7.9 ft.);

7) the Rear Yard shall be based on a consideration of the requirements of Clauses 8), 9), 10), and 11) and in no case shall be less than 4.0 m (13.12 ft.);

8) the maximum total site coverage shall not exceed 45% with a maximum of 35% for a principal building, and a maximum site coverage of 15% for accessory buildings. Where a garage is attached to or designed as an integral part of a Dwelling, the maximum site coverage for the principal building shall be 45%;

9) Separation Space shall be provided in accordance with Section 58 of this Bylaw, except that Separation Space shall not be required between Dwellings where a minimum Side Yard of 1.2 m (3.94 ft.) has been provided on the abutting lot;

10) a minimum private Yard area of 30 m<sup>2</sup> (322.9 sq. ft.) per Dwelling shall be designated on the site plan for the active or passive recreation use of the occupants. This Yard area shall be located immediately adjacent to, and with direct access from, the Dwelling it is intended to serve. Neither the width nor length of such a Yard shall be less than 4 m (13.2 ft.). This minimum private Yard may be located within a required Yard, other than a Front Yard. This Yard shall be permanently retained as open space, unencumbered by an accessory building or future additions;

*Bylaw No. 10363*

*May 3, 1993*

11) one garage, or site for one garage shall be clearly demarcated both on the site and on the plan accompanying any application for a principal building, and access to one garage or garage site, per Dwelling shall be provided on the site, located in accordance with the regulations of this Bylaw. A granular parking pad a minimum of 4.5 m ( 14.8 ft.) in width and a minimum of 5.5 m (18.1 ft.) in length shall be constructed at the rear of each lot;

12)all roof drainage shall be directed away from buildings and to a public roadway, including a lane, or to a drainage work. Applications for a Development Permit shall include a detailed drainage plan showing the proposed drainage of the site;

13)where there is no exterior access from a public roadway to a Rear Yard, the Dwelling shall be designed so as to provide adequate access to a Rear Yard for landscaping, gardening, maintenance and other activities typical of Rear Yard use;

14)individual Development Permit applications will be evaluated in terms of compatibility with existing structures on the block face, taking into account proposed development setbacks, Dwelling entrances and orientation, massing, rooflines, the location of windows and other openings in walls and elevational treatment of wall openings, building facades, and finishing materials;

15)where several Development applications are received simultaneously, the Development Officer shall require the submission of site plans showing setbacks, Dwelling entrances and orientation, massing, rooflines, the location and elevational treatment of wall openings, building facades, and finishing materials for all of the developments. The Development Officer shall require that the exteriors of the Dwellings which are the subject of the applications provide individuality and variety of building design in terms of setbacks, entrances, elevations and finishing materials;

16)new plans of subdivision for RPL development must ensure that each proposed lot is serviced by both a public roadway and a lane;

*Bylaw No. 10207*

*August 15, 1994*

17)general site landscaping shall be developed in accordance with the following:

a)one deciduous tree, one coniferous tree and four shrubs shall be required for each Dwelling;

b)all applications for a Development Permit shall include a site plan which identifies the location, species and size of landscaping required in Section 130.4(17)(a);

c)the required site plan shall also identify the proposed landscaping and screening for any required private Yard area, which is not provided with external access from a lane, Side Yard or passageway through a garage; and

*Bylaw No. 11844*

*August 24, 1998*

d)all required landscaping shall be consistent with the relevant requirements of Section 69.4, to the satisfaction of the Development Officer;

*Bylaw No. 10741*

*June 20, 1994*

*Bylaw No. 11844*

*August 24, 1998*

18)Minor Home Occupations shall be developed in accordance with [Section 84](#) of this Bylaw; and

*Bylaw No. 11844*

*August 24, 1998*

19)A maximum of one Dwelling per lot shall be allowed.

*Bylaw No. 10529*

*November 15, 1993*

*Bylaw No. 10741*

*June 20, 1994*

### **130.5 Additional Development Regulations for Discretionary Uses**

1)**Deleted.**

*Bylaw No. 10529*

*November 15, 1993*

2)Major Home Occupations shall be developed in accordance with [Section 85](#) of this Bylaw.

3)Group Homes shall be developed in accordance with [Section 91](#) of this Bylaw.

*Bylaw No. 11095*

*November 6, 1995*

4)Child Care Services shall be developed in accordance with [Section 93](#) of this Bylaw.

5)Residential Sales Centres shall be developed in accordance with [Section 95](#) of this Bylaw.

Edmonton Land Use Bylaw 5996

140. (RF3) Low Density Redevelopment District

### **140.1 General Purpose**

To provide a District primarily for Single Detached and Semi-detached Housing while allowing smallscale conversion and infill redevelopment to housing forms containing up to four Dwellings per building.

### **140.2 Permitted Uses**

1) [Single Detached Housing](#)

2) [Semi-detached Housing](#)

*Bylaw No. 10457*

*January 25, 1994*

3) [Duplex Housing](#) and [Secondary Suites](#), where the side lot line abuts a lot in an Industrial, Commercial, Row Housing, or Apartment District, or is not separated from it by a public roadway more than 10 m (32.8 ft.) wide.

*Bylaw No. 7229*

*September 27, 1983*

4) [Limited Group Homes](#)

*Bylaw No. 10529*

*November 15, 1993*

5) [Minor Home Occupations](#)

*Bylaw No. 10457*

*January 25, 1994*

### **140.3 Discretionary Uses**

1) [Duplex Housing](#) and [Secondary Suites](#), other than those which are permitted

2) [Row Housing](#), except [Semi-detached Housing](#), in buildings of up to 4 Dwellings, each Dwelling having frontage on a public roadway other than a lane

*Bylaw No. 6626*

*November 10, 1981*

3) [Apartment Housing](#) or [Stacked Row Housing](#), provided that each building contain not more than 4 Dwellings

*Bylaw No. 10529*

*November 15, 1993*

4) **Deleted**

*Bylaw No. 10529*

*November 15, 1993*

5) **Deleted**

6) [Group Homes](#)

7) [Foster Homes](#)

*Bylaw No. 11095*

*November 6, 1995*

8) [Child Care Services](#)

9) [Boarding and Lodging Houses](#)

10) [Greenhouses and Plant Nurseries](#), where lawfully existing on a site in this District at the effective date of this Bylaw, on the same site only

11) [Religious Assembly](#)

*Bylaw No. 6220*

*May 25, 1982*

12) [Fraternity and Sorority Housing](#), where lawfully existing on a site within the Garneau Area Redevelopment Plan area at the effective date of Bylaw No. 6220

*Bylaw No. 7322*

*September 16, 1983*

13) [Residential Sales Centre](#)

*Bylaw No. 7728*

*March 12, 1985*

*Bylaw No. 10529*

*November 15, 1993*

14) [Major Home Occupations](#)

#### **140.4 Development Regulations for Permitted and Discretionary Uses**

The following regulations shall apply to Permitted and Discretionary Uses except where altered by a Statutory Plan Overlay:

*Bylaw No. 10457*

*January 25, 1994*

1) the minimum site area shall be provided as follows:

- a) 360 m<sup>2</sup> (3,875.0 sq. ft.) for each Single Detached Dwelling;
- b) 300 m<sup>2</sup> (3,229.2 sq. ft.) for each Semi-detached or Duplex Dwelling;

*Bylaw No. 6626*

*November 10, 1981*

- c) 200 m<sup>2</sup> (2,152.8 sq. ft.) for each Row Housing end Dwelling which is not a Semi-detached Dwelling;
- d) 150 m<sup>2</sup> (1,614.6 sq. ft.) for each Row Housing internal Dwelling;
- e) 100 m<sup>2</sup> (1,076.4 sq. ft.) for each Secondary Suite; and
- f) 800 m<sup>2</sup> (8,611.1 sq. ft.) for each Apartment Housing or Stacked Row Housing Development;

*Bylaw No. 10457*

*January 25, 1994*

*Bylaw No. 10936*

*October 16, 1995*

2) the minimum site width shall be provided as follows:

- a) 12 m (39.4 ft.) for each Single Detached Dwelling, with or without a Secondary Suite;

*Bylaw No. 10936*

*October 16, 1995*

- b) 7.5 m (24.6 ft.) for each Semi-detached or Duplex Dwelling;

*Bylaw No. 6626*

*November 10, 1981*

- c) 6 m (19.7 ft.) for each Row Housing end Dwelling which is not a Semi-detached Dwelling;
- d) 5 m (16.4 ft.) for each Row Housing internal Dwelling; and
- e) 20 m (65.6 ft.) for each Apartment Housing or Stacked Row Housing development;

3) the minimum site depth shall be 30 m (98.4 ft.);

4)the maximum Height shall not exceed 10 m (32.8 ft.) nor 2½ storeys;

5)the maximum total site coverage shall not exceed 40%, with a maximum of 28% for a principal building and a maximum of 12% for accessory buildings. Where a garage is attached to or designed as an integral part of a Dwelling, the maximum for the principal building is 40%;

6)the minimum Front Yard shall be 6 m (19.7 ft.);

7)the minimum Rear Yard shall be 7.5 m (24.6 ft.), except in the case of a corner site it shall be 4.5 m (14.8 ft.);

8)Side Yards shall be established on the following basis;

*Bylaw No. 6626*

*November 10, 1981*

a)Side Yards shall total at least 20% of the site width, but the requirement shall not be more than 6.0 m (19.7 ft.) with a minimum Side Yard of 1.2 m (3.94 ft.) except that the minimum Side Yard for buildings over 7.5 m (24.6 ft.) in Height shall be 2 m (6.6 ft.);

b)on a corner site where the building fronts on the Front Yard, the minimum Side Yard abutting a flanking public roadway other than a lane shall be 20% of the site width, to a maximum requirement of 4.5 m (14.8 ft.); and

c)on a corner site where the building fronts on a flanking public roadway other than a lane, the minimum Side Yard abutting the flanking public roadway shall be 4.5 m (14.8 ft.);

*Bylaw No. 6626*

*November 10, 1981*

9)Separation Space shall be provided between two or more Dwellings or portions thereof on the same site, in accordance with [Section 58](#) of this Bylaw;

*Bylaw No. 10741*

*June 20, 1994*

10)Minor Home Occupations shall be developed in accordance with [Section 84](#) of this Bylaw;

*Bylaw No. 10741*

*June 20, 1994*

*Bylaw No. 11844*

*August 24, 1998*

11)Secondary Suites shall be developed in accordance with [Section 99](#) of this Bylaw;

*Bylaw No. 10207*

*August 15, 1994*

*Bylaw No. 11844*

*August 24, 1998*

12) notwithstanding the regulations of [Section 69](#) of this Bylaw, in RF3 Districts where new development consists of replacement or infill within areas of existing housing, the Development Officer may require that landscaping be implemented as a component of such new development, in order to replace vegetation removed during construction, or to reinforce an established landscaping context in the area; and

*Bylaw No. 11844*

*August 24, 1998*

13) Where Semi-detached Housing, Duplex Housing and Secondary Suites are allowed in this District, a maximum of two Dwellings per lot shall be allowed. Where Single Detached Housing is developed in this District, a maximum of one Dwelling per lot shall be allowed.

#### **140.5 Additional Development Regulations for Discretionary Uses**

*Bylaw No. 10529*

*November 15, 1993*

*Bylaw No. 10741*

*June 20, 1994*

#### **1) Deleted**

.

*Bylaw No. 10529*

*November 15, 1993*

2) Major Home Occupations shall be developed in accordance with [Section 85](#) of this Bylaw.

3) For Boarding and Lodging Houses, the following regulations shall apply:

a) no more than 4 Sleeping Units may be developed, whether or not in combination with a Dwelling;

b) the minimum site area shall be 360 m<sup>2</sup> (3,875.0 sq. ft.) in all cases and the site area shall be comprised of the aggregate of 200 m<sup>2</sup> (2,153.8 sq. ft.) for each Sleeping Unit, or for each of the Dwelling and each Sleeping Unit when they are in combination; and

c) the Development Officer shall exercise his discretion with respect to the number of Sleeping Units developed having regard to the character and density of existing residential uses.

4) Group Homes shall be developed in accordance with [Section 91](#) of this Bylaw.

5) Notwithstanding the minimum site area and minimum site width provisions of this District, Religious Assembly uses shall be developed in accordance with [Section 81](#) of this Bylaw.

*Bylaw No. 6626*

*November 10, 1981*

*Bylaw No. 11095*

*November 6, 1995*

6)Child Care Services shall be developed in accordance with [Section 93](#) of this Bylaw.

*Bylaw No. 7322*

*September 16, 1983*

7)Residential Sales Centres shall be developed in accordance with [Section 95](#) of this Bylaw.

*Bylaw No. 10457*

*January 25, 1994*

*Bylaw No. 10741*

*June 20, 1994*

8)**Deleted.**

Edmonton Land Use Bylaw 5996

150. (RF4) Semi-detached Residential District

### **150.1 General Purpose**

To provide a District primarily for Semi-detached Housing.

### **150.2 Permitted Uses**

1) [Single Detached Housing](#)

2) [Semi-detached Housing](#)

*Bylaw No. 7229*

*September 27, 1983*

3) [Limited Group Homes](#)

*Bylaw No. 10529*

*November 15, 1993*

4) [Minor Home Occupations](#)

### **150.3 Discretionary Uses**

1) [Duplex Housing](#)

*Bylaw No. 10457*

*January 25, 1994*

2) [Linked Housing](#), except [Semi-detached Housing](#), in buildings of up to four Dwellings, each Dwelling having frontage on a public roadway other than a lane

*Bylaw No. 10529*

*November 15, 1993*

3) **Deleted**

*Bylaw No. 10529*

*November 15, 1993*

4) **Deleted**

5) [Group Homes](#)

6) [Foster Homes](#)

*Bylaw No. 11095*

*November 6, 1995*

7) [Child Care Services](#)

8) [Religious Assembly](#)

*Bylaw No. 7322*

*September 16, 1983*

9) [Residential Sales Centre](#)

*Bylaw No. 10529*

*November 15, 1993*

*Bylaw No. 10741*

*June 20, 1994*

10) [Major Home Occupations](#)

*Bylaw No. 10457*

*January 25, 1994*

*Bylaw No. 10741*

*June 20, 1994*

11) [Secondary Suites](#)

**150.4 Development Regulations for Permitted and Discretionary Uses**

The following regulations shall apply to Permitted and Discretionary Uses, except where altered by a Statutory Plan Overlay:

*Bylaw No. 10457*

*January 25, 1994*

*Bylaw No. 10741*

*June 20, 1994*

1) the minimum site area shall be 360 m<sup>2</sup> (3,875.0 sq. ft.) for Single Detached Housing, 300 m<sup>2</sup> (3,229.2 sq. ft.) for each Semi-detached, Linked or Duplex Dwelling, and 100 m<sup>2</sup> (1,076.4 sq. ft.) for each Secondary Suite;

*Bylaw No. 10457*

*January 25, 1994*

*Bylaw No. 10936*

*October 16, 1995*

2)the minimum site width shall be 7.5 m (24.6 ft.) for each Semi-detached, Duplex, or Linked Housing Dwelling and 12 m (39.4 ft.) for each Single Detached Dwelling, with or without a Secondary Suite;

3)the minimum site depth shall be 30 m (98.4 ft.);

4)the maximum Height shall not exceed 10 m (32.8 ft.) nor 2½ storeys;

5)the maximum total site coverage shall not exceed 40%, with a maximum of 28% for a principal building and a maximum of 12% for accessory buildings. Where a garage is attached to or designed as an integral part of a Dwelling, the maximum for the principal building shall be 40%;

6)the minimum Front Yard shall be 6 m (19.7 ft.);

7)the minimum Rear Yard shall be 7.5 m (24.6 ft.), except in the case of a corner site it shall be 4.5 m (14.8 ft.);

8)Side Yards shall be established on the following basis:

*Bylaw No. 6626*

*November 10, 1981*

a)Side Yards shall total at least 20% of the site width, but the requirement shall not be more than 6.0 m (19.7 ft.), with a minimum Side Yard of 1.2 m (3.94 ft.) except that the minimum Side Yard for buildings over 7.5 m (24.6 ft.) in Height shall be 2 m (6.6 ft.);

b)where there is no lane abutting the site, one Side Yard shall be at least 3 m (9.8 ft.) for vehicular access, unless there is an attached garage or a garage which is an integral part of the Dwelling;

c)on a corner site where the building fronts on the Front Yard, the minimum Side Yard abutting a flanking public roadway other than a lane shall be 20% of the site width, to a maximum requirement of 4.5 m (14.8 ft.); and

d)on a corner site where the building fronts on a flanking public roadway other than a lane, the minimum Side Yard abutting the flanking public roadway shall be 4.5 m (14.8 ft.);

*Bylaw No. 6626*

*November 10, 1981*

*Bylaw No. 11844*

*August 24, 1998*

9)Separation Space shall be provided between two or more Dwellings or portions thereof on the same site, in accordance with [Section 58](#) of this Bylaw;

*Bylaw No. 10741*

*June 20, 1994*

*Bylaw No. 11844*

*August 24, 1998*

10) Minor Home Occupations shall be developed in accordance with [Section 84](#) of this Bylaw; and

*Bylaw No. 11844*

*August 24, 1998*

11) Where Semi-detached Housing, Duplex Housing and Secondary Suites are allowed in this District, a maximum of two Dwellings per lot shall be allowed. Where Single Detached Housing is developed in this District, a maximum of one Dwelling per lot shall be allowed.

### **150.5 Additional Development Regulations for Discretionary Uses**

*Bylaw No. 10529*

*November 15, 1993*

*Bylaw No. 10741*

*June 20, 1994*

1) **Deleted.**

*Bylaw No. 10529*

*November 15, 1993*

2) Major Home Occupations shall be developed in accordance with [Section 85](#) of this Bylaw.

3) Group Homes shall be developed in accordance with [Section 91](#) of this Bylaw.

4) Notwithstanding the minimum site area and minimum site width provisions of this District, Religious Assembly uses shall be developed in accordance with [Section 81](#) of this Bylaw.

*Bylaw No. 6626*

*November 10, 1981*

*Bylaw No. 11095*

*November 6, 1995*

5) Child Care Services shall be developed in accordance with [Section 93](#) of this Bylaw.

*Bylaw No. 7322*

*September 16, 1983*

6) Residential Sales Centres shall be developed in accordance with [Section 95](#) of this Bylaw.

*Bylaw No. 10457*

*January 25, 1994*

7)Secondary Suites shall be developed in accordance with [Section 99](#) of this Bylaw.

Edmonton Land Use Bylaw 5996

160. (RF5) Row Housing District

### **160.1 General Purpose**

To provide a District for relatively low to medium density Multiple Family Housing, generally as Row Housing.

### **160.2 Permitted Uses**

1) [Row Housing](#), including [Linked Housing](#) and [Semi-detached Housing](#), on a site of 1.4 ha (3.46 acres) or less in size

*Bylaw No. 7229*

*September 27, 1983*

2) [Limited Group Homes](#)

*Bylaw No. 10529*

*November 15, 1993*

*Bylaw No. 10741*

*June 20, 1994*

3) [Minor Home Occupations](#)

### **160.3 Discretionary Uses**

1) [Row Housing](#), including [Linked Housing](#) and [Semi-detached Housing](#), on a site larger than 1.4 ha (3.46 acres)

2) [Single Detached Housing](#)

*Bylaw No. 10529*

*November 15, 1993*

3) **Deleted**

*Bylaw No. 10529*

*November 15, 1993*

4) **Deleted**

5) [Group Homes](#)

6) [Foster Homes](#)

*Bylaw No. 11095*

*November 6, 1995*

7) [Child Care Services](#)

*Bylaw No. 6190*

*September 9, 1980*

8) [Religious Assembly](#)

*Bylaw No. 6626*

*November 10, 1981*

9) [Apartment Housing](#) and [Stacked Row Housing](#), provided that each building contain not more than 4 Dwellings with each Dwelling having Habitable Rooms in the lowest storey of the building in which the Dwelling is located, and individual access to grade

*Bylaw No. 7322*

*September 16, 1983*

10) [Residential Sales Centre](#)

*Bylaw No. 10529*

*November 15, 1993*

11) [Major Home Occupations](#)

*Bylaw No. 10741*

*June 20, 1994*

12) [Secondary Suites](#), where developed within a Single Detached Housing form

#### **160.4 Development Regulations for Permitted and Discretionary Uses**

The following regulations shall apply to Permitted and Discretionary Uses, except where altered by a Statutory Plan Overlay:

1) the maximum density shall be 42 dwellings/ha (17.0 dwellings/acre); provided that this shall be increased by 1 dwelling/ha (0.4 dwelling/acre) for every 6 required resident parking spaces and associated maneuvering aisles which are provided underground, up to a maximum density of 54 dwellings/ha (21.9 dwellings/acre). For the purpose of this Clause, underground parking shall be covered so as to provide useful site area which would not otherwise be available. Any projection above grade of the surface covering such parking shall be less than 1 m (3.28 ft.); shall not be located in a required Front Yard; and, shall be integrated with the design of buildings and landscaping so as to be unobtrusive;

2) the maximum Height shall not exceed 10 m (32.8 ft.) nor 2½ storeys;

3) the maximum total site coverage shall be 40% with a maximum of 28% for a principal building and a maximum of

12% for accessory buildings. Where parking is provided underground or garages are attached to or designed as an integral part of Dwellings, the maximum for principal buildings shall be 40%;

4)the minimum Front Yard shall be 6 m (19.7 ft.);

5)the minimum Rear Yard shall be 7.5 m (24.6 ft.);

6)minimum Side Yards of 2 m (6.6 ft.) each shall be provided, except where the Side Yard abuts a flanking public roadway other than a lane, not less than 4.5 m (14.8 ft.) shall be provided;

7)Separation Space shall be provided in accordance with Section 58 of this Bylaw;

8)minimum Private Outdoor Amenity Areas, at grade, of 30 m<sup>2</sup> (322.9 sq. ft.) per Dwelling unit shall be provided;

9)except for developments where all Dwellings have frontage on a public roadway, or those which contain less than 20 Dwellings, a minimum of 2.5 m<sup>2</sup> (26.9 sq. ft.) of Amenity Area per Dwelling shall be provided and be developed as children's play space or other communal recreational space, and be aggregated into areas of not less than 50 m<sup>2</sup> (538.0 sq. ft.);

*Bylaw No. 6626*

*November 10, 1981*

10)except for Housing developed for the purpose of accommodating Senior Citizens, Dwellings shall be Family Oriented, in accordance with the requirements of Section 9, Clause (20), of this Bylaw;

*Bylaw No. 10741*

*June 20, 1994*

11)Minor Home Occupations shall be developed in accordance with [Section 84](#) of this Bylaw; and

*Bylaw No. 10207*

*August 15, 1994*

12)notwithstanding the other regulations of this District, where Apartment Housing, Stacked Row Housing or Row Housing developments abut land districted to allow Single Detached Housing as a Permitted Use, the following regulations shall apply:

a)a minimum landscaped Setback of 7.5 m (24.6 ft.) shall be required from any Apartment, Stacked Row House or Row House unit to any property line common with Single Detached Housing. No surface parking or loading facilities shall be located within this Setback area. The Development Officer may reduce this minimum Setback to a minimum of 3.0 m (9.84 ft.) against the flanking wall of a Stacked Row House or Row House unit where:

i)the unit is part of an infill redevelopment in an inner city area of existing development; and

ii)where lot dimensions preclude large Setbacks within such infill projects.

The Development Officer shall not reduce the 7.5 m (24.6 ft.) minimum Setback for Apartments, Stacked Row Housing, or Row Housing in new suburban developments;

b)no outdoor parking, trash collection or outdoor storage areas shall be developed within 3.0 m (9.84 ft.) of any property line which abuts land districted to allow Single Detached Housing as a Permitted Use;

c)a solid screen fence, 1.83 m (6.0 ft.) in height, designed to the satisfaction of the Development Officer, shall be

installed along all property lines which abut land districted to allow Single Detached Housing as a Permitted Use, except for common flanking Front Yard boundaries;

d) design techniques including, but not limited to, the use of sloped roofs, variations in building setbacks and articulation of building facades, shall be employed in order to minimize the perception of massing of the building when viewed from adjacent residential areas and roadways, to the satisfaction of the Development Officer; and

e) building finishes shall be compatible with the exterior finishing materials and colours typical of adjacent Single Detached Housing, to the satisfaction of the Development Officer.

### **160.5 Additional Development Regulations for Discretionary Uses**

*Bylaw No. 10457*

*January 25, 1994*

*Bylaw No. 10936*

*October 16, 1995*

1) Notwithstanding subsection 160.4, Single Detached Housing in this District shall be developed in accordance with the provisions of the [RF1](#) District, and Semi-detached Housing and Secondary Suites in this District shall be developed in accordance with the provisions of the [RF2](#) District.

*Bylaw No. 10529*

*November 15, 1993*

*Bylaw No. 10741*

*June 20, 1994*

2) **Deleted.**

*Bylaw No. 10529*

*November 15, 1993*

3) Major Home Occupations shall be developed in accordance with [Section 85](#) of this Bylaw.

4) Group Homes shall be developed in accordance with [Section 91](#) of this Bylaw.

*Bylaw No. 6190*

*September 9, 1980*

*Bylaw No. 10457*

*January 25, 1994*

5) Religious Assembly uses shall be developed in accordance with [Section 81](#) of this Bylaw

*.Bylaw No. 6626*

*November 10, 1981*

*Bylaw No. 11095*

*November 6, 1995*

6)Child Care Services shall be developed in accordance with [Section 93](#) of this Bylaw.

*Bylaw No. 7322*

*September 16, 1983*

7)Residential Sales Centres shall be developed in accordance with [Section 95](#) of this Bylaw.

*Bylaw No. 10457*

*January 25, 1994*

8)Secondary Suites shall be developed in accordance with [Section 99](#) of this Bylaw.

Edmonton Land Use Bylaw 5996

170. (RF6) Medium Density Multiple Family

### **170.1 General Purpose**

To provide a District for medium density Multiple Family Housing, where some units may not be at grade.

### **170.2 Permitted Uses**

1) [Stacked Row Housing](#), including [Row Housing](#), [Linked Housing](#), [Semi-detached Housing](#) and [Duplex Housing](#), on a site 1.4 ha (3.46 acres) or less in size

*Bylaw No. 7229*

*September 27, 1983*

2) [Limited Group Homes](#)

*Bylaw No. 10529*

*November 15, 1993*

*Bylaw No. 10741*

*June 20, 1994*

3) [Minor Home Occupations](#)

### **170.3 Discretionary Uses**

1) [Stacked Row Housing](#) including [Row Housing](#), [Linked Housing](#), [Semi-detached Housing](#) and [Duplex Housing](#) on a site larger than 1.4 ha (3.46 acres)

*Bylaw No. 6471*

*June 24, 1981*

*Bylaw No. 11832*

*August 24, 1998*

2) [Apartment Housing](#), provided that the total numbers of Dwellings per building does not exceed 12, where the principal access to exterior grade is shared by more than two Dwellings

3) [Single Detached Housing](#)

*Bylaw No 10529*

*November 15, 1993*

4)**Deleted**

*Bylaw No. 10529*

*November 15, 1993*

5)**Deleted**

6)[Group Homes](#)

7)[Foster Homes](#)

*Bylaw No. 11095*

*November 6, 1995*

8)[Child Care Services](#)

9)[Personal Service Shops](#) and [Convenience Retail Stores](#), when designed as an integral and secondary component of a residential development consisting of 150 Dwellings or more

*Bylaw No. 6190*

*September 9, 1980*

10)[Religious Assembly](#)

*Bylaw No. 6220*

*May 25, 1982*

11)[Fraternity and Sorority Housing](#), where lawfully existing on a site within the Garneau Area Redevelopment Plan area at the effective date of Bylaw No. 6220

*Bylaw No. 7322*

*September 16, 1983*

*Bylaw No. 7728*

*March 12, 1985*

12)[Residential Sales Centre](#)

*Bylaw No. 10529*

*November 15, 1993*

13)[Major Home Occupations](#)

*Bylaw No. 10741*

*June 20, 1994*

14) [Secondary Suites](#), where developed within a Single Detached Housing form

#### **170.4 Development Regulations for Permitted and Discretionary Uses**

The following development regulations shall apply to Permitted and Discretionary Uses, except where altered by a Statutory Plan Overlay:

1) the maximum density shall be 80 dwellings/ha (32.4 dwellings/acre); provided that this shall be increased by 1 dwelling/ha (0.4 dwelling/acre) for every 6 required resident parking spaces and associated manouvering aisles which are provided underground, up to a maximum density of 105 dwellings/ha (42.5 dwellings/acre). For the purpose of this Clause, underground parking shall be covered so as to provide useful site area which would not otherwise be available. Any projection above grade of the surface covering such parking shall be less than 1 m (3.28 ft.); shall not be located in a required Front Yard; and shall be integrated with the design of buildings and landscaping so as to be unobtrusive;

2) the maximum Height shall not exceed 14 m (45.9 ft.) nor 4 storeys;

3) the maximum total site coverage shall be 40%, with a maximum of 28% for a principal building and a maximum of 12% for accessory buildings. Where parking is provided underground or garages are attached or designed as an integral part of Dwellings, the maximum for principal buildings shall be 40%;

4) the minimum Front Yard shall be 6 m (19.7 ft.);

5) the minimum Rear Yard shall be 7.5 m (24.6 ft.);

6) minimum Side Yards of 1 m (3.3 ft.) for each storey or partial storey shall be provided, except that a total of at least 2 m (6.6 ft.) shall be provided in all cases. A Side Yard shall be not less than 4.5 m (14.8 ft.) where it abuts a flanking public roadway other than a lane;

7) Separation Space shall be provided in accordance with [Section 58](#) of this Bylaw;

8) minimum Private Outdoor Amenity Area of 30 m<sup>2</sup> (322.9 sq. ft.) per Dwelling for Dwellings any part of which is contained in the lowest storey, and 15 m<sup>2</sup> (161.5 sq. ft.) per Dwelling for Dwellings no part of which is contained in the lowest storey;

9) except for developments where all Dwellings have frontage on a public roadway, or those which contain less than 20 Dwellings, a minimum of 2.5 m<sup>2</sup> (26.9 sq. ft.) of Amenity Area per Dwelling shall be provided and be developed as children's play space or other communal recreational space, and be aggregated into areas of not less than 50 m<sup>2</sup> (538.0 sq. ft.);

*Bylaw No. 6626*

*November 10, 1981*

10) except for Housing developed for the purpose of accommodating Senior Citizens, Dwellings shall be Family Oriented, in accordance with the requirements of Section 9, Clause (20), of this Bylaw;

*Bylaw No. 10741*

*June 20, 1994*

11) Minor Home Occupations shall be developed in accordance with [Section 84](#) of this Bylaw; and

*Bylaw No. 10207*

*August 15, 1994*

12) notwithstanding the other regulations of this District, where Apartment Housing, Stacked Row Housing or Row Housing developments abut land districted to allow Single Detached Housing as a Permitted Use, the following regulations shall apply:

a) a minimum landscaped Setback of 7.5 m (24.6 ft.) shall be required from any Apartment, Stacked Row House or Row House unit to any property line common with Single Detached Housing. No surface parking or loading facilities shall be located within this Setback area. The Development Officer may reduce this minimum Setback to a minimum of 3.0 m (9.84 ft.) against the flanking wall of a Stacked Row House or Row House unit where:

- i) the unit is part of an infill redevelopment in an inner city area of existing development; and
- ii) where lot dimensions preclude large Setbacks within such infill projects.

The Development Officer shall not reduce the 7.5 m (24.6 ft.) minimum Setback for Apartments, Stacked Row Housing, or Row Housing in new suburban developments;

b) no outdoor parking, trash collection or outdoor storage areas shall be developed within 3.0 m (9.84 ft.) of any property line which abuts land districted to allow Single Detached Housing as a Permitted Use;

c) a solid screen fence, 1.83 m (6.0 ft.) in height, designed to the satisfaction of the Development Officer, shall be installed along all property lines which abut land districted to allow Single Detached Housing as a Permitted Use, except for common flanking Front Yard boundaries;

d) design techniques including, but not limited to, the use of sloped roofs, variations in building setbacks and articulation of building facades, shall be employed in order to minimize the perception of massing of the building when viewed from adjacent residential areas and roadways, to the satisfaction of the Development Officer;

e) building finishes shall be compatible with the exterior finishing materials and colours typical of adjacent Single Detached Housing, to the satisfaction of the Development Officer; and

f) where Apartment Housing is to be developed directly adjacent to land districted to allow Single Detached Housing as a Permitted Use, the maximum building Height for the directly adjacent facade of such Apartment Housing shall not exceed 10 m (32.8 ft.) nor 2 1/2 storeys, except that such directly adjacent Apartment Housing may exceed this Height, to a maximum of 14 m (45.9 ft.) or four storeys, provided that the portion of the building above 10 m (32.8 ft.) or 2 1/2 storeys is set back or stepped back from the facade such that, in the opinion of the Development Officer, adjacent Single Detached Housing will not be adversely impacted by excessive building massing or sun/shadow effects.

### **170.5 Additional Development Regulations for Discretionary Uses**

*Bylaw No. 10936*

*October 16, 1995*

1) Notwithstanding subsection 170.4, Single Detached Housing in this District shall be developed in accordance with the provisions of the [RF1](#) District, and Duplex and Semi-detached Housing and Secondary Suites in this District shall be developed in accordance with the provisions of the [RF2](#) District.

*Bylaw No. 10529*

*November 15, 1993*

*Bylaw No. 10741*

*June 20, 1994*

2) **Deleted.**

*Bylaw No. 10529*

*November 15, 1993*

3) Major Home Occupations shall be developed in accordance with [Section 85](#) of this Bylaw.

4) The following regulations shall apply to Personal Service Shops and Convenience Retail Stores developments:

a) the total gross floor area of these uses on any site shall not exceed 275 m<sup>2</sup> (2,960.0 sq. ft.); and

b) these uses shall not be permitted in any freestanding structure separate from a structure containing residential uses. Their principal entrance shall be a separate, outside entrance.

5) Groups Homes shall be developed in accordance with [Section 91](#) of this Bylaw.

*Bylaw No. 6190*

*September 9, 1980*

*Bylaw No. 10457*

*January 25, 1994*

6) Religious Assembly uses shall be developed in accordance with [Section 81](#) of this Bylaw.

*Bylaw No. 6471*

*June 24, 1981*

*Bylaw No. 11832*

*August 24, 1998*

7) Apartment Housing shall consist of Family Oriented Dwellings.

*Bylaw No. 6626*

*November 10, 1981*

*Bylaw No. 11095*

*November 6, 1995*

8) Child Care Services shall be developed in accordance with [Section 93](#) of this Bylaw.

*Bylaw No. 7322*

*September 16, 1983*

9) Residential Sales Centres shall be developed in accordance with [Section 95](#) of this Bylaw.

*Bylaw No. 10457*

*January 25, 1994*

10)Secondary Suites shall be developed in accordance with [Section 99](#) of this Bylaw.

Edmonton Land Use Bylaw 5996

210. (RA7) Low Rise Apartment District

### **210.1 General Purpose**

To provide a District for Low Rise Apartments.

### **210.2 Permitted Uses**

*Bylaw No. 6626*

*November 10, 1981*

- 1) [Apartment Housing](#) on a site of 1.4 ha (3.46 acres) or less, which does not isolate another site within this District of less than 800 m<sup>2</sup> (8,611.1 sq. ft.)
- 2) [Stacked Row Housing](#) including [Row Housing](#) and [Linked Housing](#) but excluding Semi-detached and Duplex Housing, on a site of 1.4 ha (3.46 acres) or less, which does not isolate another site within this District of less than 800 m<sup>2</sup> (8,611.1 sq. ft.)
- 3) [Boarding and Lodging Houses](#), on a site which does not isolate another site within this District of less than 800 m<sup>2</sup> (8,611.1 sq. ft.)

*Bylaw No. 7229*

*September 27, 1983*

- 4) [Limited Group Homes](#)

*Bylaw No. 10529*

*November 15, 1993*

*Bylaw No. 10741*

*June 20, 1994*

- 5) [Minor Home Occupations](#)

### **210.3 Discretionary Uses**

- 1) [Apartment Housing](#) on a site larger than 1.4 ha (3.46 acres)
- 2) [Stacked Row Housing](#), including [Row Housing](#) and [Linked Housing](#) on a site larger than 1.4 ha (3.46 acres)

3) [Single Detached](#), [Semi-detached](#), and [Duplex Housing](#)

4) [Fraternity and Sorority Housing](#)

*Bylaw No. 10529*

*November 15, 1993*

5) **Deleted**

*Bylaw No. 10529*

*November 15, 1993*

6) **Deleted**

7) [Group Homes](#)

8) [Foster Homes](#)

*Bylaw No. 11095*

*November 6, 1995*

9) [Child Care Services](#)

10) [Personal Service Shops](#) and [Convenience Retail Stores](#) when designed as an integral and secondary component of a residential development consisting of 150 Dwellings or more

11) [Religious Assembly](#)

*Bylaw No. 6626*

*November 10, 1981*

12) A Permitted Use listed in this District, the site of which isolates another site within this District of less than 800 m<sup>2</sup> (8,611 sq. ft.)

*Bylaw No. 7016*

*December 14, 1982*

13) Conversion of Single Detached, Semi-detached and Duplex Dwellings to [Professional Offices](#)

*Bylaw No. 7322*

*September 16, 1983*

*Bylaw No. 7728*

*March 12, 1985*

14) [Residential Sales Centre](#)

*Bylaw No. 10529*

*November 15, 1993*

15) [Major Home Occupations](#)

*Bylaw No. 10741*

*June 20, 1994*

16) [Secondary Suites](#), where developed within a Single Detached Housing form

**210.4 Development Regulations for Permitted and Discretionary Uses**

The following regulations shall apply to Permitted and Discretionary Uses, except where altered by a Statutory Plan Overlay:

- 1) the maximum density shall be 125 dwellings/ha (50.6 dwellings/acre);
- 2) the minimum site area shall be 800 m<sup>2</sup> (8,611.1 sq. ft.);
- 3) the minimum site width shall be 20 m (65.5 ft.);
- 4) the maximum Height shall not exceed 14 m (45.9 ft.) nor 4 storeys;
- 5) the maximum Floor Area Ratio shall be 1.3;
- 6) the minimum Front Yard shall be 6 m (19.7 ft.);
- 7) the minimum Rear Yard shall be 7.5 m (24.6 ft.);
- 8) the minimum Side Yard shall be 1 m (3.3 ft.) for each storey or partial storey, except that a total of at least 2 m (6.6 ft.) shall be provided in all cases. A Side Yard shall be not less than 4.5 m (14.8 ft.) when it abuts a flanking public roadway other than a lane;
- 9) Separation Space shall be provided in accordance with [Section 58](#) of this Bylaw;
- 10) a minimum Amenity Area of 7.5 m<sup>2</sup> (80.7 sq. ft.) per Dwelling shall be provided;

*Bylaw No. 10741*

*June 20, 1994*

11) Minor Home Occupations shall be developed in accordance with [Section 84](#) of this Bylaw;

*Bylaw No. 10207*

*August 15, 1994*

12) notwithstanding the other regulations of this District, where Apartment Housing, Stacked Row Housing or Row Housing developments abut land districted to allow Single Detached Housing as a Permitted Use, the following regulations shall apply:

a) a minimum landscaped Setback of 7.5 m (24.6 ft.) shall be required from any Apartment, Stacked Row House or Row House unit to any property line common with Single Detached Housing. No surface parking or loading facilities shall be located within this Setback area. The Development Officer may reduce this minimum Setback to a minimum of 3.0 m (9.84 ft.) against the flanking wall of a Stacked Row House or Row House unit where:

i) the unit is part of an infill redevelopment in an inner city area of existing development; and

ii)where lot dimensions preclude large Setbacks within such infill projects.

The Development Officer shall not reduce the 7.5 m (24.6 ft.) minimum Setback for Apartments, Stacked Row Housing, or Row Housing in new suburban developments;

b)no outdoor parking, trash collection or outdoor storage areas shall be developed within 3.0 m (9.84 ft.) of any property line which abuts land districted to allow Single Detached Housing as a Permitted Use;

c)a solid screen fence, 1.83 m (6.0 ft.) in height, designed to the satisfaction of the Development Officer, shall be installed along all property lines which abut land districted to allow Single Detached Housing as a Permitted Use, except for common flanking Front Yard boundaries;

d)design techniques including, but not limited to, the use of sloped roofs, variations in building setbacks and articulation of building facades, shall be employed in order to minimize the perception of massing of the building when viewed from adjacent residential areas and roadways, to the satisfaction of the Development Officer;

e)building finishes shall be compatible with the exterior finishing materials and colours typical of adjacent Single Detached Housing, to the satisfaction of the Development Officer; and

f)where Apartment Housing is to be developed directly adjacent to land districted to allow Single Detached Housing as a Permitted Use, the maximum building Height for the directly adjacent facade of such Apartment Housing shall not exceed 10 m (32.8 ft.) nor 2 1/2 storeys, except that such directly adjacent Apartment Housing may exceed this Height, to a maximum of 14 m (45.9 ft.) or four storeys, provided that the portion of the building above 10 m (32.8 ft.) or 2 1/2 storeys is set back or stepped back from the facade such that, in the opinion of the Development Officer, adjacent Single Detached Housing will not be adversely impacted by excessive building massing or sun/shadow effects; and

*Bylaw No. 10207*

*August 15, 1994*

13)where Apartment Housing is to be developed as non-family housing specifically intended for older individuals, but which may not meet provincial guidelines for seniors' housing, the following variances to this Bylaw may be considered by the Development Officer:

a)the parking requirements of [Schedule 66A\(5\)](#) of this Bylaw may be reduced, subject to a Parking Demand Study which satisfactorily demonstrates that the parking needs of the development can be met on-site; and

b)the provision of enhanced and enlarged communal Amenity Areas and other communal facilities over that required by [Sections 56](#) and 210.4(10) of this Bylaw may be required by the Development Officer, where such an increase would benefit the particular needs of older tenants/owners.

### **210.5 Additional Development Regulations for Discretionary Uses**

*Bylaw No. 10936*

*October 16, 1995*

1)Notwithstanding Section 210.4, Single Detached, Semi-detached, and Duplex Housing in this District shall be developed in accordance with the provisions of the [RF4](#) District.

*Bylaw No. 10529*

*November 15, 1993*

*Bylaw No. 10741*

*June 20, 1994*

2)**Deleted.**

*Bylaw No. 10529*

*November 15, 1993*

*Bylaw No. 10457*

*January 25, 1994*

3)Major Home Occupation uses shall be developed in accordance with [Section 85](#) of this Bylaw.

4)Boarding and Lodging Houses shall be developed in accordance with [Section 86](#) of this Bylaw.

5)Notwithstanding Section 210.4, Clause (1), Housing for Senior Citizens shall be governed by [Section 87](#) of this Bylaw.

6)The following regulations shall apply to Personal Service Shops and Convenience Retail Stores development:

a)the total gross floor area of these uses on any site shall not exceed 275 m<sup>2</sup> (2,960.0 sq. ft.); and

b)these uses shall not be permitted in any freestanding structure separate from a structure containing residential uses. Their principal entrance shall be a separate, outside entrance.

7)Group Homes shall be developed in accordance with [Section 91](#) of this Bylaw.

8)Notwithstanding the minimum site area and minimum site width provisions of this District, Religious Assembly uses shall be developed in accordance with [Section 81](#) of this Bylaw.

*Bylaw No. 6626*

*November 10, 1981*

9)The Development Officer may exercise his discretion in considering applications for Development Permits for Apartment Housing, Stacked Row or Row Housing or Boarding and Lodging Houses, which would isolate another site within this District of less than 800 m<sup>2</sup> (8,611.1 sq. ft.) having regard to the location, age and nature of the use or uses on the site which would be isolated.

*Bylaw No. 6626*

*November 10, 1981*

*Bylaw No. 11095*

*November 6, 1995*

10)Child Care Services shall be developed in accordance with [Section 93](#) of this Bylaw.

*Bylaw No. 7016*

*December 14, 1982*

11)Conversion of Single Detached, Semi-detached and Duplex Dwellings to Professional Offices shall be in accordance with [Section 88](#) of this Bylaw.

*Bylaw No. 6220*

*May 25, 1982*

12)Notwithstanding the development regulations of this District, Fraternity and Sorority Housing shall be developed in accordance with [Section 94](#) of this Bylaw.

*Bylaw No. 7322*

*September 16, 1983*

13)Residential Sales Centres shall be developed in accordance with [Section 95](#) of this Bylaw.

*Bylaw No. 10457*

*January 25, 1994*

14)Secondary Suites shall be developed in accordance with [Section 99](#) of this Bylaw.

Edmonton Land Use Bylaw 5996

220. (RA8) Medium Rise Apartment District

### **220.1 General Purpose**

To provide a District for Medium Rise Apartments.

### **220.2 Permitted Uses**

- 1) [Apartment Housing](#) on a site of 1.0 ha (2.47 acres) or less, which does not isolate another site within this District of less than 800 m<sup>2</sup> (8,611.1 sq. ft.)
- 2) [Stacked Row Housing](#) including [Row Housing](#) and [Linked Housing](#) but excluding Semi-detached and Duplex Housing, on a site of 1.0 ha (2.47 acres) or less, which does not isolate another site within this District of less than 800 m<sup>2</sup> (8,611.1 sq. ft.)
- 3) [Boarding and Lodging Houses](#), on a site which does not isolate another site within this District of less than 800 m<sup>2</sup> (8,611.1 sq. ft.)

*Bylaw No. 7229*

*September 27, 1983*

- 4) [Limited Group Homes](#)

*Bylaw No. 10529*

*November 15, 1993*

*Bylaw No. 10741*

*June 20, 1994*

- 5) [Minor Home Occupations](#)

### **220.3 Discretionary Uses**

- 1) [Apartment Housing](#) on a site larger than 1 ha (2.47 acres)
- 2) [Stacked Row Housing](#), including [Row Housing](#) and [Linked Housing](#) on a site larger than 1 ha (2.47 acres)
- 3) [Single Detached](#), [Semi-detached](#) and [Duplex Housing](#)
- 4) [Fraternity and Sorority Housing](#)

*Bylaw No. 10529*

*November 15, 1993*

5) **Deleted**

*Bylaw No. 10529*

*November 15, 1993*

6) **Deleted**

7) [Group Homes](#)

8) [Foster Homes](#)

*Bylaw No. 11095*

*November 6, 1995*

9) [Child Care Services](#)

10) [Personal Service Shops](#) and [Convenience Retail Sales](#) when designed as an integral and secondary component of a residential development consisting of 150 Dwellings or more

11) Conversion of Single Detached, Semi-detached, and Duplex Dwellings to [Professional Offices](#)

12) [Religious Assembly](#)

13) A Permitted Use listed in this District, the site of which isolates another site within this District of less than 800 m<sup>2</sup> (8,611.1 sq. ft.)

*Bylaw No. 7322*

*September 16, 1983*

14) [Residential Sales Centre](#)

*Bylaw No. 10529*

*November 15, 1993*

15) [Major Home Occupations](#)

*Bylaw No. 10741*

*June 20, 1994*

16) [Secondary Suites](#), where developed within a Single Detached Housing form

#### **220.4 Development Regulations for Permitted and Discretionary Uses**

The following regulations shall apply to Permitted and Discretionary Uses, except where varied by a Statutory Plan Overlay:

1) the maximum density shall be:

- a)125 dwellings/ha (50.6 dwellings/acre) for any site less than 885 m<sup>2</sup> (9,526 sq. ft.); or
  - b)224 dwellings/ha (91 dwellings/acre) for any site of 885 m<sup>2</sup> (9,526 sq. ft.) or greater;
- 2)the minimum site area shall be 800 m<sup>2</sup> (8,611.1 sq. ft.);
  - 3)the minimum site width shall be 20 m (65.6 ft.);
  - 4)the maximum Floor Area Ratio shall be 1.5, provided that where only Family Oriented Dwellings are located in the first and second storey of a building containing Apartment Housing, and such Dwellings provide the minimum Private Outdoor Amenity Area required by the RF6 District, the allowable floor area shall be increased by an amount equal to the floor area of such Dwellings up to a maximum Floor Area Ratio of 2.25;
  - 5)the maximum Height shall not exceed 23 m (75.5 ft.) nor 6 storeys;
  - 6)the minimum Front Yard shall be 6 m (19.7 ft.);
  - 7)the minimum Rear Yard shall be 7.5 m (24.6 ft.);
  - 8)the minimum Side Yard shall be 1 m (3.3 ft.) for each storey or partial storey, up to a maximum of 4.5 m (14.8 ft.), except that a total of at least 2 m (6.6 ft.) shall be provided in all cases. A Side Yard shall be not less than 4.5 m (14.8 ft.) when it abuts a flanking public roadway other than a lane;
  - 9)Separation Space shall be provided in accordance with Section 58 of this Bylaw;
  - 10)a minimum Amenity Area of 7.5 m<sup>2</sup> (80.7 sq. ft.) per Dwelling shall be provided, excepting those Dwellings where Private Outdoor Amenity Area is provided in accordance with Clause (4) above;

*Bylaw No. 10741*

*June 20, 1994*

- 11)Minor Home Occupations shall be developed in accordance with [Section 84](#) of this Bylaw; and

*Bylaw No. 10207*

*August 15, 1994*

- 12)notwithstanding the other regulations of this District, where Apartment Housing developments abut land districted to allow Single Detached Housing as a Permitted Use, the following regulations shall apply:

- a)a minimum landscaped Setback of 7.5 m (24.6 ft.) shall be required from any Apartment, Stacked Row House or Row House unit to any property line common with Single Detached Housing. No surface parking or loading facilities shall be located within this Setback area. The Development Officer may reduce this minimum Setback to a minimum of 3.0 m (9.84 ft.) against the flanking wall of a Stacked Row House or Row House unit where:

- i)the unit is part of an infill redevelopment in an inner city area of existing development; and
- ii)where lot dimensions preclude large Setbacks within such infill projects.

The Development Officer shall not reduce the 7.5 m (24.6 ft.) minimum Setback for Apartments, Stacked Row Housing, or Row Housing in new suburban developments;

- b)no outdoor parking, trash collection or outdoor storage areas shall be developed within 3.0 m (9.84 ft.) of any property line which abuts land districted to allow Single Detached Housing as a Permitted Use;

c)a solid screen fence, 1.83 m (6.0 ft.) in height, designed to the satisfaction of the Development Officer, shall be installed along all property lines which abut land districted to allow Single Detached Housing as a Permitted Use, except for common flanking Front Yard boundaries;

d)design techniques including, but not limited to, the use of sloped roofs, variations in building setbacks and articulation of building facades, shall be employed in order to minimize the perception of massing of the building when viewed from adjacent residential areas and roadways, to the satisfaction of the Development Officer;

e)building finishes shall be compatible with the exterior finishing materials and colours typical of adjacent Single Detached Housing, to the satisfaction of the Development Officer; and

f)where Apartment Housing is to be developed directly adjacent to land districted to allow Single Detached Housing as a Permitted Use, the maximum building Height for the directly adjacent facade of such Apartment Housing shall not exceed 10 m (32.8 ft.) nor 2 1/2 storeys, except that such directly adjacent Apartment Housing may exceed this Height, to a maximum of 14 m (45.9 ft.) or four storeys, provided that the portion of the building above 10 m (32.8 ft.) or 2 1/2 storeys is set back or stepped back from the facade such that, in the opinion of the Development Officer, adjacent Single Detached Housing will not be adversely impacted by excessive building massing or sun/shadow effects.

### **220.5Special Height Regulation**

On any site in this District which was zoned R-3A Medium Density Suburban Residential District under Zoning Bylaw No. 2135 at the effective date of this Bylaw, and which is designated as such on the Land Use District Map, the maximum Height shall be 45 m (147.6 ft.).

*Bylaw No. 10936*

*October 16, 1995*

### **220.6Additional Development Regulations for Discretionary Uses**

1)Notwithstanding subsection 220.4, Single Detached, Semi-detached and Duplex Housing, and Secondary Suites in this District shall be developed in accordance with the provisions of the [RF4](#) District.

*Bylaw No. 10529*

*November 15, 1993*

*Bylaw No. 10741*

*June 20, 1994*

2)**Deleted.**

*Bylaw No. 10529*

*November 15, 1993*

3)Major Home Occupations shall be developed in accordance with [Section 85](#) of this Bylaw.

4)Boarding and Lodging Houses shall be developed in accordance with [Section 86](#) of this Bylaw.

5)Notwithstanding Section 220.4 Clause (1) and (4), Housing for Senior Citizens shall be governed by [Section 87](#) of this Bylaw.

6)The following regulations shall apply to Personal Service Shops and Convenience Retail Stores:

a)the total gross floor area of these uses on any site shall not exceed 275 m2 (2,960.0 sq. ft.);

b)these uses shall not be permitted in any freestanding structure separate from a structure containing residential uses. The principal entrance to these uses shall be a separate, outside entrance.

7)Conversion of Single Detached, Semi-detached, and Duplex Dwellings to Professional Offices shall be in accordance with [Section 88](#) of this Bylaw.

8)The Development Officer may exercise his discretion in considering Apartment Housing, or Boarding and Lodging Houses, which would isolate another site within this District of less than 800 m2 (8,611.1 sq. ft.) having regard to the location, age and nature of the use or uses on the site which would be isolated.

9)Group Homes shall be developed in accordance with [Section 91](#) of this Bylaw.

10)Notwithstanding the minimum site area and minimum site width provisions of this District, Religious Assembly Uses shall be developed in accordance with [Section 81](#) of this Bylaw.

*Bylaw No. 6626*

*November 10, 1981*

*Bylaw No. 11095*

*November 6, 1995*

11)Child Care Services shall be developed in accordance with [Section 93](#) of this Bylaw.

*Bylaw No. 6220*

*May 25, 1982*

12)Notwithstanding the development regulations of this District, Fraternity and Sorority Housing shall be developed in accordance with [Section 94](#) of this Bylaw.

*Bylaw No. 7322*

*September 16, 1983*

13)Residential Sales Centres shall be developed in accordance with [Section 95](#) of this Bylaw.

*Bylaw No. 10457*

*January 25, 1994*

14)Secondary Suites shall be developed in accordance with [Section 99](#) of this Bylaw.

Edmonton Land Use Bylaw 5996

230. (RA9) High Rise Apartment District

### **230.1 General Purpose**

To provide a District for High Rise Apartments.

### **230.2 Permitted Uses**

- 1) [Apartment Housing](#) on a site of 1.0 ha (2.47 acres) or less, which does not isolate another site within this District of less than 800 m<sup>2</sup> (8,611.1 sq. ft.)
- 2) [Stacked Row Housing](#) including [Row Housing](#) and [Linked Housing](#) but excluding Semi-detached and Duplex Housing, on a site of 1.0 ha (2.47 acres) or less, which does not isolate another site within this District of less than 800 m<sup>2</sup> (8,611 sq. ft.)
- 3) [Boarding and Lodging Houses](#), on a site which does not isolate another site within this District of less than 800 m<sup>2</sup> (8,611.1 sq. ft.)

*Bylaw No. 7229*

*September 27, 1983*

- 4) [Limited Group Homes](#)

*Bylaw No. 10529*

*November 15, 1993*

*Bylaw No. 10457*

*January 25, 1994*

*Bylaw No. 10741*

*June 20, 1994*

- 5) [Minor Home Occupations](#)

### **230.3 Discretionary Uses**

- 1) [Apartment Housing](#) on a site larger than 1.0 ha (2.47 acres)
- 2) [Stacked Row Housing](#), including [Row Housing](#) and [Linked Housing](#) on a site larger than 1.0 ha (2.47 acres)

3) [Single Detached, Semi-detached Housing](#), and [Duplex Housing](#)

4) [Fraternity and Sorority Housing](#)

*Bylaw No. 10529*

*November 15, 1993*

5) **Deleted**

6) [Group Homes](#)

*Bylaw No. 11095*

*November 6, 1995*

7) [Child Care Services](#)

8) [Private Clubs](#)

9) [Apartment Hotels](#)

*Bylaw No. 10244*

*November 16, 1992*

10) [Personal Service Shops](#)

11) Conversion of Single Detached, or Semi-detached Dwellings or Duplex Dwellings to [Professional Offices](#)

12) [Religious Assembly](#)

13) A Permitted Use listed in this District, the site of which isolates another site within this District of less than 800 m<sup>2</sup> (8,611.1 sq. ft.)

*Bylaw No. 7016*

*December 14, 1982*

*Bylaw No. 10529*

*November 15, 1993*

14) **Deleted**

*Bylaw No. 7322*

*September 16, 1983*

*Bylaw No. 7728*

*March 12, 1985*

15) [Residential Sales Centre](#)

*Bylaw No. 10244*

*November 16, 1992*

16) [Convenience Retail Stores](#)

17) [Professional Offices](#)

18) [Health Services](#)

*Bylaw No. 10529*

*November 15, 1993*

19) [Major Home Occupations](#)

*Bylaw No. 10741*

*June 20, 1994*

20) [Secondary Suites](#), where developed within a Single Detached Housing form

### **230.4 Development Regulations for Permitted and Discretionary Uses**

The following regulations shall apply to Permitted and Discretionary Uses, except where altered by a Statutory Plan Overlay:

1) the maximum density shall be:

a) 225 dwellings/ha (91 dwellings/acre) for any site less than 1 350 m<sup>2</sup> (14,531.3 sq. ft.); or

b) 325 dwellings/ha (131.5 dwellings/acre) for any site of 1 350 m<sup>2</sup> (14,531.3 sq. ft.) or greater; and

c) 125 dwellings/ha (50.6 dwellings/acre) for any site less than 885 m<sup>2</sup> (9,526 sq. ft.);

2) the minimum site area shall be 800 m<sup>2</sup> (8,611.1 sq. ft.);

*Bylaw No. 10207*

*August 15, 1994*

3) the maximum Floor Area Ratio shall be 3.0, except that the Development Officer may increase this maximum for developments with larger individual unit floor plates and additional indoor Amenity Areas and facilities, and which comply with the unit density provisions of this section. Any application for a development proposed to exceed 3.0 F.A.R. shall be processed as a Class D Development Permit;

*Bylaw No. 10207*

*August 15, 1994*

4) the maximum building Height shall be 45 m (147.6 ft.), except that the Development Officer may increase this maximum for developments with individual unit ceiling heights over 2.75 m (9.0 ft.), and which comply with the unit density provisions of this section. Any application for a development proposed to exceed 45 m (147.6 ft.) in Height shall be processed as a Class D Development Permit;

5) the minimum Front Yard shall be 6 m (19.7 ft.);

6)the minimum Rear Yard shall be 7.5 m (24.6 ft.);

7)the minimum Side Yard shall be 1 m (3.3 ft.) for each storey or partial storey, up to a maximum of 7.5 m (24.6 ft.), except that a total of at least 2 m (6.6 ft.) shall be provided in all cases. A Side Yard shall be not less than 4.5 m (14.8 ft.) where it abuts a flanking public roadway other than a lane;

8)Separation Space shall be provided in accordance with [Section 58](#) of this Bylaw;

9)a minimum Amenity Area of 7.5 m<sup>2</sup> (80.7 sq. ft.) per Dwelling shall be provided; and

*Bylaw No. 10741*

*June 20, 1994*

10)Minor Home Occupations shall be developed in accordance with [Section 84](#) of this Bylaw.

### **230.5 Additional Development Regulations for Discretionary Uses**

*Bylaw No. 10936*

*October 16, 1995*

1)Notwithstanding Section 230.4, Single Detached, Semi-detached and Duplex Housing, and Secondary Suites in this District shall be developed in accordance with the provisions of the [RF4](#) District.

2)Personal Service Shops, Convenience Retail Stores, Professional Offices, and Clinics shall not be in any freestanding structure separate from a structure containing residential uses, and shall not be developed above the lowest storey, except in the case of the Conversion of Dwellings.

*Bylaw No. 10529*

*November 15, 1993*

*Bylaw No. 10741*

*June 20, 1994*

3)**Deleted.**

4)Notwithstanding Section 230.4, Clause (1), Housing for Senior Citizens shall be governed by [Section 87](#) of this Bylaw.

5)Conversion of Single Detached, Semi-detached, and Duplex Dwellings to Professional Offices shall be in accordance with [Section 88](#) of this Bylaw.

6)The Development Officer may exercise his discretion in considering Apartment Housing, or Boarding and Lodging Houses, which would isolate another site within this District of less than 800 m<sup>2</sup> (8,611.1 sq. ft.) having regard to the location, age, and nature of the use or uses on the site which would be isolated.

7)Group Homes shall be developed in accordance with [Section 91](#) of this Bylaw.

*Bylaw No. 10457*

*January 25, 1994*

8)Notwithstanding the minimum site area provisions of this District, Religious Assembly uses shall be developed in

accordance with [Section 81](#) of this Bylaw.

*Bylaw No. 6626*

*November 10, 1981*

*Bylaw No. 11095*

*November 6, 1995*

9)Child Care Services shall be developed in accordance with [Section 93](#) of this Bylaw.

*Bylaw No. 7016*

*December 14, 1982*

*Bylaw No. 10529*

*November 15, 1993*

10)Major Home Occupations shall be developed in accordance with [Section 85](#) of this Bylaw

*.Bylaw No. 6220*

*May 25, 1982*

11)Notwithstanding the development regulations of this District, Fraternity and Sorority Housing shall be developed in accordance with [Section 94](#) of this Bylaw.

*Bylaw No. 7322*

*September 16, 1983*

12)Residential Sales Centres shall be developed in accordance with [Section 95](#) of this Bylaw.

*Bylaw No. 10457*

*January 25, 1994*

13)Secondary Suites shall be developed in accordance with [Section 99](#) of this Bylaw.

Edmonton Land Use Bylaw 5996

240. (RMX) Residential Mixed Use District

### **240.1 General Purpose**

To provide a District allowing a development involving a mixture of Residential Use Classes, or a mixture of Residential Use Classes with Residential-Related; Commercial; Basic Services; and Community, Educational, Recreational and Cultural Services Use Classes according to the guidelines of an Area Structure Plan or an Area Redevelopment Plan.

### **240.2 Application**

*Bylaw No. 11318*

*August 12, 1996*

This District shall be applied only in conjunction with a Statutory Plan Overlay or in conjunction with a Special Area.

### **240.3 Permitted Uses**

None.

*Bylaw No. 11318*

*August 12, 1996*

### **240.4 Discretionary Uses, except where deleted by a Statutory Plan Overlay or Special Area**

1) Residential

a) Apartment Housing

b) Duplex Housing

c) Linked Housing

d) Row Housing

e) Semi-detached Housing

f) Single Detached Housing

g) Stacked Row Housing

2) Residential Related

a)Apartment Hotels

b)Boarding and Lodging Houses

c)Foster Homes

d)Fraternity and Sorority Housing

e)Group Homes

*Bylaw No. 10529*

*November 15, 1993*

f)**Deleted**

*Bylaw No. 10529*

*November 15, 1993*

g)**Deleted**

*Bylaw No. 7229*

*September 27, 1983*

h)Limited Group Homes

*Bylaw No. 7322*

*September 16, 1983*

i)Residential Sales Centre

*Bylaw No. 10529*

*November 15, 1993*

j)Minor Home Occupations

*Bylaw No. 10529*

*November 15, 1993*

k)Major Home Occupations

3)Commercial

a)Broadcasting and Motion Picture Studios

b)Business Support Services

c)Commercial Schools

d)Convenience Retail Stores

e)Custom Manufacturing Establishments

- f)Gas Bars
- g)General Retail Stores
- h)Health Services
- i)Hotels
- j)Household Repair Services
- k)Major Eating and Drinking Establishments
- l)Minor Eating and Drinking Establishments
- m)Minor Service Stations
- n)Minor Veterinary Services
- o)Motels
- p)Personal Service Shops
- q)Professional, Financial, and Office Support Services

*Bylaw No. 7728*

*March 12, 1985*

- r)Minor and Major Secondhand Stores

*Bylaw No. 7541*

*December 11, 1984*

- s)Minor Amusement Establishments

4)Basic Services

- a)Extended Medical Treatment Services

- b)Government Services

- c)Minor Impact Utility Services

5)Community, Educational, Recreational, and Cultural Services

- a)Community Recreation Services

*Bylaw No. 11095*

*November 6, 1995*

- b)Child Care Services

- c)Indoor Participant Recreation Services

- d)Private Clubs
- e)Private Education Services
- f)Public Education Services
- g)Public Libraries and Cultural Exhibits
- h)Religious Assembly
- i)Spectator Entertainment Establishments

### **240.5Development Regulations**

*Bylaw No. 11318*

*August 12, 1996*

1)The following shall be specified in a Statutory Plan Overlay or Special Area, together with any regulations respecting the conditions under which the respective maximums or minimums may be allowed:

- a)maximum total Floor Area Ratio;
- b)maximum total residential density;
- c)maximum Height; and
- d)minimum Yard requirements.

*Bylaw No. 11318*

*August 12, 1996*

2)The following shall be specified in a Statutory Plan Overlay or Special Area, together with any regulations respecting the conditions under which the respective maximums or minimums may be allowed:

- a)maximum Floor Area Ratio for each Use Class or group of Use Classes;
- b)the required percentage of total Dwellings in each Residential Use Class or group of Residential Use Classes, or the required percentage to be provided as Family Oriented Dwellings;
- c)building Setback requirements that are in addition to the minimum Yard requirements;
- d)minimum parking space requirements;
- e)minimum Private Outdoor Amenity Area per Dwelling for Stacked Row Housing or Family Oriented Dwellings; and
- f)minimum Amenity Area per Dwelling, to be developed as children's play space, for developments containing 20 or more Family Oriented or Stacked Row Housing Dwellings.

3)Separation Space shall be provided in accordance with [Section 58](#) of this Bylaw.

### **240.6Additional Development Regulations for Specified Uses**

1)Notwithstanding the provisions of this District, Single Detached Housing shall be developed in accordance with the provisions of the [RF1](#) District only.

2) Any use other than a Residential or Residential-Related Use may, where existing within this District, redevelop on its present site, provided that its gross floor area is not increased by more than 10% of its existing gross floor area.

3) Except as provided in Clause (2) above, any use other than a Residential or Residential-Related Use may develop only when designed as an integral and secondary component of a development consisting primarily of Residential or Residential-Related Uses. Any use other than a Residential or Residential-Related Use shall, in this case, not exceed 40% of the gross floor area of the combined development.

4) A minimum Amenity Area of 7.5 m<sup>2</sup> (80.76 sq. ft.) per Dwelling shall be provided in accordance with [Section 56](#) of this Bylaw, except for those Dwellings which provide Private Outdoor Amenity Area in accordance with Section 240.5, Clause (2)(e).

*Bylaw No. 11095*

*November 6, 1995*

5) Child Care Services shall be developed in accordance with [Section 93](#) of this Bylaw.

Edmonton Land Use Bylaw 5996

250. (RR) Rural Residential District

### **250.1 General Purpose**

To provide a District for Single Family Residential development of a permanent nature in a rural setting, generally without the provision of the full range of urban utility services.

### **250.2 Permitted Uses**

1) [Single Detached Housing](#)

*Bylaw No. 7229*

*September 27, 1983*

2) [Limited Group Homes](#)

*Bylaw No. 10529*

*November 15, 1993*

3) [Minor Home Occupations](#)

### **250.3 Discretionary Uses**

1) [Non-commercial Farms](#)

*Bylaw No. 10529*

*November 15, 1993*

2) **Deleted**

*Bylaw No. 10529*

*November 15, 1993*

3) **Deleted**

4) [Group Homes](#)

*Bylaw No. 11095*

*November 6, 1995*

5) [Child Care Services](#)

6) [Small Animal Breeding and Boarding Establishments](#)

*Bylaw No. 6626*

*November 10, 1981*

7) [Minor Veterinary Services](#)

*Bylaw No. 10529*

*November 15, 1993*

8) [Major Home Occupations](#)

**250.4 Development Regulations for Permitted and Discretionary Uses**

The following regulations shall apply to Permitted and Discretionary Uses, except where altered by a Statutory Plan Overlay:

1) the minimum lot size shall be 1.0 ha (2.47 acres);

2) the maximum lot size shall be 4 ha (9.88 acres);

3) the minimum mean width shall be 30.5 m (100.1 ft.);

4) the maximum building Height shall be 10 m (32.8 ft.);

5) the minimum Front Yard shall be 7.5 m (24.6 ft.);

6) the minimum Rear Yard shall be 7.5 m (24.6 ft.);

7) the minimum Side Yard shall be 5 m (16.4 ft.);

8) water supply and sewage disposal shall be provided in accordance with the Public Health Act regulations;

*Bylaw No. 6626*

*November 10, 1981*

9) the maximum number of Dwellings per lot shall be one; and

*Bylaw No. 10741*

*June 20, 1994*

10) Minor Home Occupations shall be developed in accordance with Section 84 of this Bylaw.

**250.5 Additional Development Regulations for Discretionary Uses**

*Bylaw No. 10529*

*November 15, 1993*

*Bylaw No. 10741*

*June 20, 1994*

1)**Deleted.**

*Bylaw No. 10529*

*November 15, 1993*

2)Major Home Occupations shall be developed in accordance with [Section 85](#) of this Bylaw.

*Bylaw No. 6626*

*November 10, 1981*

3)Non-commercial Farms, Small Animal Breeding and Boarding Establishments and Minor Veterinary Services shall be located and developed on a site in such a manner that the keeping of animals does not interfere with the use and enjoyment of adjacent residential sites.

4)Group Homes shall be developed in accordance with [Section 91](#) of this Bylaw.

*Bylaw No. 6626*

*November 10, 1981*

*Bylaw No. 11095*

*November 6, 1995*

5)Child Care Services shall be developed in accordance with [Section 93](#) of this Bylaw.

Edmonton Land Use Bylaw 5996

260. (RMH) Mobile Home District

### **260.1 General Purpose**

To provide a District for Mobile Homes in an environment suitable for residential purposes. This District may be developed either as Mobile Home Parks or Mobile Home Subdivisions.

### **260.2 Permitted Uses**

1) [Mobile Homes](#)

*Bylaw No. 7229*

*September 27, 1983*

2) [Limited Group Homes](#)

*Bylaw No. 10529*

*November 15, 1993*

3) [Minor Home Occupations](#)

### **260.3 Discretionary Uses**

1) [Single Detached Housing](#), not including Mobile Homes when in a Mobile Home Subdivision

*Bylaw No. 7322*

*September 16, 1983*

2) [Residential Sales Centre](#)

*Bylaw No. 10529*

*November 15, 1993*

3) **Deleted**

*Bylaw No. 10529*

*November 15, 1993*

4) **Deleted**

5) [Foster Homes](#)

*Bylaw No. 11095*

*November 6, 1995*

6) [Child Care Services](#)

*Bylaw No. 10529*

*November 15, 1993*

7) [Major Home Occupations](#)

**260.4 Development Regulations for Permitted and Discretionary Uses**

1) The following regulations shall apply to all Permitted Uses:

- a) each lot to be used for Mobile Home shall have an area of not less than 400 m<sup>2</sup> (4,305.6 sq. ft.);
- b) the maximum total site coverage shall be 45% with the coverage of a principal building, or principal buildings, not to exceed 35%;
- c) the minimum Front Yard shall be 4.5 m (14.8 ft.), which may, in the case of a Mobile Home Park, be reduced to 3 m (9.8 ft.) where the Front Yard abuts an internal access road;
- d) the minimum Rear Yard shall be 3 m (9.8 ft.), provided that where the Rear Yard abuts a public roadway other than a lane, the Rear Yard shall not be less than 4.5 m (14.8 ft.);
- e) the minimum Side Yard shall be established as follows:
  - i) Mobile Homes shall be separated from each other by a minimum of 4.5 m (14.8 ft.), provided that the minimum Side Yard shall be 1.2 m (3.94 ft.);
  - ii) the minimum Side Yard for an addition to a Mobile Home shall not be less than 1.2 m (3.94 ft.). Where the addition contains a Habitable Room Window, which faces any opposing Habitable Room Window of a Mobile Home or an addition thereto, the addition shall be separated from such Mobile Home or addition to it by not less than 4.5 m (14.8 ft.); and
  - iii) where the Side Yard abuts a public roadway other than a lane, the Side Yard shall not be less than 4.5 m (14.8 ft.);
- f) the undercarriage of each Mobile Home shall be completely screened from view by the foundation or by skirting, within 60 days of the placement of the Mobile Home;
- g) all accessory structures such as steps, patios, porches, additions, skirting and storage facilities shall be factory prefabricated units, or of an equivalent quality, so that design and construction will complement the Mobile Home. Additions to a Mobile Home shall have a foundation and skirting equivalent to that of the Mobile Home;
- h) the Mobile Home Park or Subdivision shall be designed to accommodate Mobile Home units of different sizes, including expandable and double wide units, with variety in the street design and the placement of individual units to avoid monotony; and
- i) any application to develop a Mobile Home Park shall be subject to the Landscaping Regulations of Section 69 of this Bylaw.

2) The following regulations apply to Mobile Homes when developed as a Mobile Home Park:

- a) the minimum site area for a Mobile Home Park shall be 2 ha (4.94 acres);
- b) each lot in a Mobile Home Park shall be clearly marked off by permanent markers or other suitable means;
- c) each Mobile Home Park lot shall provide a hardsurfaced, durable base on which the Mobile Home shall be placed;
- d) all roads in a Mobile Home Park shall be hardsurfaced, well drained and maintained. The Mobile Homes and all community facilities in a Mobile Home Park shall be connected by a safe, convenient, hardsurfaced pedestrian walkway which shall be at least 1 m (3.3 ft.) in width;
- e) at least 5% of the gross site area of the Mobile Home Park shall be devoted to Outdoor Communal Amenity Space and Recreational Uses, and shall be provided in a convenient and accessible location;
- f) in a Mobile Home Park, adequate common storage areas, separate from the Mobile Home lot, shall be provided for the storage of seasonal recreational equipment and other equipment not capable of storage on the Mobile Home lot. Such storage areas shall be enclosed or screened by trees, landscape features or fences; and
- g) all utility lines shall be placed underground.

3) The following regulations apply to Mobile Homes when developed as a Mobile Home Subdivision:

- a) a permanent foundation shall be provided for each Mobile Home. The foundation or basement shall not exceed 1 m (3.3 ft.) above grade; and

*Bylaw No. 11261*

*June 17, 1996*

- b) where the Development Officer conditionally approves an application to develop a Mobile Home on a Mobile Home Subdivision lot, where such conditions are required to ensure compliance with the provisions of subsections 260.4(1)(f) and (g), the Development Officer may require, as a further condition, that the applicant deliver to the Development Officer an irrevocable letter of credit in a sum to be fixed by the Development Officer, naming as surety a corporation licensed as such in Alberta, the condition of the letter being that, if the development is completed but is not in accordance with subsections 260.4(1)(f) and (g) of this Bylaw, and any conditions of approval arising from them, then the surety shall pay to the City, for its use absolutely, the sum fixed.

*Bylaw No. 1071*

*June 20, 1994*

4) Minor Home Occupations shall be developed in accordance with [Section 84](#) of this Bylaw.

*Bylaw No. 7322*

*September 16, 1983*

## **260.5 Additional Development Regulations for Discretionary Uses**

*Bylaw No. 10529*

*November 15, 1993*

*Bylaw No. 10741*

*June 20, 1994*

1)**Deleted.**

*Bylaw No. 10529*

*November 15, 1993*

2)Major Home Occupations shall be developed in accordance with [Section 85](#) of this Bylaw.

*Bylaw No. 11095*

*November 6, 1995*

3)Child Care Services shall be developed in accordance with [Section 93](#) of this Bylaw.

4)Residential Sales Centres shall be developed in accordance with [Section 95](#) of this Bylaw

.

*Bylaw No. 7728*

*March 12, 1985*

5)Notwithstanding Subsection 260.4, Single Detached Housing in this District shall be developed in accordance with the provisions of the [RF1](#) District only.

Edmonton Land Use Bylaw 5996

310. (CNC) Neighbourhood Convenience Commercial District

### **310.1 General Purpose**

To establish a District for Convenience Commercial and Personal Service uses which are intended to serve the daytoday needs of residents within new or established neighbourhoods.

### **310.2 Permitted Uses**

- 1) [Convenience Retail Stores](#)
- 2) [Health Services](#)
- 3) [Minor Eating and Drinking Establishments](#)
- 4) [Personal Service Shops](#)
- 5) [Professional, Financial and Office Support Services](#)

### **310.3 Discretionary Uses**

- 1) Individual business premises for a Permitted Use having a gross floor area greater than 275 m<sup>2</sup> (2,960.07 sq. ft.)
- 2) [Apartment Housing](#)
- 3) [Commercial Schools](#)

*Bylaw No. 11095*

*November 6, 1995*

- 4) [Child Care Services](#)
- 5) [Gas Bars](#)
- 6) [General Retail Stores](#)

*Bylaw No. 7541*

*December 11, 1984*

- 7) [Indoor Participant Recreation Services](#)
- 8) Minor Service Stations

*Bylaw No. 6626*

*November 10, 1982*

9) [Minor Veterinary Services](#)

*Bylaw No. 6968*

*August 17, 1982*

10) [Religious Assemblies](#)

*Bylaw No. 7322*

*September 16, 1983*

11) [Residential Sales Centre](#)

*Bylaw No. 7728*

*March 12, 1985*

12) Minor Secondhand Stores with a gross floor area less than 275 m<sup>2</sup> (2,960.07 sq. ft.)

*Bylaw No. 10207*

*August 15, 1994*

13) [Rapid Drive-through Vehicle Services](#)

**310.4 Development Regulations for Permitted and Discretionary Uses**

The following regulations shall apply to Permitted and Discretionary Uses, except where altered by a Statutory Plan Overlay:

- 1) the maximum gross floor area of any individual business premise for a Permitted Use shall not exceed 275 m<sup>2</sup> (2,960.07 sq. ft.);
- 2) the maximum gross floor area of any individual business premise for a Discretionary Use shall not exceed 1 000 m<sup>2</sup> (10,763.90 sq. ft.), except that a grocery store or supermarket may be permitted a gross floor area of up to 2 500 m<sup>2</sup> (26,909.75 sq. ft.);
- 3) the maximum site area for a shopping centre shall be 2.0 hectares (4.94 acres);
- 4) the maximum Floor Area Ratio shall be 1.0;
- 5) a minimum Yard of 3 m (9.84 ft.) shall be required where a site abuts a public roadway other than a lane except:
  - a) where adjacent commercial buildings abut the property line to form a pedestrian-oriented shopping street, no Yard shall be required; and
  - b) where there is no vehicular access to the site from the public roadway, the minimum Yard shall be not less than 1.5 m (4.92 ft.);
- 6) a minimum Yard of 3 m (9.84 ft.) shall be required where the rear or side lot line of the site abuts the lot line of a site in a Residential District;

7)where the site has street frontage contiguous with that of a Residential District, the minimum building setback shall be equal to that required for the Residential District, unless the building is sited in accordance with Clause (5)(a) above;

*Bylaw No. 11261*

*June 17, 1996*

8)no parking, loading, storage, trash collection, outdoor service or display area shall be permitted within a required Yard. Loading, storage and trash collection areas shall be located to the rear or sides of the principal building and shall be screened from view from any adjacent sites, public roadways or Light Rail Transit lines in accordance with the provisions of subsection 69.4 of this Bylaw. If the rear or sides of a site are used for parking, an outdoor service or display area or both, and abut a Residential District or a lane serving a Residential District, such areas shall be screened in accordance with the provisions of subsection 69.4 of this Bylaw;

9)the maximum building Height shall not exceed 10 m (32.80 ft.) nor 2½ storeys; and

*Bylaw No. 10207*

*August 15, 1994*

10)where Use Classes, that in the opinion of the Development Officer may create negative impacts such as noise, light or odours which may be noticeable on adjacent properties, and where the development site containing such Use Classes is directly adjacent to land used or districted to be used for residential activities, the Development Officer may, at the Development Officer's discretion, require that these potential impacts be minimized or negated, to the Development Officer's satisfaction, through a variety of measures including landscaping, berming or screening which may exceed the requirements of [Section 69](#) of this Bylaw, noise attenuation measures such as structural soundproofing, downward direction of all exterior lighting on to the proposed development and/or other measures as the Development Officer may deem appropriate.

### **310.5Additional Development Regulations for Discretionary Uses**

1)The following regulations shall apply to Apartment Housing developments:

a)Apartment Housing shall be permitted only in buildings where the first storey is used for commercial purposes;

b)the housing component shall have access at grade which is separate from the access for the commercial premises; and

c)if a development contains two or more Dwellings, a minimum of 7.5 m<sup>2</sup> (80.72 sq. ft.) of Amenity Area is required per unit, in accordance with the provisions of [Section 56](#) of this Bylaw.

2)Indoor Participant Recreation Services may be permitted on larger commercial sites provided they do not adversely affect the amenity and privacy of development in any adjacent Residential District, by reason of building scale or traffic circulation.

*Bylaw No. 7322*

*September 16, 1983*

3)Residential Sales Centres shall be developed in accordance with [Section 95](#) of this Bylaw.

*Bylaw No. 10207*

*August 15, 1994*

4)The following regulations shall apply to Rapid Drive-through Vehicle Services developments:

a)the total number of bays shall not exceed one for any given site;

b)all operations and mechanical equipment associated with this Use Class shall be located within an enclosed building;

c)where the proposed development includes an automatic car wash, the Development Permit application shall include information identifying the anticipated noise impacts of the development as identified in the manufacturer's specifications. The Development Officer may require, as a condition of Development Permit approval, that the applicant provide a Noise Impact Assessment, identifying the noise attenuation measures necessary to ensure compliance with City of Edmonton Noise Bylaw No. 7255, as amended, or any other measures determined by the Development Officer and which may be determined in consultation with the City Engineer;

d)this Use Class shall be located not less than 15 m (49.2 ft.) from any property line where the lot containing this Use Class abuts any lot containing Residential or Residential-Related uses, including situations where such lots are separated by a road or lane 10 m (32.8 ft.) or less in width. This 15 m (49.2 ft.) minimum Setback distance may be reduced at the discretion of the Development Officer if the Development Officer is satisfied that impacts on the Residential or Residential-Related uses will be minimal due to structural and design measures incorporated into the proposed development;

e)access aisles and queuing spaces associated with this Use Class shall be located no less than 7.5 m (24.6 ft.) from any property line where the lot containing this Use Class abuts any lot containing existing Residential or Residential-Related uses, including situations where such lots are separated by a road or lane 10 m (32.8 ft.) or less in width. The orientation of access aisles, queuing spaces and on-site vehicular circulation shall be designed to the satisfaction of the Development Officer, in consultation with the Transportation Department, having regard to the minimization of traffic circulation conflicts, and to other on-site and off-site impacts, particularly with regard to existing off-site and adjacent Residential or Residential-Related uses;

f)the design and finishing of the development containing this Use Class shall be to the satisfaction of the Development Officer, to be based on the achievement of a compatible visual relationship with adjacent development (particularly residential development), and also based on the achievement of a high standard of appearance when viewed from adjacent public roadways; and

g)where this Use Class and/or associated access aisles and queuing spaces are located within 30 m (98.4 ft.) of a property line where the lot containing this Use Class abuts any lot containing existing Residential or Residential-Related uses, including situations where such lots are separated by a road or lane 10 m (32.8 ft.) or less in width, the following fencing and landscaping requirements shall apply:

i)solid, screen fencing constructed of wood or suitable wood-like synthetic substitute, 1.83 m (6.0 ft.) in height, designed to the satisfaction of the Development Officer; and

ii)required fencing shall be augmented with tree and shrub planting designed to soften the visual effect of the required fencing, and shall be provided in accordance with the standards identified in [Section 69](#).

*Bylaw No. 11095*

*November 6, 1995*

5)Child Care Services shall be developed in accordance with [Section 93](#) of this Bylaw.

Edmonton Land Use Bylaw 5996

320. (CSC) Shopping Centre District

### **320.1 General Purpose**

To establish a District for larger shopping centre developments intended to serve a community or regional trade area. Residential, office, entertainment and cultural uses may also be included within such shopping complexes.

### **320.2 Permitted Uses**

1) [Business Support Services](#)

2) [Commercial Schools](#)

3) [Gas Bars](#)

4) [General Retail Stores](#)

5) [Government Services](#)

6) [Health Services](#)

*Bylaw No. 7541*

*December 11, 1984*

*Bylaw No. 11260*

*June 17, 1996*

7) [Minor Amusement Establishments](#)

8) [Indoor Participant Recreation Services](#)

9) [Minor Eating and Drinking Establishments](#)

10) Minor Service Stations

11) [Personal Service Shops](#)

12) [Professional, Financial and Office Support Services](#)

13) [Public Libraries and Cultural Exhibits](#)

14) [Spectator Entertainment Establishments](#)

*Bylaw No. 7728*

*March 12, 1985*

*Bylaw No. 11321*

*September 3, 1996*

**15) Deleted**

*Bylaw No. 10581*

*November 15, 1993*

16) [Alcohol Sales, Major](#), on a site of 2 ha (4.94 acres) or larger

*Bylaw No. 10581*

*November 15, 1993*

17) [Alcohol Sales, Minor](#), on a site of 2 ha (4.94 acres) or larger

*Bylaw No. 10207*

*August 15, 1994*

18) [Retail Stores, Convenience](#)

*Bylaw No. 11260*

*June 17, 1996*

19) [Major Amusement Establishments](#), on a site of 2 ha (4.94 acres) or larger.

**320.3 Discretionary Uses**

1) [Apartment Housing](#)

2) [Carnivals](#)

*Bylaw No. 11095*

*November 6, 1995*

3) [Child Care Services](#)

4) [Drive-in Food Services](#)

5) [Hotels](#)

6) [Major Eating and Drinking Establishments](#)

*Bylaw No. 10244*

*November 16, 1992*

7) [Mobile Catering Food Services](#)

8) [Private Clubs](#)

9) [Rapid Drive-through Vehicle Services](#)

10) [Religious Assembly](#)

11) [Warehouse Sales](#)

*Bylaw No. 6190*

*September 9, 1980*

12) [Broadcasting and Motion Picture Studios](#)

*Bylaw No. 6626*

*November 10, 1981*

13) [Minor Veterinary Services](#)

*Bylaw No. 7322*

*September 16, 1983*

14) [Apartment Hotels](#)

*Bylaw No. 7322*

*September 16, 1983*

15) [Residential Sales Centre](#)

*Bylaw No. 7728*

*March 12, 1985*

*Bylaw No. 11321*

*September 3, 1996*

16) [Minor Secondhand Stores](#)

*Bylaw No. 9949*

*November 25, 1991*

17) [Recycled Materials Drop-off Centres](#)

*Bylaw No. 10581*

*November 15, 1993*

18) [Alcohol Sales, Major](#), on a site of less than 2 ha (4.94 acres)

*Bylaw No. 10581*

*November 15, 1993*

19) [Alcohol Sales, Minor](#), on a site of less than 2 ha (4.94 acres)

*Bylaw No. 10773*

*July 26, 1994*

20) [Flea Markets](#)

*Bylaw No. 11260*

*June 17, 1996*

21) [Major Amusement Establishments](#), on a site of less than 2 ha (4.94 acres)

### **320.4 Development Regulations for Permitted and Discretionary Uses**

The following regulations shall apply to Permitted and Discretionary Uses, except where altered by a Statutory Plan Overlay:

1) the minimum site area shall be 2 hectares (4.94 acres);

2) the maximum Floor Area Ratio shall be 1.0;

3) a minimum Yard of 4.5 m (14.76 ft.) shall be required where a site abuts a public roadway, other than a lane, or the property line of a site in a Residential District, except that if no vehicular access is provided to the site from the public roadway, the minimum Yard shall be not less than 3 m (9.84 ft.);

4) where a Statutory Plan Overlay specifies a maximum building Height greater than 14 m (45.83 ft.), the Development Officer may require an additional Setback for that portion of any development which exceeds 14 m (45.93 ft.) in Height in order to protect the amenity and privacy of development in any adjacent Residential District. The Development Officer shall not require a total Setback greater than the building Height;

*Bylaw No. 6626*

*November 10, 1981*

4a) in addition to the minimum Yard required by Clause (3) above, a minimum building Setback of 15 m (49.2 ft.) shall be required for all buildings, structures and accessory parking garages other than at-grade parking lots where a site abuts a site in a Residential District. This minimum building Setback may be reduced to the minimum Yard requirements at the discretion of the Development Officer, where, in his opinion, the provision of landscaping, fencing, berming, building facade treatment or other design features adequately protect the amenities of nearby residential areas;

5) where the site has street frontage contiguous with that of a Residential District, the minimum building Setback shall be equal to that required for the Residential District, unless a greater Setback is required by Clause (4) above;

*Bylaw No. 11261*

*June 17, 1996*

6) no parking, loading, storage, trash collection, outdoor service or display area shall be permitted within a required Yard. Loading, storage and trash collection areas shall be located to the rear or sides of the principal building and shall be screened from view from any adjacent sites, public roadways or Light Rail Transit lines in accordance with the provisions of subsection 69.4 of this Bylaw. If the rear or sides of a site are used for parking, an outdoor service or

display area or both, and abut a Residential District or a lane serving a Residential District, such areas shall be screened in accordance with the provisions of subsection 69.4 of this Bylaw;

7)the maximum building Height shall be 14 m (45.93 ft.);

8)all uses shall be part of a purpose designed shopping centre; and

*Bylaw No. 10581*

*November 15, 1993*

9)Major and Minor Alcohol Sales shall be developed in accordance with [Section 98](#) of this Bylaw.

### **320.5 Additional Development Regulations for Discretionary Uses**

1)Apartment Housing shall be permitted only above the office or retail component of a shopping centre. Where a development contains two or more Dwellings, a minimum of 7.5 m<sup>2</sup> (80.72 sq. ft.) of Amenity Area is required in accordance with the provisions of [Section 56](#) of this Bylaw. The housing component of the development shall be designed and sited so as to minimize any impacts from the commercial component of the development related to noise, traffic circulation or loss of privacy.

2)Carnivals shall be developed in accordance with [Section 83](#) of this Bylaw.

*Bylaw No. 7322*

*September 16, 1983*

3)Residential Sales Centres shall be developed in accordance with [Section 95](#) of this Bylaw.

*Bylaw No. 9949*

*November 25, 1991*

4)Recycled Materials Drop-off Centres shall be developed in accordance with [Section 97](#) of this Bylaw.

*Bylaw No. 10773*

*July 26, 1994*

5)Flea Markets shall be developed in accordance with [Section 102](#) of this Bylaw.

*Bylaw No. 11095*

*November 6, 1995*

6)Child Care Services shall be developed in accordance with [Section 93](#) of this Bylaw.

Edmonton Land Use Bylaw 5996

330. (CB1) Low Intensity Business District

### **330.1 General Purpose**

To establish a District for low intensity commercial, office and service uses located along arterial roadways that border residential areas.

### **330.2 Permitted Uses**

- 1) [Business Support Services](#)
- 2) [Commercial Schools](#)
- 3) [Equipment Rentals](#), provided that all equipment and goods for rent are contained within an enclosed building
- 4) [Gas Bars](#)
- 5) [General Retail Stores](#) up to a maximum gross floor area of 1 000 m<sup>2</sup> (10,763.40 sq. ft.)
- 6) [Health Services](#)
- 7) [Household Repair Services](#)
- 8) [Minor Amusement Establishments](#)
- 9) [Minor Eating and Drinking Establishments](#)
- 10) Minor Service Stations
- 11) [Personal Service Shops](#)
- 12) [Professional, Financial and Office Support Services](#)

*Bylaw No. 7728*

*March 12, 1985*

*Bylaw No. 11260*

*June 17, 1996*

*Bylaw No. 6626*

*November 10, 1981*

*Bylaw No. 11095*

*November 6, 1995*

13) **Deleted**

*Bylaw No. 7728*

*March 12, 1985*

*Bylaw No. 11321*

*September 3, 1996*

14) **Deleted**

### **330.3 Discretionary Uses**

1) [Apartment Housing](#)

2) [Auctioneering Establishments](#), provided that all goods and equipment to be auctioned are stored and displayed within an enclosed building

3) [Automotive Equipment and Repair Shops](#), where lawfully existing on a site in this District at the effective date of this Bylaw, on the same site only

4) [Automotive/Minor Recreational Vehicle Sales/Rental](#)

5) [Custom Manufacturing](#)

6) [Drive-in Food Services](#)

7) [Funeral Services](#)

8) [General Retail Stores](#) with a gross floor area greater than 1 000 m<sup>2</sup> (10,763.90 sq. ft.)

9) [Greenhouses and Plant Nurseries](#)

10) [Hotels](#), where lawfully existing on a site in this District at the effective date of this Bylaw, on the same site only

11) [Indoor Participant Recreation Services](#)

12) [Limited Contractor Services](#)

13) [Minor Veterinary Services](#)

14) [Mobile Catering Food Services](#)

15) [Motels](#) where lawfully existing on a site in this District at the effective date of this Bylaw, on the same site only

16) [Non-accessory Parking](#)

17) [Private Clubs](#)

18) [Recycling Depots](#)

19) [Religious Assembly](#), where lawfully existing on a site in this District at the effective date of this Bylaw, on the

same site only

*Bylaw No. 7728*

*March 12, 1985*

20) [Major Secondhand Stores](#)

21) [Spectator Entertainment Establishments](#)

*Bylaw No. 6190*

*September 9, 1980*

22) [Broadcasting and Motion Picture Studios](#)

*Bylaw No. 6626*

*November 10, 1981*

23) [Convenience Vehicle Rentals](#)

*Bylaw No. 7322*

*September 16, 1983*

24) [Residential Sales Centres](#)

*Bylaw No. 7728*

*March 12, 1985*

*Bylaw No. 11321*

*September 3, 1996*

25) [Minor Secondhand Stores](#)

*Bylaw No. 9949*

*November 25, 1991*

26) [Recycled Materials Drop-off Centres](#)

*Bylaw No. 10581*

*November 15, 1993*

27) [Alcohol Sales, Minor](#)

*Bylaw No. 10207*

*August 15, 1994*

28) [Rapid Drive-through Vehicle Services](#)

*Bylaw No. 10207*

*August 15, 1994*

29) [Retail Stores, Convenience](#)

*Bylaw 11095*

*November 6, 1995*

30) [Child Care Services](#)

*Bylaw No. 11260*

*June 17, 1996*

31) [Major Amusement Establishments](#)

**330.4 Development Regulations for Permitted and Discretionary Uses**

The following regulations shall apply to Permitted and Discretionary Uses, except where altered by a Statutory Plan Overlay:

1) the maximum floor area for a retail store shall be 2 500 m<sup>2</sup> (26,909.75 sq. ft.);

2) the maximum Floor Area Ratio shall be 2.0;

3) a minimum Yard of 3 m (9.84 ft.) shall be required where a site abuts a public roadway other than a lane except:

a) where adjacent commercial buildings abut the property line to form a pedestrian-oriented shopping street, no Yard shall be required; and

b) where there is no vehicular access to the site from the public roadway the minimum Yard shall be not less than 1.5 m (4.92 ft.);

4) a minimum Yard of 3 m (9.84 ft.) shall be required where the rear or side lot line of the site abuts the lot line of a site in a Residential District;

*Bylaw No. 11261*

*June 17, 1996*

5) no parking, loading, storage, trash collection, outdoor service or display area shall be permitted within a required Yard. Loading, storage and trash collection areas shall be located to the rear or sides of the principal building and shall be screened from view from any adjacent sites, public roadways or Light Rail Transit lines in accordance with the provisions of subsection 69.4 of this Bylaw. If the rear or sides of a site are used for parking, an outdoor service or display area or both, and abut a Residential District or a lane serving a Residential District, such areas shall be screened in accordance with the provisions of subsection 69.4 of this Bylaw;

*Bylaw No. 6626*

*November 10, 1981*

6) the maximum building Height shall not exceed 12 m (39.4 ft.) nor 3 storeys.

**330.5 Additional Development Regulations for Discretionary Uses**

1)The following regulations shall apply to Apartment Housing developments:

- a)Apartment Housing shall be permitted only in buildings where the first storey is used for commercial purposes;
- b)the housing component shall have access at grade which is separate from the access for the commercial premises;
- c)where a development contains two or more Dwelling units a minimum of 7.5 m<sup>2</sup> (80.7 sq. ft.) of Amenity Area is required per unit, in accordance with the provisions of [Section 56](#) of this Bylaw; and

*Bylaw No. 6626*

*November 10, 1981*

d)the maximum Floor Area Ratio of Apartment Housing shall be 1.0.

*Bylaw No. 6626*

*November 10, 1981*

2)The following regulations shall apply to Automotive and Minor Recreational Vehicle Sales/Rentals and Convenience Vehicle Rentals developments:

- a)the maximum site area for a business shall be 2 000 m<sup>2</sup> (21,527.80 sq. ft.);
- b)servicing and repair operations shall be permitted only as Accessory Uses;
- c)all storage, display or parking areas shall be hard surfaced in accordance with [Section 67.3](#) of this Bylaw;
- d)all outdoor display areas which abut a Residential District or a lane serving a Residential District shall be obscured from direct view by providing a visual screen at least 1.8 m (6 ft.) in height in accordance with the provisions of [Section 69.3](#), Clause (4) of this Bylaw; and
- e)lighting for the display area shall be mounted on lamp standards and no exposed bulbs or strings of lights shall be used.

*Bylaw No. 7322*

*September 16, 1983*

3)Residential Sales Centres shall be developed in accordance with [Section 95](#) of this Bylaw.

*Bylaw No. 9949*

*November 25, 1991*

4)Recycled Materials Drop-off Centres shall be developed in accordance with [Section 97](#) of this Bylaw.

*Bylaw No. 10581*

*November 15, 1993*

5)Minor Alcohol Sales shall be developed in accordance with [Section 98](#) of this Bylaw.

*Bylaw No. 10207*

*August 15, 1994*

6)The following regulations shall apply to Rapid Drive-through Vehicle Services developments:

a)the total number of bays shall not exceed four for any given site;

b)all operations and mechanical equipment associated with this Use Class shall be located within an enclosed building;

c)where the proposed development includes an automatic car wash, the Development Permit application shall include information identifying the anticipated noise impacts of the development as identified in the manufacturer's specifications. The Development Officer may require, as a condition of Development Permit approval, that the applicant provide a Noise Impact Assessment, identifying the noise attenuation measures necessary to ensure compliance with City of Edmonton Noise Bylaw No. 7255, as amended, or any other measures determined by the Development Officer and which may be determined in consultation with the City Engineer;

d)this Use Class shall be located no less than 15 m (49.2 ft.) from any property line where the lot containing this Use Class abuts any lot containing existing Residential or Residential-Related uses, including situations where such lots are separated by a road or lane 10 m (32.8 ft.) or less in width. This 15 m (49.2 ft.) minimum Setback distance may be reduced at the discretion of the Development Officer;

e)access aisles and queuing spaces associated with this Use Class shall be located no less than 7.5 m (24.6 ft.) from any property line where the lot containing this Use Class abuts any lot containing existing Residential or Residential-Related uses, including situations where such lots are separated by a road or lane 10 m (32.8 ft.) or less in width. The orientation of access aisles, queuing spaces and on-site vehicular circulation shall be designed to the satisfaction of the Development Officer, in consultation with the Transportation Department, having regard to the minimization of traffic circulation conflicts, and to other on-site and off-site impacts, particularly with regard to existing off-site and adjacent Residential or Residential-Related uses;

f)the design and finishing of the development containing this Use Class shall be to the satisfaction of the Development Officer, to be based on the achievement of a compatible visual relationship with adjacent development, particularly in commercial strip development where a pedestrian-oriented environment is evident, and where there is adjacent existing residential development. A high standard of appearance shall be evident in the development when viewed from adjacent public roadways; and

g)where this Use Class and/or associated access aisles and queuing spaces are located within 30 m (98.4 ft.) of a property line where the lot containing this Use Class abuts any lot containing existing Residential or Residential-Related uses, including situations where these lots are separated by a road or lane 10 m (32.8 ft.) or less in width, the following fencing and landscaping requirements shall apply:

i)solid, screen fencing constructed of wood or suitable wood-like synthetic substitute, 1.83 m (6.0 ft.) in height, designed to the satisfaction of the Development Officer; and

ii)required fencing shall be augmented with tree and shrub planting designed to soften the visual effect of the required fencing, and shall be provided in accordance with the

*Bylaw No. 11095*

*November 6, 1995*

7)Child Care Services shall be developed in accordance with [Section 93](#) of this Bylaw.

Edmonton Land Use Bylaw 5996

340. (CB2) General Business District

### **340.1 General Purpose**

To establish a District for businesses which require large sites and a location with good visibility and accessibility along, or adjacent to, major public roadways.

### **340.2 Permitted Uses**

- 1) [Auctioneering Establishments](#)
  - 2) [Automotive and Equipment Repair Shops](#)
  - 3) [Business Support Services](#)
  - 4) [Commercial Schools](#)
  - 5) [Custom Manufacturing](#)
  - 6) [Equipment Rentals](#)
  - 7) [Funeral Services](#)
  - 8) [Gas Bars](#)
  - 9) [General Retail Stores](#) up to a maximum gross floor area of 2 500 m<sup>2</sup> (26,909.75 sq. ft.)
  - 10) [Greenhouses and Plant Nurseries](#)
  - 11) [Health Services](#)
  - 12) [Household Repair Services](#)
- Bylaw No. 7541*
- December 11, 1984*
- 13) [Major](#) and [Minor](#) Amusement Establishments
  - 14) [Indoor Participant Recreation Services](#)
  - 15) [Limited Contractor Services](#)
  - 16) [Minor Eating and Drinking Establishments](#)

17) [Minor Service Stations](#)

18) [Minor Veterinary Services](#)

19) [Personal Service Shops](#)

20) [Professional, Financial and Office Support Services](#)

21) [Recycling Depots](#)

22) [Spectator Sports Establishments](#) with a capacity of less than 500 persons

23) [Warehouse Sales](#) up to a maximum gross floor area of 2 500 m<sup>2</sup> (26,909.75 sq. ft.)

24) [Spectator Entertainment Establishments](#)

*Bylaw No. 6626*

*November 10, 1981*

*Bylaw No. 11321*

*September 3, 1996*

25) **Deleted**

*Bylaw No. 7728*

*March 12, 1985*

*Bylaw No. 11321*

*September 3, 1996*

26) **Deleted**

*Bylaw No. 9949*

*November 25, 1991*

27) [Recycled Materials Drop-off Centres](#)

### **340.3 Discretionary Uses**

1) [Automotive/Minor Recreational Vehicle Sales/Rentals](#)

2) [Animal Hospitals and Shelters](#)

3) [Broadcasting and Motion Picture Studios](#)

4) [Carnivals](#)

5) [Cremation and Interment Services](#)

*Bylaw No. 11095*

*November 6, 1995*

- 6) [Child Care Services](#)
- 7) [Drive-in Food Services](#)
- 8) [Fleet Services](#)
- 9) [General Retail Stores](#) with a gross floor area greater than 2 500 m2 (26,909.75 sq. ft.).
- 10) [Hotels](#)
- 11) [Major Eating and Drinking Establishments](#)
- 12) Major Service Stations
- 13) [Mobile Catering Food Services](#)
- 14) [Motels](#)
- 15) [Non-accessory Parking](#)
- 16) [Outdoor Amusement Establishments](#)
- 17) [Private Clubs](#)
- 18) [Rapid Drive-through Vehicle Services](#)
- 19) [Religious Assembly](#), where lawfully existing on a site in this District at the effective date of this Bylaw, on the same site only
- 20) [Spectator Sports Establishments](#) with a capacity greater than 500 persons
- 21) Truck and Mobile Home Sales/Rentals
- 22) [Warehouse Sales](#) with a gross floor area greater than 2 500 m2 (26,909.75 sq. ft.)

*Bylaw No. 6190*

*September 9, 1981*

- 23) [Apartment Housing](#)

*Bylaw No. 6626*

*November 10, 1981*

- 24) [Convenience Vehicle Rentals](#)

*Bylaw No. 7322*

*September 16, 1983*

- 25) [Apartment Hotels](#)

*Bylaw No. 7322*

*September 16, 1983*

26) [Residential Sales Centres](#)

*Bylaw No. 10244*

*November 16, 1992*

27) [Government Services](#)

*Bylaw No. 10581*

*November 15, 1993*

28) [Alcohol Sales, Major](#)

*Bylaw No. 10581*

*November 15, 1993*

29) [Alcohol Sales, Minor](#)

*Bylaw No. 10773*

*July 26, 1994*

30) [Flea Markets](#)

*Bylaw No. 11321*

*September 3, 1996*

31) [Minor Secondhand Stores](#)

*Bylaw No. 11321*

*September 3, 1996*

32) [Major Secondhand Stores](#)

**340.4 Development Regulations for Permitted and Discretionary Uses**

The following regulations shall apply to Permitted and Discretionary Uses, except where altered by a Statutory Plan Overlay:

- 1) the minimum site frontage shall be 30 m (98.42 ft.) unless access is provided from a service road;
- 2) the maximum Floor Area Ratio shall be 3.0;
- 3) a minimum Yard of 4.5 m (14.76 ft.) shall be required where a site abuts a public roadway other than a lane, except:
  - a) where adjacent commercial buildings abut the property line to form a pedestrian-oriented shopping street, no Yard shall be required; and
  - b) where there is no vehicular access to the site from the public roadway, the minimum Yard shall be not less than 3 m (9.84 ft.);
- 4) a minimum Yard of 4.5 m (14.76 ft.) shall be required where the rear or side lot line of the site abuts the lot line of a

site in a Residential District;

*Bylaw No. 11261*

*June 17, 1996*

5)no parking, loading, storage, trash collection, outdoor service or display area shall be permitted within a required Yard. Loading, storage and trash collection areas shall be located to the rear or sides of the principal building and shall be screened from view from any adjacent sites, public roadways or Light Rail Transit lines in accordance with the provisions of subsection 69.4 of this Bylaw. If the rear or sides of a site are used for parking, an outdoor service or display area or both, and abut a Residential District or a lane serving a Residential District, such areas shall be screened in accordance with the provisions of subsection 69.4 of this Bylaw;

*Bylaw No. 6626*

*November 10, 1981*

6)the maximum building Height shall not exceed 14 m (45.93 ft.) nor 4 storeys, except for Hotel developments and Apartment Hotels; and

*Bylaw No. 9949*

*November 25, 1991*

7)Recycled Materials Drop-off Centres shall be developed in accordance with [Section 97](#) of this Bylaw.

### **340.5 Additional Development Regulations for Discretionary Uses**

*Bylaw No. 6626*

*November 10, 1981*

1)The following regulations shall apply to Automotive and Minor Recreational Vehicle Sales/Rentals, Convenience Vehicle Rentals and Truck and Mobile Home Sales/Rentals developments:

- a)all storage, display or parking areas shall be hardsurfaced in accordance with [Section 67.3](#) of this Bylaw;
- b)all display areas which abut a Residential District or a lane serving a Residential District shall be screened in accordance with the provisions of [Section 69.3](#), Clause (4) of this Bylaw; and
- c)lighting for the display areas shall be mounted on lamp standards and no exposed bulbs or strings of lights shall be used.

2)Carnivals shall be developed in accordance with [Section 83](#) of this Bylaw.

*Bylaw No. 7322*

*September 16, 1983*

3)The following regulations shall apply to Hotel developments and Apartment Hotels:

- a)the maximum building Height shall be 30 m (98.42 ft.); and
- b)in addition to the Yard requirements of Section 340.4, Clause (3), the Development Officer may require an additional setback for that portion of a hotel which exceeds 14 m (45.93 ft.) in Height in order to protect the amenity and privacy of development in any adjacent Residential District. The Development Officer shall not require a total setback greater

than the Height of the building.

*Bylaw No. 6190*

*September 9, 1980*

4)The following regulations shall apply to Apartment Housing developments:

- a)Apartment Housing shall be permitted only in buildings where the first storey is used for commercial purposes;
- b)the housing component shall have access at grade which is separate from the access for the commercial premises;
- c)where a development contains two or more dwelling units a minimum of 7.5 m<sup>2</sup> (80.7 sq. ft.) of Amenity Area is required per unit, in accordance with the provisions of [Section 56](#) of this Bylaw; and

*Bylaw No. 6626*

*November 10, 1981*

d)the maximum Floor Area Ratio of Apartment Housing shall be 1.3.

*Bylaw No. 7322*

*September 16, 1983*

5)Residential Sales Centres shall be developed in accordance with [Section 95](#) of this Bylaw.

*Bylaw No. 10581*

*November 15, 1993*

6)Major and Minor Alcohol Sales shall be developed in accordance with [Section 98](#) of this Bylaw.

*Bylaw No. 10773*

*July 26, 1994*

7)Flea Markets shall be developed in accordance with [Section 102](#) of this Bylaw.

*Bylaw No. 11095*

*November 6, 1995*

8)Child Care Services shall be developed in accordance with [Section 93](#) of this Bylaw.

Edmonton Land Use Bylaw 5996

350. (CHY) Highway Corridor District

### **350.1 General Purpose**

To establish a District for high quality commercial development along those public roadways which serve as entrance routes to the City or along limited access public roadways intended to provide a connection to entrance routes.

### **350.2 Permitted Uses**

- 1) [Gas Bars](#)
- 2) [Hotels](#)
- 3) [Minor Eating and Drinking Establishments](#)
- 4) Minor Service Stations
- 5) [Motels](#)

*Bylaw No. 10581*

*November 15, 1993*

- 6) [Alcohol Sales, Minor](#)

### **350.3 Discretionary Uses**

- 1) [Business Support Services](#)
  - 2) [Convenience Retail Stores](#)
- Bylaw No. 11095*
- November 6, 1995*
- 3) **Deleted**
  - 4) [Drive-in Food Services](#)
  - 5) [General Industrial Uses](#)
  - 6) [Indoor Participant Recreation Services](#)
  - 7) [Major Eating and Drinking Establishments](#)

8) [Major Service Stations](#)

9) [Personal Service Shops](#)

10) [Professional, Financial and Office Support Services](#)

11) [Rapid Drive-through Vehicle Services](#)

12) [Tourist Campsites](#)

*Bylaw No. 6190*

*September 9, 1980*

13) [Broadcasting and Motion Picture Studios](#)

*Bylaw No. 6626*

*November 10, 1981*

14) [Convenience Vehicle Rentals](#)

*Bylaw No. 7322*

*September 16, 1983*

15) [Apartment Hotels](#)

*Bylaw No. 7322*

*September 16, 1983*

16) [Residential Sales Centres](#)

*Bylaw No. 7541*

*December 11, 1984*

17) [Minor Amusement Establishments](#)

*Bylaw No. 9949*

*November 25, 1991*

18) [Recycled Materials DropOff Centres](#)

*Bylaw No. 10244*

*November 16, 1992*

19) [Government Services](#)

*Bylaw No. 10581*

*November 15, 1993*

20) [Alcohol Sales, Major](#)

### **350.4 Development Regulations for Permitted and Discretionary Uses**

The following regulations shall apply to Permitted and Discretionary Uses, except where altered by a Statutory Plan Overlay:

1) the minimum site frontage shall be 30 m (98.42 ft.) unless access is provided from a service road;

2) the maximum Floor Area Ratio shall be 1.0;

*Bylaw No. 6190*

*September 9, 1980*

3) a minimum Yard of 7.5 m (24.60 ft.) shall be required where a site abuts a public roadway including a lane which serves a Residential District, or where a site abuts the lot line of a site in a Residential District;

4) in addition to the Yard requirements of Clause (3) above, the Development Officer may require an additional Setback for that portion of any development which exceeds 14 m (45.93 ft.) in Height in order to protect the privacy of any adjacent residential development. The Development Officer shall not require a total Setback greater than the Height of the building;

*Bylaw No. 11261*

*June 17, 1996*

5) no parking, loading, storage, trash collection, outdoor service or display area shall be permitted within a required Yard. Loading, storage and trash collection areas shall be located to the rear or sides of the principal building and shall be screened from view from any adjacent sites, public roadways or Light Rail Transit lines in accordance with the provisions of subsection 69.4 of this Bylaw. If the rear or sides of a site are used for parking, an outdoor service or display area or both, and abut a Residential District or a lane serving a Residential District, such areas shall be screened in accordance with the provisions of subsection 69.4 of this Bylaw;

*Bylaw No. 7322*

*September 16, 1983*

*Bylaw No. 7728*

*March 12, 1985*

6) the maximum building Height shall be 14 m (45.93 ft.), except the maximum Height for a Hotel or Apartment Hotel shall be 30 m (98.42 ft.);

7) all exposed building faces shall have consistent and harmonious exterior finishing materials; and

*Bylaw No. 10581*

*November 15, 1993*

8) Major and Minor Alcohol Sales shall be developed in accordance with [Section 98](#) of this Bylaw.

### **350.5 Additional Development Regulations for Discretionary Uses**

*Bylaw No. 6626*

*November 10, 1981*

- 1) Convenience Retail Stores, Convenience Vehicle Rentals and Personal Service Shops may be developed only as uses ancillary to an Office, Motel, Hotel, Gas Bar, or Minor or Major Service Station development.
- 2) Indoor Participant Recreation Services may be developed only as ancillary to a Hotel, Motel or Office development.
- 3) General Industrial Uses may be permitted only where the site is located on the periphery of an Industrial District or land designated for future industrial use in a Statutory Plan. General Industrial Uses shall comply with the Performance Standards of the IB District.
- 4) The siting and access for the following developments shall be to the satisfaction of the City Engineer, who shall ensure that such developments do not prejudice the safety and transportation function of Highway Entrance and Limited Access public roadways:
  - a) Drive-in Food Services;
  - b) Major Eating and Drinking Establishments;
  - c) Professional, Financial and Office Support Services; and
  - d) Rapid Drive-through Vehicle Services.

*Bylaw No. 6626*

*November 10, 1981*

- 5) The following regulations shall apply to Convenience Vehicle Rentals developments:
  - a) all storage, display or parking areas shall be hardsurfaced in accordance with [Section 67.3](#) of this Bylaw;

*Bylaw No. 11261*

*June 17, 1996*

- b) all display areas which abut a Residential District or a lane serving a Residential District shall be screened in accordance with the provisions of subsection 69.4(4) of this Bylaw; and
  - c) lighting for the display areas shall be mounted on lamp standards and no exposed bulbs or strings of lights shall be used.

*Bylaw No. 7322*

*September 16, 1983*

- 6) Residential Sales Centres shall be developed in accordance with [Section 95](#) of this Bylaw.

*Bylaw No. 9949*

*November 25, 1991*

- 7) Recycled Materials Drop-off Centres shall be developed in accordance with [Section 97](#) of this Bylaw.

Edmonton Land Use Bylaw 5996

360. (CO) Commercial Office District

### **360.1 General Purpose**

To establish a District for medium intensity office development on the periphery of the Downtown, around Light Rail Transit station areas or other locations offering good accessibility by both private automobile and transit.

### **360.2 Permitted Uses**

- 1) [Business Support Services](#)
- 2) [Commercial Schools](#)
- 3) [Health Services](#)
- 4) [Minor Eating and Drinking Establishments](#)
- 5) [Professional, Financial and Office Support Services](#)

*Bylaw No. 7541*

*December 11, 1984*

- 6) [Minor Amusement Establishments](#)

*Bylaw No. 10581*

*November 15, 1993*

- 7) [Alcohol Sales, Minor](#)

### **360.3 Discretionary Uses**

- 1) [Convenience Retail Stores](#)

*Bylaw No. 11095*

*November 6, 1995*

- 2) [Child Care Services](#)
- 3) [Funeral Services](#)
- 4) [General Retail Stores](#)

- 5) [Hotels](#)
- 6) [Indoor Participant Recreation Services](#)
- 7) [Major Eating and Drinking Establishments](#)
- 8) [Non-accessory Parking](#)
- 9) [Personal Service Shops](#)
- 10) [Private Clubs](#)
- 11) [Religious Assembly](#), where lawfully existing on a site in this District at the effective date of this Bylaw, on the same site only

*Bylaw No. 6190*

*September 9, 1980*

- 12) [Broadcasting and Motion Picture Studios](#)

*Bylaw No. 7322*

*September 16, 1983*

- 13) [Apartment Hotels](#)

*Bylaw No. 10581*

*November 15, 1993*

- 14) [Alcohol Sales, Major](#)

### **360.4 Development Regulations for Permitted and Discretionary Uses**

The following regulations shall apply to Permitted and Discretionary Uses, except where altered by a Statutory Plan Overlay:

- 1) the maximum Floor Area Ratio shall be 4.0;
- 2) a minimum Yard of 4.5 m (14.76 ft.) shall be required where a site abuts a public roadway, other than a lane or the site abuts the lot line of a site in a Residential District except:
  - a) where adjacent commercial buildings abut the property line to form a pedestrian-oriented shopping street, no Yard shall be required; and
  - b) where there is no vehicular access to the site from the public roadway, the minimum Yard shall be not less than 3 m (9.84 ft.);
- 3) in addition to the Yard requirements in Clause (2) above, the Development Officer may require an additional Setback for that portion of any development which exceeds 14 m (45.93 ft.) in Height in order to protect the privacy of development in any adjacent Residential District. The Development Officer shall not require a total Setback greater than the Height of the building;

*Bylaw No. 11261*

*June 17, 1996*

4)no parking, loading, storage, trash collection, outdoor service or display area shall be permitted within a required Yard. Loading, storage and trash collection areas shall be located to the rear or sides of the principal building and shall be screened from view from any adjacent sites, public roadways or Light Rail Transit lines in accordance with the provisions of subsection 69.4 of this Bylaw. If the rear or sides of a site are used for parking, an outdoor service or display area or both, and abut a Residential District or a lane serving a Residential District, such areas shall be screened in accordance with the provisions of subsection 69.4 of this Bylaw;

5)the maximum building Height shall not exceed 23 m (75.45 ft.) nor 6 stories, except that the Development Officer may, at his discretion, allow a greater Height not to exceed a maximum of 40 m (131.23 ft.) nor 10 stories where, in his opinion, this would not adversely affect the privacy and amenity of development in any adjacent Residential District; and

*Bylaw No. 10581*

*November 15, 1993*

6)Major and Minor Alcohol Sales shall be developed in accordance with [Section 98](#) of this Bylaw.

### **360.5 Additional Development Regulations for Discretionary Uses**

*Bylaw No. 7728*

*March 12, 1985*

*Bylaw No. 7322*

*September 16, 1983*

1)Residential Sales Centres shall be developed in accordance with [Section 95](#) of this Bylaw.

*Bylaw No. 11095*

*November 6, 1995*

2)Child Care Services shall be developed in accordance with [Section 93](#) of this Bylaw.

Edmonton Land Use Bylaw 5996

370. (CMX) Commercial Mixed Use District

### **370.1 General Purpose**

To establish a District for developments involving a mixture of Commercial Use Classes, or a mixture of Commercial Use Classes with Residential; Residential-Related; Basic Services; and Community, Educational, Recreational and Cultural Services Use Classes according to the guidelines of an Area Structure Plan or Area Redevelopment Plan.

### **370.2 Application**

*Bylaw No. 11318*

*August 12, 1996*

This District shall be applied only in conjunction with a Statutory Plan Overlay or in conjunction with a Special Area.

### **370.3 Permitted Uses**

None.

*Bylaw No. 11318*

*August 12, 1996*

### **370.4 Discretionary Uses, except where deleted by a Statutory Plan Overlay or Special Area**

1) Residential

a) Apartment Housing

b) Duplex Housing

c) Linked Housing

d) Row Housing

e) Semi-detached Housing

f) Single Detached Housing

g) Stacked Row Housing

2) Residential-Related

a)Apartment Hotels

b)Boarding and Lodging Homes

c)Foster Homes

d)Fraternity and Sorority Housing

e)Group Homes

*Bylaw No. 10529*

*November 15, 1993*

f)**Deleted**

*Bylaw No. 10529*

*November 15, 1993*

g)**Deleted**

*Bylaw No. 10529*

*November 15, 1993*

h)Minor Home Occupations

*Bylaw No. 10529*

*November 15, 1993*

i)Major Home Occupations

*Bylaw No. 10457*

*January 25, 1994*

3)Commercial

a)Auctioneering Establishments

b)Automotive and Equipment Repair Shops

c)Automotive and Minor Recreation Vehicles Sales/Rentals

d)Broadcasting and Motion Picture Studios

e)Business Support Services

f)Commercial Schools

g)Convenience Retail Stores

*Bylaw No. 6626*

*November 10, 1981*

h)Convenience Vehicle Rentals

i)Cremation and Internment Services

j)Custom Manufacturing Establishments

k)Drive-in Food Services

l)Equipment Rentals

m)Fleet Services

n)Funeral Services

o)Gas Bars

p)General Retail Stores

q)Health Services

r)Hotels

s)Household Repair Services

t)Limited Contractor Services

*Bylaw No. 10581*

*November 10, 1993*

u)Major and Minor Alcohol Sales

*Bylaw No. 7541*

*December 11, 1984*

v)Major and Minor Amusement Establishments

w)Major and Minor Eating and Drinking Establishments

*Bylaw No. 7728*

*March 12, 1985*

x)Major and Minor Secondhand Stores

y)Major and Minor Service Stations

z)Minor Veterinary Services

aa)Mobile Food Catering Services

bb)Non-accessory Parking

cc)Personal Services Shops

dd)Professional, Financial and Office Support Services

ee)Rapid Drive-through Vehicle Services

ff)Recycling Depots

gg)Spectator Entertainment Establishments

hh)Truck and Mobile Home Sales/Rentals

ii)Warehouse Sales

4)Industrial

a)General Industrial Uses

5)Basic Services

a)Extended Medical Treatment Services

b)Government Services

c)Minor Impact Utility Services

d)Protective and Emergency Services

*Bylaw No. 9949*

*November 25, 1991*

e)Recycled Materials Drop-off Centres

6)Community, Educational, Recreational and Cultural Services

a)Community Recreation Services

*Bylaw No. 11095*

*November 6, 1995*

b)Child Care Services

c)Indoor Participant Recreation Services

d)Private Clubs

e)Private Education Services

f)Public Education Services

g)Public Libraries and Cultural Exhibits

h)Public Park

i)Religious Assembly

*Bylaw No. 6502*

*November 24, 1981*

j)Exhibition and Convention Facilities

### **370.5Development Regulations**

*Bylaw No. 11318*

*August 12, 1996*

1)The following shall be specified in a Statutory Plan Overlay or Special Area, together with any regulations respecting the conditions under which the respective maximums or minimums may be allowed:

- a)maximum total Floor Area Ratio;
- b)maximum total residential density;
- c)maximum Height; and
- d)minimum Yard requirements.

*Bylaw No. 11318*

*August 12, 1996*

2)The following shall be specified in a Statutory Plan Overlay or Special Area, together with any regulations respecting the conditions under which the respective maximums or minimums may be allowed:

- a)maximum Floor Area Ratio for each Use Class or group of Use Classes;
- b)the required percentage of total Dwellings in each Residential Use Class or group of Residential Use Classes, or the required percentage to be provided as Family Oriented Dwellings;
- c)building Setback requirements that are in addition to the minimum Yard requirements;
- d)parking requirements;
- e)minimum Private Outdoor Amenity Area per Dwelling for Stacked Row Housing or Family Oriented Dwellings; and
- f)minimum Amenity Area per Dwelling, to be developed as childrens play space for developments containing 20 or more Family Oriented or Stacked Row Housing Dwellings.

3)Separation Space shall be provided in accordance with the requirements of Section 58 of this Bylaw.

### **370.6Additional Development Regulations for Specified Uses**

1)The following uses may, where existing within this District, redevelop at their present location or relocate to a new site within the District, provided that the gross floor area is not increased by more than 10% or may otherwise occur as a new development when designed as an integral and secondary component of a development which consists primarily of any use not listed below or within Section 370.6, Clause (2):

- a)Extended Medical Treatment Facilities;
- b)Minor Impact Utility Services;
- c)Natural Science Exhibits;

- d) Private Education Services;
- e) Protective and Emergency Services;
- f) Public Libraries and Cultural Exhibits; and
- g) Public Park.

2) The following uses may, where existing in this District, redevelop at their present location or relocate to a new site within the District, provided that the gross floor area is not increased by more than 10% but shall not otherwise occur as a new development:

- a) Automotive and Equipment Repair Shops;
- b) Automotive and Minor Recreation Vehicle Sales/Rentals;
- c) Cremation and Interment Services;
- d) Drive-in Food Services;
- e) Equipment Rentals;
- f) Fleet Services;
- g) General Industrial Uses;
- h) Limited Contractor Services;
- i) Major Service Stations;
- j) Mobile Food Catering Services;
- k) Rapid Drive-through Vehicle Services;
- l) Recycling Depots; and
- m) Truck and Mobile Home Sales/Rentals.

3) Notwithstanding the provisions of this District, Single Detached Housing shall be developed in accordance with the provisions of the [RF1](#) District only.

4) A minimum Amenity Area of 7.5 m<sup>2</sup> (80.76 sq. ft.) per Dwelling shall be provided in accordance with [Section 56](#) of this Bylaw, except for those Dwellings which provide Private Outdoor Amenity Area in accordance with Section 370.5(2), Clause (2)(e).

5) General Industrial Uses developed in accordance with Section 370.6, Clause (2) of this Section shall comply with the Performance Standards for the IB Industrial District as specified in [Section 73](#) of this Bylaw.

*Bylaw No. 9949*

*November 25, 1991*

6) Recycled Materials Drop-off Centres shall be developed in accordance with [Section 97](#) of this Bylaw.

*Bylaw No. 10581*

*November 15, 1993*

7)Major and Minor Alcohol Sales shall be developed in accordance with [Section 98](#) of this Bylaw.

*Bylaw No. 11095*

*November 6, 1995*

8)Child Care Services shall be developed in accordance with [Section 93](#) of this Bylaw.

Edmonton Land Use Bylaw 5996

410. (IB) Industrial Business District

### **410.1 General Purpose**

To establish a District for industrial businesses which carry out their operations such that no nuisance factor is created or apparent outside an enclosed building and such that the District is compatible with any adjacent Non-industrial District.

### **410.2 Permitted Uses**

- 1) [Auctioneering Establishments](#), provided that all goods and equipment to be auctioned are stored and displayed within an enclosed building
- 2) [Business Support Services](#)
- 3) [Equipment Rentals](#), provided that all equipment and goods for rent are contained within an enclosed building
- 4) [Gas Bars](#)
- 5) [General Industrial Uses](#)
- 6) Minor and Major Service Stations
- 7) [Professional, Financial and Office Support Services](#)

*Bylaw No. 10581*

*November 15, 1993*

- 8) [Alcohol Sales, Major](#)

*Bylaw No. 10581*

*November 15, 1993*

- 9) [Alcohol Sales, Minor](#)

### **410.3 Discretionary Uses**

- 1) [Convenience Retail Stores](#)
- 2) [Cremation and Interment Services](#)

*Bylaw No. 11095*

*November 6, 1995*

- 3) [Child Care Services](#)
- 4) [Drive-in Food Services](#)
- 5) [Greenhouses and Plant Nurseries](#)
- 6) [Health Services](#)
- 7) [Indoor Participant Recreation Services](#)
- 8) [Minor](#) and [Major](#) Eating and Drinking Establishments

*Bylaw No. 10244*

*November 16, 1992*

- 9) [Minor Veterinary Services](#)
- 10) [Mobile Catering Food Services](#)
- 11) [Outdoor Participant Recreation Services](#)
- 12) [Personal Service Shops](#)
- 13) [Warehouse Sales](#)
- 14) [Broadcasting and Motion Picture Studios](#)

*Bylaw No. 6190*

*September 9, 1980*

- 15) [Convenience Vehicle Rentals](#)

*Bylaw No. 6626*

*November 10, 1981*

- 16) [Limited Contractor Services](#)

*Bylaw No. 7016*

*September 14, 1982*

- 17) [Automotive and Minor Recreational Vehicle Sales/Rentals](#)
- 18) [Automotive and Equipment Repair Shops](#)
- 19) [Fleet Services](#)
- 20) [Recycling Depots](#)
- 21) [Rapid Drive-through Vehicle Services](#)

*Bylaw No. 7322*

*September 16, 1983*

22) [Residential Sales Centre](#)

*Bylaw No. 7541*

*December 11, 1984*

23) [Minor Amusement Establishments](#)

*Bylaw No. 9489*

*June 26, 1990*

24) [Religious Assembly](#), excluding rectories, manses, dormitories, convents, monasteries and other residential buildings

*Bylaw No. 9949*

*November 25, 1991*

25) [Recycled Materials Drop-off Centres](#)

*Bylaw No. 10244*

*November 16, 1992*

26) [Private Clubs](#)

*Bylaw No. 10244*

*November 16, 1992*

27) [Residential Security Unit](#)

*Bylaw No. 10773*

*July 26, 1994*

28) [Flea Markets](#)

*Bylaw No. 11260*

*June 17, 1996*

29) [Commercial Schools](#)

*Bylaw No. 11260*

*June 17, 1996*

30) [Funeral Services](#)

#### **410.4 Development Regulations for Permitted and Discretionary Uses**

The following regulations shall apply to Permitted and Discretionary Uses, except where altered by a Statutory Plan Overlay:

1)where this District is applied along a major collector or higher standard public roadway the minimum site frontage shall be 30 m (98.42 ft.), unless access is provided from a service road;

2)the maximum Floor Area Ratio shall be 1.2;

3)a minimum Yard of 6 m (19.68 ft.) shall be required where any lot line of a site abuts a public roadway, other than a lane or abuts the property line of a Residential District;

4)no parking, loading, storage, trash collection, outdoor service or display area shall be permitted within a required Yard;

*Bylaw No. 6626*

*November 10, 1981*

5)the maximum Height shall not exceed 12.0 m (39.4 ft.) nor 3 storeys, except that the Development Officer shall permit a greater Height for a building housing a General Industrial Use up to a maximum of 14 m (45.9 ft.) where this is required to facilitate the industrial development of the use involved;

6)all developments shall comply with the Performance Standards of [Section 73](#) for the IB District; and

*Bylaw No. 10581*

*November 15, 1993*

7)Major and Minor Alcohol Sales shall be developed in accordance with [Section 98](#) of this Bylaw.

#### **410.5 Additional Development Regulations for Discretionary Uses**

*Bylaw No. 11095*

*November 6, 1995*

1)Convenience Retail Stores, Child Care Services, Drive-in Food Services, Health Services, Indoor Participant Recreation Services, Minor and Major Eating and Drinking Establishments, Outdoor Participant Recreation Services and Personal Service Shops shall be sited in accordance with the following:

a)as part of a comprehensively planned and managed group of five or more office or industrial buildings where such Discretionary Uses are intended to service and support the principal industrial or office use; or

b)in an area designated for such uses in an Area Structure or Area Redevelopment Plan; or

c)on sites located at the intersection of major collector or higher standard public roadways centrally located in an industrial area.

*Bylaw No. 6626*

*November 10, 1981*

2)The following regulations shall apply to Convenience Vehicle Rentals developments:

a)all storage, display or parking areas shall be hardsurfaced in accordance with [Section 67.3](#) of this Bylaw;

b)all display areas which abut a Residential District or a lane serving a Residential District shall be screened in accordance with the provisions of [Section 69.3](#), Clause (4) of this Bylaw; and

c)lighting for the display areas shall be mounted on lamp standards and no exposed bulbs or strings of lights shall be used.

*Bylaw No. 7016*

*December 14, 1982*

3)Automotive and Minor Recreational Vehicle Sales/Rentals shall comply with provisions of this District for Convenience Vehicle Rentals developments and the size, locations, screening and landscaping of the outdoor vehicular display areas shall be subject to the approval of the Development Officer, who shall ensure that development of the site is compatible with the appearance of site design of surrounding developments.

4)The minimum gross floor area for a Warehouse Sales establishment shall not be less than 1 000 m<sup>2</sup> (10,764.2 sq. ft.) unless at least fifty percent of the gross floor area of the establishment is used for warehousing or storage of the goods sold or distributed from the establishment.

*Bylaw No. 7322*

*September 16, 1983*

*Bylaw No. 7728*

*March 12, 1985*

5)Residential Sales Centres shall be developed in accordance with [Section 95](#) of this Bylaw.

*Bylaw No. 9489*

*June 26, 1990*

6)The following regulations shall apply to Religious Assembly developments:

a)sites shall be limited to those which are either adjacent to a major arterial or collector roadway or located on the periphery of the industrial area;

b)where the development is to be located in an existing building which contains a number of bays, the site size specified in [Section 81](#) shall be considered to be the entire parcel upon which the building is sited; and

c)the Development Officer may require additional building setbacks, landscaping and screen planting requirements to ensure compatibility with adjacent industrial uses, having due regard to surrounding existing and future development allowed under the IB District. However, the Development Officer may refuse an application for Religious Assembly development if, in his opinion, the adjacent industrial development is incompatible with the proposed development, having regard to noise, odours, or other performance characteristics of the industrial development.

*Bylaw No. 9949*

*November 25, 1991*

7)Recycled Materials Drop-off Centres shall be developed in accordance with [Section 97](#) of this Bylaw.

*Bylaw No. 10773*

*July 26, 1994*

8)Flea Markets shall be developed in accordance with [Section 102](#) of this Bylaw.

*Bylaw No. 11095*

*November 6, 1995*

9)Child Care Services shall be developed in accordance with [Section 93](#) of this Bylaw.

Edmonton Land Use Bylaw 5996

420. (IM) Medium Industrial District

### **420.1 General Purpose**

To establish a District for those manufacturing, processing, assembly, distribution, service and repair uses which carry out a portion of their operation outdoors or require outdoor storage areas. In general, any nuisance factor associated with the uses in this District should not extend beyond the boundaries of the site. This District would normally be applied on the interior of industrial areas adjacent to collector and local industrial public roadways such that uses are separated from any adjacent residential areas by a higher quality Industrial or Commercial District.

### **420.2 Permitted Uses**

1) [Animal Hospitals and Shelters](#)

2) [Auctioneering Establishments](#)

*Bylaw No. 6626*

*November 10, 1981*

3) [General Contractor Services](#)

4) [Equipment Rentals](#)

5) [General Industrial Uses](#)

6) [Industrial Vehicle and Equipment Sales/Rentals](#)

7) [Temporary Storage](#)

### **420.3 Discretionary Uses**

1) [Natural Resource Developments](#)

*Bylaw No. 6626*

*November 10, 1981*

2) [Automotive and Equipment Repair Shops](#)

3) [Fleet Services](#)

4) [Recycling Depots](#)

*Bylaw No. 6858*

*March 10, 1982*

5) [Warehouse Sales](#)

*Bylaw No. 7322*

*September 16, 1983*

6) [Residential Sales Centre](#)

*Bylaw No. 9949*

*November 25, 1991*

7) [Recycled Materials Drop-off Centres](#)

*Bylaw No. 10244*

*November 16, 1992*

8) [Residential Security Unit](#)

*Bylaw No. 10773*

*July 26, 1994*

9) [Flea Markets](#)

**420.4 Development Regulations for Permitted and Discretionary Uses**

The following regulations shall apply to Permitted and Discretionary Uses, except where altered by a Statutory Plan Overlay:

1) the maximum Floor Area Ratio shall be 2.0;

2) a minimum Yard of 3 m (9.84 ft.) shall be required where any lot line of a site abuts a public roadway, other than a lane. If any lot line of the site abuts a property line of a Residential District a minimum Yard of 6 m (19.68 ft.) shall be required;

3) no parking, loading, storage, trash collection, outdoor service or display area shall be permitted within a required Yard;

4) the maximum building Height shall be 18 m (59.04 ft.);

5) all developments shall comply with the Performance Standards of [Section 73](#) for the IM District; and

*Bylaw No. 7016*

*September 14, 1982*

6) the minimum gross floor area for a Warehouse Sales establishment shall not be less than 1 000 m<sup>2</sup> (10,764.2 sq. ft.) unless at least fifty percent of the gross floor area of the establishment is used for warehousing or storage of the goods sold or distributed from the establishment.

## **420.5 Additional Development Regulations for Discretionary Uses**

*Bylaw No. 7322*

*September 16, 1983*

1) Residential Sales Centres shall be developed in accordance with [Section 95](#) of this Bylaw.

*Bylaw No. 9949*

*November 25, 1991*

2) Recycled Materials Drop-off Centres shall be developed in accordance with [Section 97](#) of this Bylaw.

*Bylaw No. 10773*

*July 26, 1994*

3) Flea Markets shall be developed in accordance with [Section 102](#) of this Bylaw.

Edmonton Land Use Bylaw 5996

430. (IH) Heavy Industrial District

### **430.1 General Purpose**

To establish a District for those industrial uses that may have detrimental effects on other Districts due to appearance, noise, odour, emission of toxic wastes, or fire and explosive hazards. This District would normally be located on the interior of industrial or agricultural areas, such that it does not interfere with the safety, use, amenity or enjoyment of any surrounding Land Use Districts.

### **430.2 Permitted Uses**

[General Industrial Uses](#) which are characterized by one or more of the following features:

- 1) large land requirements for outdoor service, assembly, processing or fabricating operations or storage;
- 2) the creation of nuisance factors which extend beyond the boundaries of the site and which, in the opinion of the Development Officer, may have a deleterious effect on other Districts due to noise, odour or the emission of air contaminants; and
- 3) the use of materials or processing operations which require separation from other developments due to fire and explosion hazards.

### **430.3 Discretionary Uses**

- 1) [General Industrial Uses](#), other than those listed as Permitted Uses
- 2) [Natural Resource Developments](#)
- 3) [General Contractor Services](#)

*Bylaw No. 6626*

*November 10, 1981*

- 4) [Temporary Storage](#)

*Bylaw No. 7322*

*September 16, 1983*

- 5) [Residential Sales Centre](#)

*Bylaw No. 9859*

*October 9, 1991*

6) [Adult Mini-Theatres](#)

*Bylaw No. 9949*

*November 25, 1991*

7) [Recycled Materials Drop-off Centres](#)

*Bylaw No. 10244*

*November 16, 1992*

8) [Residential Security Unit](#)

*Bylaw No. 10773*

*July 26, 1994*

9) [Flea Markets](#)

**430.4 Development Regulations for Permitted and Discretionary Uses**

The following regulations shall apply to Permitted and Discretionary Uses, except where altered by a Statutory Plan Overlay:

- 1) the minimum site area shall be 1 ha (2.47 acres), except for developments existing on a site at the effective date of the application of this District;
- 2) the maximum Floor Area Ratio shall be 2.0;
- 3) a minimum Yard of 3 m (9.84 ft.) shall be required where any lot line of a site abuts a public roadway, other than a lane;
- 4) no parking, loading, storage, trash collection, outdoor service or display area shall be permitted within a required Yard;
- 5) notwithstanding Clause (3) above, the Development Officer may require a greater Setback for those components of an industrial development which, in his opinion, may interfere with the safety or amenity of developments upon abutting lands, having particular regard to any Separation Spaces required by Provincial regulations;
- 6) the maximum building Height shall be 30 m (98.4 ft.); and
- 7) all developments shall comply with the Performance Standards of [Section 73](#) for the IH District.

**430.5 Additional Development Regulations for Discretionary Uses**

*Bylaw No. 7322*

*September 16, 1983*

- 1) Residential Sales Centres shall be developed in accordance with [Section 95](#) of this Bylaw.

*Bylaw No. 9859*

*October 9, 1991*

2)Adult Mini-Theatres shall be developed in accordance with [Section 96](#) of this Bylaw.

*Bylaw No. 9949*

*November 25, 1991*

3)Recycled Materials Drop-off Centres shall be developed in accordance with [Section 97](#) of this Bylaw.

*Bylaw No. 10773*

*July 26, 1994*

4)Flea Markets shall be developed in accordance with [Section 102](#) of this Bylaw.

Edmonton Land Use Bylaw 5996

510. (US) Urban Services District

### **510.1 General Purpose**

To provide a District for public and privately owned facilities of an Institutional or Community Service nature.

### **510.2 Permitted Uses**

1) [Community Recreation Services](#)

*Bylaw No. 11095*

*November 6, 1995*

2) [Child Care Services](#)

3) [Government Services](#)

4) [Public](#) and [Private](#) Education Services

5) [Public Libraries and Cultural Exhibits](#)

6) [Religious Assembly](#)

### **510.3 Discretionary Uses**

1) [Cemeteries](#)

2) [Commercial Schools](#), only when a temporary or part time use of an existing Permitted Use development

3) [Minor](#) or [Major](#) Eating and Drinking Establishments, only when integrated with another Permitted or Discretionary Use development

4) [Extended Medical Treatment Services](#)

5) [Indoor Participant Recreation Services](#)

6) [Natural Science Exhibits](#)

7) [Outdoor Participant Recreation Services](#)

8) [Protective and Emergency Services](#)

9) [Private Clubs](#)

10) [Spectator Entertainment Establishments](#)

11) [Spectator Sports Establishments](#)

12) [Detention and Correction Services](#)

13) [Exhibition Grounds and Convention Centres](#)

14) [Temporary Shelter Services](#)

15) [Boarding and Lodging Houses](#) for Senior Citizens, where integrated with any other Permitted or Discretionary Use of this District, or where existing on a site this District at the effective date of this Bylaw, on the same site only

*Bylaw No. 6626*

*November 10, 1981*

16) [Health Services](#)

*Bylaw No. 9949*

*November 25, 1991*

17) [Recycled Materials Drop-off Centres](#)

#### **510.4 Development Regulations for Permitted and Discretionary Uses**

The following regulations shall apply to Permitted and Discretionary Uses, except where altered by a Statutory Plan Overlay:

*Bylaw No. 7728*

*March 12, 1985*

1) the minimum Front Yard shall be 6 m (19.68 ft.);

2) the minimum Rear Yard shall be 7.6 m (24.61 ft.);

3) the minimum Side Yard shall be 4.5 m (14.76 ft.);

4) the maximum building Height shall be 10 m (32.8 ft.);

5) where, in the opinion of the Development Officer, it is unreasonable for a development to comply with Clauses (1), (2), (3), or (4) because of characteristics fundamental to the nature of the Use, he may relax the conditions of Clause (1), (2), (3) or (4) as required. In such cases, a Permitted Use shall become a Discretionary Use;

*Bylaw No. 6626*

*November 10, 1981*

6) Religious Assembly shall be developed in accordance with [Section 81](#) of this Bylaw; and

*Bylaw No. 11095*

*November 6, 1995*

7)Child Care Services shall be developed in accordance with [Section 93](#) of this Bylaw.

### **510.5Additional Development Regulations for Discretionary Uses**

1)Where development does not comply with the requirements of Section 510.4, Clause (1), its design, siting, landscaping, screening and buffering shall minimize and compensate for any objectionable aspects or potential incompatibility with development in abutting Districts.

2)Where this District abuts the A District, the Development Officer, in consultation with the General Manager of the Parks and Recreation Department, may require an environmental assessment in accordance with Section 540.4, Clause (5) of this Bylaw.

*Bylaw No. 6626*

*November 10, 1981*

3)The Development Officer shall approve in this District only those Health Services which are of an institutional or a community service nature.

*Bylaw No. 9949*

*November 25, 1991*

4)Recycled Materials Drop-off Centres shall be developed in accordance with [Section 97](#) of this Bylaw.

Edmonton Land Use Bylaw 5996

520. (PU) Public Utility District

### **520.1 General Purpose**

To provide a District for public utility installations, services and facilities.

### **520.2 Permitted Uses**

1) [Minor Impact Utility Services](#)

2) [Protective and Emergency Services](#)

### **520.3 Discretionary Uses**

1) [Major Impact Utility Services](#)

*Bylaw No. 6626*

*November 10, 1981*

2) [Public Parks](#)

*Bylaw No. 9949*

*November 25, 1991*

3) [Recycled Materials Drop-off Centres](#)

### **520.4 Development Regulations for Permitted and Discretionary Uses**

*Bylaw No. 7728*

*March 12, 1985*

The following regulations shall apply to Permitted and Discretionary Uses, except where altered by a Statutory Plan Overlay:

- 1) the minimum Front Yard shall be 6 m (19.68 ft.);
- 2) the minimum Rear Yard shall be 7.5 m (24.61 ft.);
- 3) the minimum Side Yard shall be 4.5 m (14.76 ft.);
- 4) the maximum building Height shall be 10 m (32.81 ft.);

5)except as provided for in Clause (6), developments in this District shall comply with the [Industrial Performance Standards](#) applicable to the IB District;

6)notwithstanding Clause (5), if this District is located in the interior of an industrial area abutting the IM or IH District for the most part and does not abut any Residential District, it shall comply with the Performance Standards applicable to the IM and IH Districts; and

7)where, in the opinion of the Development Officer, it is unreasonable for a development to comply with Clause (1), (2), (3), (4), or (5) because of characteristics fundamental to the provision of infrastructure services, he may relax requirements of Clauses (1), (2), (3) or (4) as required, and he may relax the requirements of Clause (5) provided the development complies with the Performance Standards of the IM and IH Districts. In either case, a Permitted Use shall become a Discretionary Use.

### **520.5 Additional Development Regulations for Discretionary Uses**

1)Where a development does not comply with the requirements of Section 520.4, Clauses (1) and (2), its design, siting, landscaping, screening and buffering shall minimize and compensate for any objectionable aspects or potential incompatibility with development in abutting Districts.

2)Where this District abuts the A District, the Development Officer, in consultation with the General Manager of the Parks and Recreation Department, may require an Environmental Impact Assessment in accordance with the requirements of Section 540.4, Clause (5) of this Bylaw.

*Bylaw No. 6626*

*November 10, 1981*

3)Public Parks shall be developed in this District only in conjunction with and on the same site as a Permitted or another Discretionary Use in this District.

*Bylaw No. 9949*

*November 25, 1991*

4)Recycled Materials Drop-off Centres shall be developed in accordance with [Section 97](#) of this Bylaw.

Edmonton Land Use Bylaw 5996

530. (AP) Public Parks District

### **530.1 General Purpose**

To establish an area of public land for active and passive recreational uses and landscaped buffers.

### **530.2 Permitted Uses**

- 1) [Public Park](#)
- 2) [Outdoor Participant Recreation Services](#)
- 3) [Indoor Participant Recreation Services](#)
- 4) [Community Recreation Services](#)
- 5) [Carnivals](#) or Fairs sponsored by a non-profit, community organization for periods not exceeding seven (7) days.

*Bylaw No. 6626*

*November 10, 1981*

*Bylaw No. 11095*

*November 6, 1995*

- 6) [Child Care Services](#)

### **530.3 Discretionary Uses**

- 1) [Natural Science Exhibits](#)
- 2) [Public Libraries and Cultural Exhibits](#)
- 3) [Spectator Sports Establishments](#)
- 4) [Spectator Entertainment Establishments](#)
- 5) [Minor Eating and Drinking Establishments](#)
- 6) [Tourist Campsites](#)

### **530.4 Development Regulations for Permitted and Discretionary Uses**

The following regulations shall apply to Permitted and Discretionary Uses, except where altered by a Statutory Plan

Overlay:

- 1)the minimum Front Yard shall be 6 m (19.68 ft.);
- 2)the minimum Rear Yard shall be 7.5 m (24.61 ft.);
- 3)the minimum Side Yard shall be 4.5 m (14.76 ft.); and
- 4)the maximum building Height shall be 10 m (32.81 ft.) unless otherwise approved by the Development Officer, where deemed appropriate for the use.

*Bylaw No. 11095*

*November 6, 1995*

- 5)Child Care Services shall be developed in accordance with [Section 93](#) of this Bylaw.

Edmonton Land Use Bylaw 5996

540. (A) Metropolitan Recreation District

### **540.1 General Purpose**

To preserve natural areas and parkland along the river, creeks and ravines and other designated areas for active and passive recreational uses and environment protection.

### **540.2 Permitted Uses**

- 1) [Farms](#) on a site of not less than 8 ha (19.77 acres)
- 2) [Single Detached Housing](#) on a site of not less than 8 ha (19.77 acres)
- 3) [Public Parks](#)

*Bylaw No. 10529*

*November 15, 1993*

- 4) [Minor Home Occupations](#)

### **540.3 Discretionary Uses**

*Bylaw No. 7729*

*March 12, 1985*

- 1) [Natural Science Exhibits](#)
- 2) [Tourist Campsites](#)
- 3) [Spectator Sports Establishments](#)
- 4) [Spectator Entertainment Establishments](#)
- 5) [Community Recreation Services](#)
- 6) [Outdoor Participant Recreation Services](#)
- 7) [Indoor Participant Recreation Services](#)
- 8) [Protective and Emergency Services](#)
- 9) [Natural Resource Development](#)

10) [Carnivals](#) or Fairs sponsored by a non-profit community organization for periods not in excess of seven (7) days

*Bylaw No. 10529*

*November 15, 1993*

11) **Deleted**

12) [Minor Impact Utility Services](#)

*Bylaw No. 11832*

*August 24, 1998*

13) [Public Libraries and Cultural Exhibits](#)

*Bylaw No. 11095*

*November 6, 1995*

14) [Child Care Services](#)

15) [Exhibition and Convention Facilities](#)

16) [Greenhouses and Plant Nurseries](#)

17) Where lawfully existing on a site in this District at the effective date of Bylaw No. 5996 on the same site only:

a) [Religious Assembly](#);

b) [Private Education Services](#); and

c) [Extended Medical Treatment Services](#)

18) [Single Detached Dwellings](#) on a site of less than 8 ha (19.77 acres) in subdivisions existing in this District at the effective date of Bylaw No. 5996

*Bylaw No. 10529*

*November 15, 1993*

19) [Major Home Occupations](#)

#### **540.4 Development Regulations for Permitted and Discretionary Uses**

The following regulations shall apply to Permitted and Discretionary Uses, except where altered by a Statutory Plan Overlay:

1) the minimum Front Yard shall be 7.5 m (24.61 ft.);

2) the minimum Rear Yard shall be 7.5 m (24.61 ft.);

3) the minimum Side Yard shall be 4.5 m (14.76 ft.);

*Bylaw No. 7729*

*March 12, 1985*

4)the maximum building Height shall be 10 m (32.81 ft.) unless otherwise approved by the Development Officer, where deemed appropriate for the use;

*Bylaw No. 7729*

*March 12, 1985*

5)all development proposals for Discretionary Uses may be required to submit an environmental impact assessment as determined by the Development Officer. The assessment shall provide the following information:

a)the adverse and beneficial impacts of the development on the natural environment:

i)in terms of changes in air and water quality anticipated when designed capacity of the development is reached;

ii)in terms of changes with respect to increase or decrease in bank stability; and

iii)in terms of changes in wild life, historical, scenic or geological features which occur as a result of the proposed development;

b)the adverse and beneficial impacts which may occur as a result of:

i)increased traffic on approach roads, trails and adjoining park facilities;

ii)land consumed for uses not related to Public Park use and ancillary services; and

iii)the number of persons likely to be attracted to the proposed use or development; and

*Bylaw No. 11844*

*August 24, 1998*

c)the ways in which any adverse effects of the proposed development may be minimized and any recommended design alternatives to the proposed development;

6)the following conditions shall apply to all development:

a)design of the development shall minimize or eliminate potential instability of adjacent slopes and allow for settlement on areas of fill;

b)removal of vegetation shall be avoided or minimized and deposition of fill prohibited;

c)natural drainage lines shall be respected and surface ponding of water avoided;

d)denuded areas shall be restored to control erosion; and

e)where fill has been dumped directly into the river channel, development shall be contingent upon:

i)removal of fill until the river channel assumes its original shape;

ii)regradation of the river bank to the low angle of rest;

iii)installation of gabions along the base of the slope; and

*Bylaw No. 11844*

*August 24, 1998*

iv) revegetation of the slope area immediately behind; and

*Bylaw No. 11844*

*August 24, 1998*

7) Where Single Detached Housing is developed in this District, a maximum of one Dwelling per lot shall be allowed.

*Bylaw No. 7729*

*March 12, 1985*

*Bylaw No. 11095*

*November 6, 1995*

#### **540.5 Additional Development Regulations for Discretionary Uses**

1) Any development consisting of a Discretionary Use shall be considered a Class D Development and subject to the provisions of [Section 14.5](#).

2) Child Care Services shall be developed in accordance with [Section 93](#) of this Bylaw.

Edmonton Land Use Bylaw 5996

550. (MA) Municipal Airport District

### **550.1 General Purpose**

To establish a District for the operations of the Municipal Airport.

### **550.2 Permitted Uses**

1) [Aircraft Sales/Rentals](#)

*Bylaw No. 6626*

*November 10, 1981*

2) The following Use Classes, provided they directly serve the operations or users of the Municipal Airport or are directly related to the maintenance or operation of private and commercial aircraft:

a) [General Industrial Uses](#); and

b) [Government Services](#)

### **550.3 Discretionary Uses**

*Bylaw No. 6626*

*November 10, 1981*

*Bylaw No. 11285*

*July 9, 1996*

1) The following Use Classes, provided they directly service the operation or users of the Municipal Airport:

a) [Convenience Vehicle Rentals](#)

b) [Fleet Services](#)

c) [Hotels](#)

d) [Major](#) and [Minor](#) Eating and Drinking Establishments

2) [Spectator Sports Establishments](#)

*Bylaw No. 11520*

*June 17, 1997*

3) [Train Station](#)

**550.4 Development Regulations for Permitted and Discretionary Uses**

The following regulations shall apply to Permitted and Discretionary Uses, except where altered by a Statutory Plan Overlay:

- 1) the maximum Floor Area Ratio shall be 2.0;
- 2) a minimum Yard of 6 m (19.68 ft.) shall be required where any lot line of a site abuts a public roadway other than a lane or abuts the property line of a site in a Residential District;
- 3) no parking, loading, storage, trash collection, outdoor service or display area shall be permitted within a required Yard;
- 4) the maximum building Height shall be 14 m (45.92 ft.), except that the Development Officer may permit a greater Height for General Industrial Uses used for the storage, maintenance and servicing of aircraft; Aircraft Sales/Rentals; and Hotels provided that the Height complies with any Height regulations of Transport Canada and the Airport Protection Overlay; and
- 5) all General Industrial Uses shall comply with the [Industrial Performance Standards](#) for the IB District.

*Bylaw No. 11285*

*July 9, 1996*

**Section 550.5 Additional Development Regulations for Discretionary Uses**

1) Notwithstanding any other provision of this Bylaw, the following regulations shall apply to Spectator Sports Establishments:

- a) this Use Class shall be limited to Auto Racing;
- b) the location of the use shall be generally contained to the northern half of the site, within an area bound on the north by the Yellowhead Highway, bound on the east by 109 Street, bound on the south by the projection of 120 Avenue, and bound on the west by the projection of 120 Street;
- c) this Use Class shall be restricted to a single event per calendar year, of no greater duration than 4 days, inclusive of set up and removal time, and a Development Permit must be obtained for each event;
- d) race vehicles shall only be allowed to operate between the hours of 10:00 and 18:00;
- e) the Development Officer may apply conditions which, in the opinion of the Development Officer, are necessary to ensure compatibility with airport operations, community interests, and race requirements;
- f) in addition to the notification requirements of this Bylaw, notification of the issuance of a Development Permit for this Use Class shall also be sent to the Presidents of the following Community Leagues and Business Associations:
  - Calder
  - Central McDougall
  - Inglewood

- Lauderdale
- Prince Charles
- Prince Rupert
- Queen Mary Park
- Sherbrooke
- Spruce Avenue
- Westwood
- Inglewood Business Association
- Kingsway Business Association

g)each applicant for a Development Permit will monitor noise at distances set by the Development Officer and submit the results of this monitoring to the Development Officer within two weeks of the event for which the Development Permit has been issued.

Edmonton Land Use Bylaw 5996

610. (AG) Agricultural District

### **610.1 General Purpose**

To establish a District for agricultural purposes and to prevent premature or scattered subdivision.

### **610.2 Permitted Uses**

[Farms](#)

### **610.3 Discretionary Uses**

- 1) [Extended Medical Treatment Services](#)
- 2) [Religious Assembly](#)
- 3) [Public Education Services](#)
- 4) [Private Education Services](#)
- 5) [Public Parks](#)
- 6) [Natural Resource Development](#)
- 7) [Community Recreation Services](#)
- 8) [Protective and Emergency Services](#)
- 9) [Minor Impact Utility Services](#)
- 10) [Small Animal Breeding and Boarding Establishments](#)
- 11) [Greenhouses and Plant Nurseries](#)

*Bylaw No. 7322*

*September 16, 1983*

- 12) [Residential Sales Centres](#)

### **610.4 Development Regulations for Permitted and Discretionary Uses**

The following regulations shall apply to Permitted and Discretionary Uses, except where altered by a Statutory Plan Overlay:

*Bylaw No. 7729*

*March 12, 1985*

- 1)the minimum site area shall be 32 ha (79.1 acres), which may be reduced at the discretion of the Development Officer for Farms involving intensive or specialized production, in which case the development shall be considered a Class D Development and subject to the provisions of [Section 14.5](#);
- 2)the minimum Front Yard shall be 7.5 m (24.61 ft.);
- 3)the minimum Rear Yard shall be 7.5 m (24.61 ft.);
- 4)the minimum Side Yard shall be 4.5 m (14.76 ft.);
- 5)the maximum building Height shall be 10 m (32.81 ft.), except in the case of buildings or structures accessory to a Farm, other than the Dwellings;
- 6)Farms which may be offensive in nature, including Hog Ranches, Poultry Farms, Feedlots, or the breeding and raising of furbearing animals shall not be located less than 150 m (492.12 ft.) from the nearest developed or proposed Residential or Urban Services District; and
- 7)water supply and sewage disposal shall be provided in accordance with the Public Health Act regulations.

#### **610.5 Additional Development Regulations for Discretionary Uses**

- 1)In considering Discretionary Uses, the Development Officer shall not approve Discretionary Uses that would be prejudicial to the future economical subdivision and servicing of such lands for future urban use on a planned basis.

*Bylaw No. 7729*

*March 12, 1985*

- 2)The minimum site area of 32 ha (79.1 acres) may be reduced to 8 ha (19.77 acres) for any Discretionary Use, at the discretion of the Development Officer, in which case the development shall be considered a Class D Development and subject to the provisions of [Section 14.5](#).

*Bylaw No. 7322*

*September 16, 1983*

- 3)Residential Sales Centres shall be developed in accordance with [Section 95](#) of this Bylaw.

Edmonton Land Use Bylaw 5996

620. (AGU) Urban Reserve District

### **620.1 General Purpose**

To establish a District to reserve lands for future residential growth.

### **620.2 Permitted Uses**

[Farms](#), subject to Section 620.4, Clause (6)

### **620.3 Discretionary Uses**

1) [Natural Resource Development](#)

*Bylaw No. 10244*

*November 16, 1992*

2) [Drive-in Motion Picture Theatres](#)

3) [Small Animal Breeding and Boarding Establishments](#)

4) [Tourist Campsites](#)

5) [Public Parks](#)

6) [Minor Impact Utility Services](#)

7) [Greenhouses and Plant Nurseries](#)

8) The following uses, where lawfully existing on a site in the AGU District at the effective date of the application of this District and on the same site only:

a) [Extended Medical Treatment Services](#);

b) [Private Education Services](#);

c) [Community Recreation Services](#);

d) [Protective and Emergency Services](#); and

e) [Religious Assembly](#)

*Bylaw No. 6855*

*March 10, 1982*

9) [Public Education Services](#), where the site is designated as school/park site by a Neighbourhood Structure Plan

*Bylaw No. 7322*

*September 16, 1983*

10) [Residential Sales Centre](#)

#### **620.4 Development Regulations for Permitted and Discretionary Uses**

The following regulations shall apply to Permitted and Discretionary Uses, except where altered by a Statutory Plan Overlay:

1) the minimum site area shall be 8 ha (19.77 acres);

2) the minimum Front Yard shall be 7.5 m (24.60 ft.);

3) the minimum Rear Yard shall be 7.5 m (24.60 ft.);

4) the minimum Side Yard shall be 4.5 m (14.76 ft.);

5) the maximum building Height shall be 10 m (32.80 ft.), except in the case of buildings or structures accessory to a Farm other than Dwellings;

6) Farms shall not be offensive in nature, and shall not include the breeding and raising of furbearing animals, Poultry Farms, Hog Ranches or Feedlots; and

7) water supply and sewage disposal shall be provided in accordance with the Public Health Act regulations.

#### **620.5 Additional Development Regulations for Discretionary Uses**

1) In considering Discretionary Uses, the Development Officer shall not approve Discretionary Uses that would be prejudicial to the future economical subdivision, servicing and development of such lands for future urban use on a planned basis.

2) The Development Officer may specify the length of time a use is permitted in this District having regard to the intent of Clause (1), above, and the staging of servicing and general residential development of the subject land.

*Bylaw No. 7322*

*September 16, 1983*

3) Residential Sales Centres shall be developed in accordance with [Section 95](#) of this Bylaw.

Edmonton Land Use Bylaw 5996

630. (AGI) Industrial Reserve District

### **630.1 General Purpose**

To establish a District to reserve land for future industrial development. It allows for the continuation of Agricultural Uses, and prevents premature or scattered subdivision.

### **630.2 Permitted Uses**

[Farms](#), subject to Subsection 630.4, Clause (6)

### **630.3 Discretionary Uses**

#### 1) [Natural Resource Development](#)

*Bylaw No. 10244*

*November 16, 1992*

#### 2) [Drive-in Motion Picture Theatres](#)

#### 3) [Public Parks](#)

*Bylaw No. 10244*

*November 16, 1992*

#### 4) [Temporary Storage](#)

#### 5) [Small Animal Breeding and Boarding Establishments](#)

#### 6) [Minor Impact Utility Services](#)

#### 7) [Outdoor Amusement Establishments](#)

#### 8) [Greenhouses and Plant Nurseries](#)

*Bylaw No. 7322*

*September 16, 1983*

#### 9) [Residential Sales Centres](#)

*Bylaw No. 9949*

*November 25, 1991*

10) [Recycled Materials Drop-off Centres](#)

**630.4 Development Regulations for Permitted and Discretionary Uses**

The following regulations shall apply to Permitted and Discretionary Uses, except where altered by a Statutory Plan Overlay:

- 1) the minimum site area shall be 8 ha (19.77 acres) except that no subdivision of sites larger than this minimum shall be effected solely for the purpose of providing sites for the Discretionary Uses of this District;
- 2) the minimum Front Yard shall be 7.5 m (24.60 ft.);
- 3) the minimum Rear Yard shall be 7.5 m (24.60 ft.);
- 4) the minimum Side Yard shall be 4.5 m (14.76 ft.);
- 5) the maximum building Height shall be 10 m (32.80 ft.) except in the case of buildings or structures accessory to a Farm, other than Dwellings;
- 6) Farms shall not be offensive in nature, and shall not include the breeding and raising of furbearing animals, Poultry Farms, Hog Ranches, or Feedlots; and
- 7) water supply and sewage disposal shall be provided in accordance with the Public Health Act regulations.

**630.5 Additional Development Regulations for Discretionary Uses**

- 1) The Development Officer shall not approve any development which, in his opinion, would substantially alter the existing state of the land; require structures, footings or foundations that cannot be removed or relocated at a nominal cost to the applicant or owner; or prejudice the future economic subdivision and industrial development of adjacent land on a planned basis.
- 2) The Development Officer may specify the length of time a use shall be permitted in this District having regard to the intent of Clause (1), above and the staging of servicing and general industrial development of the subject land.

*Bylaw No. 7322*

*September 16, 1983*

- 3) Residential Sales Centres shall be developed in accordance with [Section 95](#) of this Bylaw.

*Bylaw No. 9949*

*November 25, 1991*

- 4) Recycled Materials Drop-off Centres shall be developed in accordance with [Section 97](#) of this Bylaw.

Edmonton Land Use Bylaw 5996

710. (DC1) Direct Development Control District

### **710.1 General Purpose**

To provide a Direct Control District for detailed, sensitive control of the use, development, siting and design of buildings and disturbance of land where this is necessary to establish, preserve or enhance:

a) areas of unique character or special environmental concern, as identified and specified in an Area Structure Plan or Area Redevelopment Plan; or

*Bylaw No. 11261*

*June 17, 1996*

b) areas or sites of special historical, cultural, paleontological, archaeological, prehistorical, natural, scientific, or aesthetic interest, as designated under the Historical Resources Act, 1980.

### **710.2 Application**

1) This District shall only be applied:

a) where specified by an Area Structure Plan or Area Redevelopment Plan; or

*Bylaw No. 11261*

*June 17, 1996*

b) to those historical resources which have been designated by the Minister or by Council in accordance with the Historical Resources Act, 1980.

### **710.3 Uses**

*Bylaw No. 10529*

*November 15, 1993*

*Bylaw No. 11261*

*June 17, 1996*

1) A Development Permit may be issued for those uses prescribed for the land in an approved Area Redevelopment Plan or Area Structure Plan, or those uses consistent with its designation under the Historical Resources Act, 1980.

2) For all DC1 Districts created prior to the passage of Bylaw 10529, containing Office-in-the-Home and Homecraft

Use Classes as listed uses, these Use Classes shall be replaced by the Use Classes Minor Home Occupation and Major Home Occupation and the development of such uses shall be in accordance with the Special Land Use Provisions of Sections 84 and 85 of the Land Use Bylaw.

#### **710.4 Development Criteria**

*Bylaw No. 11261*

*June 17, 1996*

1) All developments shall comply with the development criteria contained in an approved Area Redevelopment Plan or Area Structure Plan, except that any criteria or conditions applying as a result of designation of a historical resource under the Historical Resources Act, 1980, shall take precedence.

*Bylaw No. 11261*

*June 17, 1996*

2) In the case of designated historical resources, any application to demolish, alter, restore or repair a building or structure, or to excavate or otherwise disturb land, shall require prior written authority in accordance with the Historical Resources Act, 1980.

3) A development may also be evaluated with respect to its compliance with:

- a) the objectives and policies of an applicable Statutory Plan;
- b) the General Regulations and Special Land Use Provisions of this Bylaw; and
- c) the regulations of abutting Land Use Districts.

#### **710.5 Information Requirements**

1) In addition to the information normally required for a development application under this Bylaw, the applicant shall submit all information specified in an applicable Area Redevelopment Plan or Area Structure Plan and a narrative explaining how the proposed use or development would be consistent with the intent of the District.

*Bylaw No. 11261*

*June 17, 1996*

2) With respect to subsection 750.5(1), if the development application concerns a historical resource designated under Sections 15(1), 16(1) or 22(2) of the Historical Resources Act, 1980, a copy of the Minister's written approval with respect to Sections 15(5) or 16(9) of said Act, or Council's written approval with respect to Section 22(6) of said Act, shall be submitted with the application.

3) The Development Officer may require any additional information he deems appropriate in order to determine whether the proposed use or development is consistent with an approved Statutory Plan.

Edmonton Land Use Bylaw 5996

720. (DC2) Comprehensively Planned Development District

### **720.1 General Purpose**

To provide a Direct Control District to enable major, comprehensively planned and designed development creating a unique, integrated and high quality urban environment, which is compatible with surrounding development and complies with applicable Statutory Plans but which could not be accommodated under any other Land Use District in this Bylaw.

### **720.2 Application**

1) This District shall only be applied to a site which is entirely owned, leased or controlled by a single person, agent or corporation at the time the initial development proposal and application for redistricting is submitted.

2) This District shall only be designated if the following conditions are met:

a) the development proposed adheres to the General Purpose of this District;

b) the development proposed or its component parts, in terms of essential features, could not be enabled through any other Land Use District;

c) the development proposed complies with any approved Statutory Plan; and

d) the development proposed complies with the Uses and Development Criteria specified in this District.

*Bylaw No. 7729*

*March 12, 1985*

3) Prior to considering support or approval of any application for the use of this District, the Development Officer or Council respectively, may require that the applicant prepare or obtain an amendment to a Statutory Plan for the area where the application of this District is sought.

4) Where this District is applied, Council shall regulate and control the use and development of land or buildings through a Development Agreement between the applicant and the City. The Development Agreement for the entire site must be executed prior to the issuance of any Development Permit, and it shall detail all regulations and conditions imposed by Council upon the development and use of land at the time of redistricting.

*Bylaw No. 11261*

*June 17, 1996*

5) If the development proposal upon which the designation of this District is based involves subdivision, a proposed plan of subdivision shall be included in the Development Agreement as the basis for future subdivision. The

Subdivision Authority shall not approve any subdivision under this District which does not generally conform with the provisions of the Agreement, except for the purpose of affecting the staging or financing of the development proposal and provided that its form and integrity are not affected.

6)After this District is applied, the Development Officer shall only issue a Development Permit for an application which conforms to the provisions of the Development Agreement and, when there is nothing in the agreement which supersedes them, the General Development Regulations and Special Land Use Provisions of this Bylaw.

7)If a development application does not conform to the requirements of Clause (6) above, and in the Development Officer's opinion it would alter the nature of the uses, intensity or form of the development proposal upon which this designation is based, he shall refuse the application.

8)The application of this District to land and the Development Agreement pursuant to it shall be in force until changed by an amendment to the Land Use Bylaw provided that Development Permits for the entire development agreed to under this District are issued:

a)within one year of the date of third reading of the passage of the Bylaw amendment applying this District; or

b)for sites in excess of 2 ha (4.96 acres) within such greater time period as may be agreed to by Council and specified in the Development Agreement.

9)In establishing a greater time period for the issuance of Development Permits pursuant to Clause (8) above, Council shall consider the following criteria:

a)a reasonable time period should be allowed for the applicant to complete financing arrangements and the detailed design of the development, and to permit resolution of impediments to development which may exist or arise because of factors beyond his control;

b)depending upon the scale and complexity of the development involved, the time period may allow for staging the components of the development provided that reasonably continuous development activity is maintained. Time periods for the issuance of Development Permits for individual stages of the development may be established in the Development Agreement; and

c)the total time period should be limited to maintain the certainty and visibility of development under this District and to avoid potentially speculative development proposals. This period should rarely exceed five years, even for very large developments. In some cases, it may be desirable to postpone application of this District for all or part of the site, in lieu of granting an extended period of time for the issuance of Development Permits.

10)If Development Permits are not issued within the time periods specified or if the permits issued within the specified periods subsequently lapse because a Building Permit is not issued, is cancelled or construction activity is not maintained, the agreement between the applicant and the City shall be null and void for that portion of the site without a valid Development Permit, and the land use designation for that portion shall automatically revert to the land use designation in place prior to the application of this District, unless:

a)Council, by Bylaw, extends the application of this District for that part of the site for a specified further period; and

b)Council substitutes another Land Use District for that part of the site.

11)Development Information signs shall be erected in accordance with [Section 72](#) of this Bylaw.

*Bylaw No. 10529*

*November 15, 1993*

### **720.3Uses**

1) Council may, through the Development Agreement required in this District, allow any use which complies with any Statutory Plan for the area and which, in its opinion, meets the general purpose of this District and is compatible with the character, form and integrity of existing surrounding uses and Permitted Uses in surrounding Land Use Districts.

2) For all DC2 Districts created prior to the passage of Bylaw 10529, containing Office-in-the-Home and Homecraft Use Classes as listed uses, these Use Classes shall be replaced by the Use Classes Minor Home Occupations and Major Home Occupations and the development of such uses shall be in accordance with the Special Land Use Provisions of Sections [84](#) and [85](#) of the Land Use Bylaw.

#### **720.4 Development Criteria**

1) Council may, through the Development Agreement required in this District, specify any development regulation, criteria or condition necessary to ensure development conforms to the development proposal upon which this designation is based.

2) In determining the acceptability of a development proposal under this District, Council may consider, among other matters, the following:

a) its relationship and compliance with the General Municipal Plan and other applicable Statutory Plans;

b) its relationship to Statutory Plans or Replotting Schemes, in preparation for the area;

c) its compliance with or conformity to the regulations of surrounding Land Use Districts and the General Development Regulations and Special Land Use Provisions of this Bylaw;

d) its compatibility with surrounding existing land uses, scale of development, and potential effect on stability, retention and rehabilitation of desirable existing uses and/or buildings in the area;

e) its traffic impact;

f) the location, function and design of roadways, parking facilities, pedestrian circulation and transit systems serving the whole proposed development, or each phase of the proposed development and the provision of transit facilities and enclosed parking;

g) its impact on services such as water and sewage systems, public transit, and other utilities;

h) its impact on community services including student generation and school capacities;

i) its relationship to municipal land, right-of-way or easement requirements;

j) its design responsiveness to its urban environmental context and urban design considerations, including microclimatic impacts;

k) its impact on natural drainage patterns, vegetative cover, air and water quality, energy conservation and efficiency;

l) the provision and quality of landscaped open space and recreational amenities; including children's play space or other communal recreational space;

m) its provision of Defensible Space and impact on policing, public safety and security;

n) its responsiveness to the documented concerns and opinions of area residents and owners;

o) the arrangements for the ongoing maintenance of communal open spaces, recreational facilities and lands which are not to be conveyed to the City; and

p) the need for restrictive covenants or Development Agreement provisions to maintain the design integrity of the

project and control any future additions, accessory buildings or renovations.

3) In addition, all proposals for large scale developments involving subdivision within this District shall comply with the City of Edmonton Standard Servicing Manual and Standard Servicing Agreement, except where the applicant is able to demonstrate that by departing from the established local standards, the viability and objectives of the development are enhanced and adequate service is maintained.

*Bylaw No. 6626*

*November 10, 1981*

### **720.5 Information Requirements**

1) The applicant shall submit the following information at the time of his application for designation of this District in addition to the information requirements for a Development Permit for a Class D development as described in the General Administrative Clauses of this Bylaw:

- a) a written statement of why the application of this District is necessary and an impact assessment outlining:
  - i) relationship and compliance to the General Municipal Plan;
  - ii) relationship to relevant Statutory Plans or Replotting Schemes in preparation;
  - iii) compatibility with surrounding existing land uses and scale of development;
  - iv) traffic and public transit impacts in terms of daily and peak hour trip generation and assignments;
  - v) impacts on and service requirements for water, sewage, and other utilities;
  - vi) relationship to any known municipal land, right-of-way or easement requirements;
  - vii) potential effect on stability, retention and rehabilitation of desirable existing uses and buildings in the area; and
  - viii) an assessment of impacts on community services including student generation and school capacities;
- b) the staging or interim use (if any), implementation schedule, and duration of construction for the proposal;
- c) Certificates of Title for all lands to be placed under this designation and the written consent of all owners involved;
- d) a site plan, or plans, which clearly show the functional and physical relationships of the development, and the functional and physical relationship to surrounding development. The site plan(s) shall be a minimum scale of 1:200 (metric) unless the project is of such size that this would not be practical. In this event, the scale may be reduced to 1:500 (metric), with detailed plan(s) highlighting more complex aspects of the proposal at 1:200 (metric). The site plan(s) shall illustrate:
  - i) existing and final topography of the site with a map showing minimum contour intervals of 2 m as well as an indication of the occurrence, if any, of the areas of the site with unstable or unusual soil conditions such as sloughs, organic soils or refuse sites;
  - ii) a soil study delineating the "top of bank line" and development setbacks where the plan includes, or is adjacent to, a river valley or a ravine;
  - iii) other physical or natural conditions or features which may influence or constrain development;
  - iv) the intended Floor Area Ratio, density, Height and number of units for each of the uses and the horizontal and vertical distribution of those uses;

- v) automobile, transit and service vehicle movement and circulation patterns, access and egress points to and from the site and all existing rightsofway and easements, whether public or private, within the development area;
  - vi) parking/loading, transit stops/zones and Light Rail Transit facilities;
  - vii) inside or outside recreational amenities, open spaces and other common facilities which may be dedicated to the City or maintained in common;
  - viii) principal linkages to surrounding uses with respect to pedestrian movement, private transportation, transit, delivery and collection services;
  - ix) method of water supply, sewage disposal, electric power, telephone, natural gas, cable and other utility services;
  - x) points of major pedestrian access to buildings which are to be located on the development site and the security arrangements and the proposed opening/closing times for such access;
  - xi) location and size of all Signs;
  - xii) location and design of outdoor lighting, street furniture and other amenities; and
  - xiii) landscaping details and specifications for all open spaces, including planting, trees and other vegetation to be retained and their location;
- e) an Urban Design Context Plan at a minimum scale of 1:500 (metric) showing the proposed development and its relationship to on-site and surrounding natural physical features and development in terms of design factors, opportunities and influences, and a statement describing how the design of the development has responded to the following:
- i) the uses and amenities of surrounding properties within 100 m (328.08 ft.) of the boundaries of the project site;
  - ii) the physical characteristics and human activity patterns characteristic of the site and surrounding land uses and development;
  - iii) the urban design statements of any Statutory Plan which are applicable to the site; and
  - iv) the context of the development in relation to the structure types, architectural detailing, and finishing materials prevalent in surrounding development;
- f) elevations and sections at a minimum scale of 1:100 (metric) and a description of finishing materials, illustrating the proposed treatment of all building facades, roofs and other design details which are to be representative of all buildings and structures comprising the development; and
- g) either of the following:
- i) a detailed scale model; or
  - ii) a massing scale model and renderings,
- either of which shall provide an accurate representation of the entire development when it is completed.
- 2) For developments involving subdivision, a proposed plan of subdivision for the whole site.
- 3) Information submitted in accordance with the requirements of this District shall be certified as follows:
- a) all site boundaries, land parcels, subdivision description and ownership shall be certified by an Alberta Land

Surveyor;

- b)all architectural and urban design components shall be prepared by a qualified professional Architect, registered in Alberta;
- c)all site planning and/or subdivision layout design shall be prepared by a professional Planner or Architect; and
- d)all landscape work shall be designed by a professionally qualified Landscape Architect.

Edmonton Land Use Bylaw 5996

730. (DC3) Temporary Holding District

### **730.1 General Purpose**

*Bylaw No. 11261*

*June 17, 1996*

To provide a Direct Control District to temporarily control the development of land for which Council has authorized the preparation of an Area Redevelopment Plan, when circumstances or changes in policy indicate that the present land use designation may be inappropriate.

### **730.2 Application**

*Bylaw No. 11261*

*June 17, 1996*

1) This District may only be applied to land for which Council has authorized the preparation of an Area Redevelopment Plan.

2) This District shall not apply for a period greater than one year except Council may, by Bylaw, extend its application for one additional period of six months. At the end of this time period this District shall no longer apply, and if no other Land Use District is substituted, the land shall revert to its previous land use designation.

### **730.3 Uses**

A Development Permit may be issued for those uses specified in the land use designation superseded by this District except those which, in the opinion of the Development Officer, conflict with, or infringe upon, the achievement of any objectives specified in a schedule to this District, adopted through an amendment to the Bylaw.

### **730.4 Development Criteria**

1) All development shall adhere to the development regulations or criteria specified in the land use designation superseded by this District, except where such regulations or criteria, in the opinion of the Development Officer, would conflict with or infringe upon the achievement of any objectives specified by Council pursuant to Section 730.3.

2) The Development Officer may impose any conditions which he deems necessary in order to ensure that development is consistent with any objectives specified by Council.

### **730.5 Information Requirements**

In addition to the information normally required for a development application under this Bylaw, the applicant shall submit a narrative explaining how the proposed use or development would be consistent with objectives specified by

Council.

Edmonton Land Use Bylaw 5996

740. (DC4) Special Public Service District

### **740.1 General Purpose**

To provide a Direct Control District to regulate and control uses and development on lands which are presently governed by superior legislation in the event that such uses or developments do not conform to the intent of superior legislation and therefore fall within the realm of municipal jurisdiction; or, in the event that the land is sold or leased for private use, to provide interim control until a more appropriate Land Use District is applied.

### **740.2 Application**

1) This District may be applied by Council to any lands, the use and development of which is, or may be subject to, superior legislation, including but not limited to:

*Bylaw No. 11261*

*June 17, 1996*

- a) lands and property held by a university and used for university purposes in accordance with the Universities Act, 1980;
- b) lands and property held by the Government of Canada in Right of Her Majesty;
- c) lands and property held by the Province of Alberta in Right of Her Majesty; and

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- d) lands and property held by railway companies and used for railway operations in accordance with the Railway Act, 1980.

2) If, in the opinion of the Development Officer, the land involved has entirely ceased to be governed by superior legislation, a more appropriate Land Use District may be required prior to the issuance of any Development Permit.

### **740.3 Uses**

1) A Development Permit is not required for any use in this District which is consistent with those uses, activities and operations prescribed in the appropriate superior legislation.

2) The Development Officer may permit any other use in this District which, in his opinion, complies with any Statutory Plan for the area and which is compatible with the character form and integrity of existing surrounding uses and Permitted Uses in surrounding Land Use Districts.

#### **740.4 Development Criteria**

A Development Permit for a development which is not governed by superior legislation may be evaluated with respect to its compliance with:

- a) the objectives and policies of an applicable approved Statutory Plan;
- b) the General Regulations and Special Land Use Provisions of this Bylaw; and
- c) the regulations of abutting Land Use Districts.

*Bylaw No. 10457*

*January 25, 1994*

#### **740.5 Information Requirements**

In addition to the information normally required for a development application under this Bylaw, the applicant shall submit a narrative explaining how the proposed use or development would be consistent with the General Municipal Plan and any other applicable Statutory Plan, existing surrounding development and abutting Land Use Districts.

Edmonton Land Use Bylaw 5996

750. (DC5) Site Specific Development Control District

*Bylaw No. 7049*

*October 12, 1982*

### **750.1 General Purpose**

To provide a Direct Control District for the creation of site specific land use regulations in respect of specific sites within the City where the circumstances relating to the development of a specific site are such that regulation and control by means of the other Land Use Districts provided for in this Bylaw would be inappropriate or inadequate, having regard to existing or future surrounding developments and to the interest of the applicant and the public, generally.

### **750.2 Application**

1) This District shall only be applied where all of the following conditions are met:

a) the proposed development is, in the opinion of Council, considered appropriate for the site having regard for the land use policies of the General Municipal Plan, the objectives of any applicable Area Structure or Area Redevelopment Plan, and compatibility with the scale and character of surrounding development;

b) that the use of any other Land Use District of this Bylaw to accommodate the proposed development would, in the opinion of Council, result in potential conflicts with existing or future surrounding developments, should the full development potential of such Land Use District be utilized; and

c) the proposed development is not of a scale or complexity requiring a comprehensive planning and implementation approach that, in the opinion of Council, would be more appropriately regulated through the DC2 Comprehensively Planned Development District.

2) The application of this District may be initiated through the Bylaw amendment procedures of [Section 26](#) of this Bylaw; or Council may, after the public hearing on any proposed redistricting Bylaw, amend the proposed Bylaw to a Site Specific Development Control District - DC5, and pass the proposed Bylaw, where Council is of the opinion that the development circumstances of the proposed Bylaw warrant the use of a Site Specific District.

### **750.3 Uses**

*Bylaw No. 10529*

*November 15, 1993*

*Bylaw No. 11261*

*June 17, 1996*

*Bylaw No. 11832*

*August 24, 1998*

1)A Development Permit:

a)shall be issued for those uses prescribed in the Bylaw applying this District to the site, where, in the opinion of the Development Officer, the proposed development is fully in accordance with the development criteria contained in that Bylaw, and with the development criteria applicable to the site in accordance with subsection 750.4(3) of the Land Use Bylaw; and

b)may be issued for those uses prescribed in the Bylaw applying this District to the site, where, in the opinion of the Development Officer, the proposed development does not comply with the development criteria contained in that Bylaw, and/or with those stipulated in subsection 750.4(3) of the Land Use Bylaw, but where the Development Officer is of the opinion that such a variance would fall within the limits identified in Sections 11.5 and 11.6 of the Land Use Bylaw.

2)For all DC5 Districts created prior to the passage of Bylaw 10529, containing Office-in-the-Home and Homecraft Use Classes as listed uses, these Use Classes shall be replaced by the Use Classes Minor Home Occupations and Major Home Occupations and the development of such uses shall be in accordance with the Special Land Use Provisions of the Land Use Bylaw.

*Bylaw No. 10207*

*August 15, 1994*

#### **750.4Development Regulations**

1)Where this District is applied, the development regulations for the District shall be prescribed in the Bylaw applying the District to the site.

*Bylaw No. 11261*

*June 17, 1996*

2)The development regulations contained in each DC5 Bylaw shall be limited to those matters provided for in the Land Use Bylaw and the Development Conditions provisions of Division 5 and Division 6, Part 17 of the Municipal Government Act, 1994.

*Bylaw No. 11832*

*August 24, 1998*

3)Notwithstanding subsection 750.4(1), the following regulations contained in the Land Use Bylaw, as they may be amended from time to time, shall apply to developments within sites districted as DC5, unless such regulations are specifically excluded or modified by an individual DC5 Bylaw:

a)all Operative and Interpretive Clauses of the Land Use Bylaw, including Use Class definitions;

b)all General Administrative Clauses;

c)all General Development Regulations, including but not limited to Amenity Area, Separation Space, Accessory Structure regulations, Off-street Parking and Loading regulations, Landscaping regulations and Sign regulations;

d)all Special Land Use Provisions, where the applicable Use Class is listed in the DC5 District Bylaw;

e)any Overlay provision which affects a site districted as DC5, including, but not limited to, the Airport Protection Overlay, the Floodplain Protection Overlay, the Entrance Routes and Special Area Overlay, the Major Commercial Corridors Overlay and the various Statutory Plan Overlays; and

*Bylaw No. 11832*

*August 24, 1998*

f)the provisions of this subsection 750, including subsections 750.4(4) and (5) and subsection 750.5.

4)Development in this District shall comply with the following architectural guidelines, to the satisfaction of the Development Officer:

a)the perceived massing of structures when viewed from adjacent residential areas shall be minimized through the use of building setbacks, the articulation of the building facade and roof lines, the use of shrubbery and other landscaping against building walls, and the choice and colour of finishing materials. The Development Officer shall ensure that such design measures are used for structures with exterior walls exceeding 30 m (98.4 ft.) in length, regardless of proximity to residential development;

b)exterior finishing materials shall be durable and attractive, using primarily neutral or pastel tones, with brighter colours reserved for accents and feature elements, where in the opinion of the Development Officer, there is justification to apply such conditions in the interest of achieving or maintaining a defined historical context, continuity of streetscape or similar planning objective;

c)the Development Officer may require that all development on a site be constructed using a specified, consistent architectural theme, which may include, but is not limited to, elements such as sloped roofs, specific roofing materials, roof and parapet details, exterior finishing materials and colours, and window and door dimensions and placement. The Development Officer may require architectural consistency where, in the Development Officer's opinion, there is a defensible basis for such a requirement, including but not limited to, a municipally approved planning policy, a defined architectural context, or an established historical context;

d)all mechanical equipment on the roof of any building shall be completely screened or incorporated in the building roof so that it is not visible from at-grade view, to the satisfaction of the Development Officer; and

e)appropriate lighting of the project shall be undertaken to augment security and add visual interest.

5)The Development Officer shall apply the following specified development criteria to the following Use Classes, where these Use Classes are allowed in DC5 Districts, unless these criteria are specifically altered within an individual DC5 Bylaw:

a)where a [Warehouse Sales](#) Use Class is to be incorporated into a DC5 development, the minimum retail floor area of this use shall be 500 m<sup>2</sup> (5,380 sq. ft.);

b)where [Automotive Equipment and Repair Shops](#) and/or [Minor Automotive/Minor Recreational Sales/Rentals](#) Use Classes are to be incorporated into a DC5 development:

i)the maximum site area for a business shall be 2 000 m<sup>2</sup> (21,527 sq ft.);

*Bylaw No. 11832*

*August 24, 1998*

ii)all display areas which abut a Residential District or a lane serving a Residential District shall be screened from direct view by providing a visual barrier at least 1.83 m (6.0 ft.) in height, in accordance with the provisions of [subsection 69.3\(4\)](#) of this Bylaw;

iii)lighting for the display areas shall be mounted on lamp standards and no exposed bulbs or strings of lights shall be used; and

iv)the development containing these Use Classes shall be compatible, in the opinion of the Development Officer, with the site design and appearance of surrounding developments.

c)where Equipment Rentals and/or Auctioneering Establishments Use Classes are to be incorporated into a DC5 development, all equipment and goods associated with such Use Classes are to be kept within an enclosed building.

*Bylaw No. 10207*

*August 15, 1994*

### **750.5Information Requirements**

*Bylaw No. 11832*

*August 24, 1998*

In addition to the information required in [subsection 26.2\(1\)](#) of this Bylaw for Redistricting Applications, the applicant shall submit the following information:

*Bylaw No. 11261*

*June 17, 1996*

*Bylaw No. 11832*

*August 24, 1998*

1)a narrative explaining why site specific development control is desirable for the site, having regard to the conditions of application set out in subsection 750.2(1) of this Bylaw;

2)a narrative documenting the opinions and concerns of surrounding property owners and residents, and how the proposed development will be designed to respond to those concerns. This narrative shall include a summary of the methods used to obtain public input; and

3)the Development Officer may require any or all of the following types of information to be submitted by the applicant to address potential impacts and design considerations:

a)a Wind Impact/Sun/Shadow Study may be required for medium to high rise development where:

i)the site is adjacent to residential development, subject to the regulations of [Sections 16.2](#) and [16.3](#) of this Bylaw; and/or

ii)the outdoor play area of a proposed Daytime Child Care Service may be, in the opinion of the Development Officer in consultation with the Community and Family Services Department, subject to the adverse impacts of wind tunnel or sun shadow effect;

b)a Noise or Traffic Impact Study may be required where, in the opinion of the Development Officer, and upon the advice of the Transportation Department, the proposed development has the potential to generate significant noise or traffic impacts in the immediate vicinity of the site, particularly where there is existing adjacent residential development;

c)an Environmental Impact Assessment or Geotechnical Study may be required where the site is in, or adjacent to, the

North Saskatchewan River Valley and Ravine System or in areas of inherent soil instability, subject to the regulations of [Sections 16.1](#), 16.4, [811](#) and [812](#) of this Bylaw;

d)the Development Officer may require a Site Plan to be attached to the DC5 Bylaw as an Appendix, where, in the Development Officer's opinion, the complexity of the proposed development is such that a Site Plan would be necessary to clarify or interpret the written regulations of the DC5 Bylaw;

e)a Conceptual Landscaping Plan which ensures a high standard of appearance and a sensitive transition to the surrounding land uses shall be required at the time of application for a Development Permit (after DC5 Bylaw approval). A Final Landscaping Plan must be approved by the Development Officer prior to issuance of the Development Permit. Landscaping may be phased at the discretion of the Development Officer. The Final Landscaping Plan shall include details of hard surfacing treatments, fencing details, exterior lighting and street furniture elements, pedestrian seating areas, sizes and species of new plantings and soil depth, including special provisions to facilitate plant growth. The applicant may, at the applicant's option, submit a Conceptual Landscaping Plan at or after the application for redistricting, but prior to the Public Hearing on the DC5 redistricting Bylaw, to assist in the Development Permit review and approval phase, with respect to landscaping requirements; and

f)the individual DC5 Bylaws shall identify the appropriate Sign Schedule(s), under [Section 79](#) of this Bylaw, which is (are) to apply to the proposed development(s). In some cases, the Development Officer may require the preparation of a Comprehensive Signage Plan, prior to issuance of a Development Permit.

Edmonton Land Use Bylaw 5996

810. (APO) Airport Protection Overlay

### **810.1 General Purpose**

To provide for the safe and efficient operation of airports near the municipal boundary of the City of Edmonton through the regulation of building Heights and land uses in addition to the requirements of the underlying Land Use Districts in their vicinity.

### **810.2 Application**

1) This Overlay applies to all lands included in an established Airport Protection Overlay Schedule and the boundaries shall include all that land situated within the outer boundary of the Conical Surface, and without limiting the generality of the foregoing may include:

- a) land situated within the 30, 35 and 40 noise exposure forecast areas;
- b) land situated under the Take Off/Approach Surfaces, the Horizontal Surface, the Transitional Surfaces and the strip;
- c) land situated within the Electronic Facilities Protection areas including that area described as the Localizer, the Receiver Site and the Glide Path; and
- d) land situated under the boundaries of the Control Tower View Plane.

2) Where the provisions of this Overlay appear to be in conflict with the regulations of any underlying District or any other Section of this Bylaw, the provisions of this Overlay shall take precedence and be applied in addition to the regulations of the underlying District and other Sections of this Bylaw.

### **810.3 Uses**

The Permitted and Discretionary Uses cited in the underlying Districts, subject to the regulations concerning land use specified in Section 810.4, Clauses (5), (6) and (8) of this Overlay.

*Bylaw No. 6626*

*November 10, 1981*

### **810.4 Regulations**

1) The maximum Height of a development situated within an Airport Protection Overlay Schedule, including all appurtenances, temporary construction equipment and those items listed in Section 63 of this Bylaw, shall not penetrate the following surfaces and shall be determined with respect to its location in whole or in part within them:

*Bylaw No. 11832*

*August 24, 1998*

- a) the Inner Horizontal Surface being a plane established at a consistent elevation of 45.72 m (150 ft.) above the airport reference point and extending outward to a radius of 2 438.4 m (8,000 ft.);
  - b) the Conical Surface being a surface measured out from the outer circumference of the inner horizontal surface and rising in a 1:20 slope to 76.21 m (250 ft.) above the level of the Inner Horizontal Surface;
  - c) the Take Off/Approach Surface consisting of inclined planes diverging upwards and outwards from a fixed point at the end of the runway. The slope of the inclined plane and its extent varies with the function of the airport and it shall be established based on information provided by Transport Canada; and
  - d) the Transitional Surfaces, prescribed by Transport Canada, consisting of inclined planes diverging outwards from the side of the Take Off/Approach Surfaces until it intersects the Inner Horizontal Surface or as otherwise specified.
- 2) Where the baseline measurement of the several protection surfaces noted, in Clause (1) above, and the elevation of the final grade of a proposed development site differ, the maximum height allowable shall be the distance from the elevation of the final grade of the site to the elevation of the protection surface.
- 3) The building Heights for the Localizer Protection Surface, as defined by Transport Canada, are guidelines for the Development Officer in determining possible interference to electronic equipment as a result of the use of metal walled structures in construction. The following procedure is applicable:
- a) where a proposal to develop land within the Localizer Protection Surface exceeds the height of the surface; the Development Officer shall forward the application to Transport Canada for technical comment prior to further processing; and
  - b) the heights of the surface are guidelines for the Development Officer who shall render his decision or establish appropriate conditions based upon individual analysis of the application having regard to Transport Canada's comments.
- 4) Applications to erect or construct on any land within the Localizer, as defined by Transport Canada, shall be governed by the following regulations:
- a) no metal objects shall be permitted higher than 1.22 m (4 ft.); and
  - b) no non-metallic objects shall be permitted higher than 2.44 m (8 ft.).
- 5) Applications to erect or construct on any land within the Glide Path will be forwarded to Transport Canada for technical comment. Applications to develop any building, metallic fence, sign, overhead line, mast, tower, or similar development will be analyzed on an individual basis and may be refused, notwithstanding that a use is listed as Permitted, if it is deemed that such use will interfere with the operation of electronic equipment.
- 6) Applications to erect or construct on any land within the Receiver Site as defined by Transport Canada; will be forwarded to Transport Canada. Applications which include vehicular parking facilities, heavy electrical equipment, electric welding or high tension power lines will be analyzed on an individual basis and may be refused, notwithstanding the fact that a use is listed as Permitted, if it is deemed that such use will result in electronic interference effects.
- 7) Construction on any land within the boundaries of the Control Tower View Plane which is a surface measured out from control tower eye level at a slope of 1.29 until it intersects the Inner Horizontal Surface at 45.72 m (150 ft.) above the airport reference point, shall not exceed in height the elevation at that point of the Control Tower View Plane identified in a Schedule to this Bylaw.
- 8) The use or development of any land within this Overlay must be such as not to cause any objectionable or

dangerous condition that would interfere with the safety of airport operations. A development within the Airport Protection Overlay shall not, in the opinion of the Development Officer with due regard to Transport Canada's comments, cause excessive:

a) discharge of toxic, noxious or other particulate matter, into the atmosphere as in the case of:

i) a plant for primary metal production, metal processing, the processing of wood or wood products, the processing of coal, the processing of natural gas or its derivatives, the manufacture of asphalt or readymixed concrete, gravel crushing or meat packing;

ii) Major Impact Utility Services;

iii) a Hay or Forage Drier, Seed Cleaning Plant or Feed Mill Plant; and

iv) a Plant for the manufacture of products from petroleum, natural gas or hydrocarbons derived from oil sands, chemical or allied products, pulp or paper products, stone, clay or glass products, cement or lime products, fertilizers or animal by-products;

b) radiation or interference by the use of electric or electronic equipment such as:

i) diathermy equipment;

ii) industrial x-ray equipment; and

iii) equipment used for commercial purposes that employs an electric arc;

c) fire and explosive hazards; and/or

d) accumulation of any material or waste edible by, or attractive to, birds as in the case of the following:

i) Garbage Disposal Sites;

ii) Feedlots;

iii) flat, poorly drained roofs; and

iv) Drive-in Restaurants.

*Bylaw No. 6626*

*November 10, 1981*

9) The Development Officer shall ensure as a condition of approval of developments within the Airport Protection Overlay area that clearance lights are placed as he deems necessary.

### **810.5 Submission Requirements**

In addition to the general submission requirements of this Bylaw, where required by the Development Officer, an application for a Development Permit for land in an Airport Protection Overlay Schedule must provide the following information:

a) the grade elevation of the highest point of the proposed building site, to be referenced to geodetic elevations. Geodetic elevation means the elevation of a point and its vertical distance determined by employing the principles of geodesy above or below an assumed level surface or datum;

b) the proposed building Height in imperial measurement including clearance lights, mechanical penthouses, antennas,

building cranes during construction, receiving or transmitting structures, masts, flagpoles, clearance markers or any other erection beyond the Height of the principal building structure; and

c)a narrative explaining any effects that the proposed development may have on the environment with respect to those matters listed in Section 810.4, Clause (8).

Edmonton Land Use Bylaw 5996

810A. Airport Protection Overlay Schedule for the Edmonton Municipal Airport

### **810A.1 Application**

1) This Schedule supplies the data pertaining to the Airport Protection Overlay for the Edmonton Municipal Airport. All regulations of the Airport Protection Overlay, Section 810, shall apply in accordance with this Schedule.

2) The boundaries of the surfaces referred to in Subsection 810.4 are defined through reference to the data contained in Subsection 810A.2 and the Edmonton Municipal Airport Protection Overlay Map, Appendix I to this Schedule.

### **810A.2 Description of Surfaces**

The surfaces referred to in Subsection 810.4 applying to the Edmonton Municipal Airport are located and described as follows:

a) the Inner Horizontal Surface, the centre of which is the airport reference point, located at 19480526.136 North and 105214.606 East, the radius is 8,000 ft. (2 438.4 m) and the elevation of which is 150 ft. (45.72 m) above the baseline measurement of 2,200 ft. (670.56 m) above sea level;

b) the Conical Surface measured outward from the outer circumference of the Inner Horizontal Surface and rising in a 1:20 slope to 250 ft. (76.21 m) above the level of the Inner Horizontal Surface;

c) the several runway approach surfaces abutting each end of the runways and described as follows:

i) Runway 16 extending outward from a point at 19483298.210 North and 106070.140 East, and measuring 500 ft. (152.4 m) either side of the centre line diverging at a ratio of 3:20 and increasing in slope at a ratio of 1:50 until at 25,000 ft. (7 620 m) from the point of commencement where the approach surface measures 4,250 ft. (1 295.4 m) either side of the projected centre line of the runway at an elevation of 500 ft. (152.43 m) above the base line measurement of 2,192 ft. (668.12 m) above sea level;

ii) Runway 34 extending outward from a point at 19477598.360 North and 106110.210 East, and measuring 500 ft. (152.4 m) either side of the centre line of the runway, diverging at a ratio of 3:20 and increasing in slope at a ratio of 1:50 until at 25,000 ft. (7 620 m) from the point of commencement where the approach surface measures 4,250 ft. (1 295.4 m) either side of the projected centre line of the runway at an elevation of 500 ft. (152.43 m) above the base line measurement of 2,180 ft. (664.46 m) above sea level;

iii) Runway 11 extending outward from a point at 19482323.450 North and 102637.560 East, and measuring 250 ft. (76.20 m) either side of the centre line of the runway, diverging at a ratio of 1:10 and increasing in slope at a ratio of 1:40 until at 16,000 ft. (4 876.8 m) from the point of commencement where the approach surface measures 2,000 ft. (609.6 m) either side of the projected centre line of the runway at an elevation of 400 ft. (121.92 m) above the base line measurement of 2,200 ft. (670.56 m) above sea level; and

iv) Runway 29 extending outward from a point at 19477966.240 North and 106632.340 East, and measuring 250 ft.

(76.20 m) either side of the centre line of the runway, diverging at a ratio of 1:10 and increasing in slope at a ratio of 1:40 until at 16,000 ft. (4 876.8 m) from the point of commencement where the approach surface measures 2,000 ft. (609.6 m) either side of the projected centre line or the runway at an elevation of 400 ft. (121.92 m) above the base line measurement of 2,180 ft. (664.46 m) above sea level; and

d)the following surfaces are defined on the Edmonton Municipal Airport Protection Overlay Map, Appendix I to this Schedule:

i)Localizer;

ii)Localizer Protection Surfaces;

iii)Control Tower View Plane;

iv)Receiver Site;

v)Glide Path;

vi)Transitional Surfaces; and

vii)Transitional Surfaces west of the Downtown Development Area.

### **810A.3Special Regulations for the Downtown Development Area**

Notwithstanding Section 810.4, the maximum Height of a development within the Downtown Development Area, defined on the Edmonton Municipal Airport Protection Overlay Map, Appendix I to this Schedule, shall not exceed a height of 2,675 ft. (815.34 m) above sea level.

Edmonton Land Use Bylaw 5996

811. (RPO) North Saskatchewan River Valley and Ravine System Protection Overlay

*Bylaw No. 7187*

*February 26, 1985*

### **811.1 General Purpose**

To provide a development setback from the North Saskatchewan River Valley and Ravine System.

### **811.2 Application**

1) This Overlay shall apply to:

a) all lands within the North Saskatchewan River Valley and Ravine System, as shown on the North Saskatchewan River Valley and Ravine System Protection Overlay Schedule attached hereto as Appendix I to this Overlay; and

b) all lands within 7.5 m (24.6 ft.) of the North Saskatchewan River Valley and Ravine System as shown on the North Saskatchewan River Valley and Ravine System Protection Overlay Schedule attached hereto as Appendix I to this Overlay.

2) Where the provisions of this Overlay appear to be in conflict with the regulations of any underlying District or any other Section of this Bylaw, the provisions of this Overlay shall take precedence and be applied in addition to the regulations of the underlying District and other Sections of this Bylaw.

### **811.3 Uses**

The Permitted and Discretionary Uses cited in the underlying Districts, subject to the additional regulations concerning land use specified in Section 811.4.

### **811.4 Regulations**

1) All developments shall maintain a minimum 7.5 m (24.6 ft.) Setback from the North Saskatchewan River Valley and Ravine System as shown on the North Saskatchewan River Valley and Ravine System Protection Overlay Schedule.

2) Notwithstanding the location of the North Saskatchewan River Valley and Ravine System as shown on the North Saskatchewan River Valley and Ravine System Protection Overlay Schedule, the Development Officer may allow a variance to the Setback requirements set out in Section 811.4(1), under the provisions of Sections 11.5 and 11.6 of this Bylaw. In considering a variance the Development Officer shall require a letter from the registered owner of a property indicating that a variance is being requested and that a survey line has been staked. The Development Officer shall then notify the Planning and Development Department and the Parks and Recreation Department who will, together with the owner of the land or his representative and the surveyor, field check the line and advise the Development Officer on the merits of the variance being requested. Any variance granted shall be mapped and filed with the Development Permit applications affecting the site.

*Bylaw No. 11261*

*June 17, 1996*

3)Development applications for:

- a)any open, enclosed, attached or detached swimming and wading pool;
- b)any water fountain and/or water sculpture;
- c)any water reservoirs and water tanks;
- d)any ornamental ponds and lakes; and
- e)any water retaining excavation structure or vessel that could alter sub-soil adhesion characteristics;

on sites abutting or partially or wholly contained within the North Saskatchewan River Valley and its Ravine System as shown on the North Saskatchewan River Valley and Ravine System Protection Overlay Schedule shall be accompanied by a report prepared by a qualified, registered Professional Engineer, detailing the structural components of the proposal which will mitigate risks to bank stability. The Development Officer may seek the advice of the City Engineer with respect to these applications and may approve with conditions or refuse such applications accordingly.

Edmonton Land Use Bylaw 5996

812. (FPO) Floodplain Protection Overlay

*Bylaw No. 7971*

*March 25, 1986*

### **812.1 General Purpose**

To provide for the safe and efficient use of lands which may be within the defined floodplains of the North Saskatchewan River and its tributaries within the City of Edmonton through the regulation of building Heights and elevations, openings into buildings, uses of portions of buildings, grades and landscaping in addition to the requirements of the underlying Land Use Districts in their vicinity.

### **812.2 Application**

1) This Overlay applies to all sites, any part of which may be included in an established Floodplain Protection Overlay Schedule.

2) Where the provisions of this Overlay appear to be in conflict with the regulations of any underlying District or any other Section of this Bylaw, the provisions of the Overlay shall take precedence and be applied in addition to the regulations of the underlying District and other Sections of this Bylaw.

### **812.3 Uses**

The Permitted and Discretionary Uses cited in the underlying Districts.

### **812.4 Regulations and Submission Requirements**

For all developments situated within a Floodplain Protection Overlay Schedule, Section 16.4 of this Bylaw will apply.

Edmonton Land Use Bylaw 5996

812A. Floodplain Protection Overlay Schedule for Cloverdale

*Bylaw No. 7971*

*March 25, 1986*

**812A.1 Application**

*Bylaw No. 11471*

*April 14, 1997*

1) This Schedule supplies data pertaining to the Floodplain Protection Overlay for Cloverdale. All regulations of the Floodplain Protection Overlay, Section 812, shall apply in accordance with this Schedule. Submission of a certificate from a qualified registered Professional Engineer or Architect will be required in accordance with the guidelines of the Floodplain Management Policies of Schedule "B" to Bylaw No. 7972 - Cloverdale Area Redevelopment Plan.

2) The area within the Floodplain Protection Overlay Schedule in Cloverdale is shown on the Cloverdale Floodplain Protection Overlay Map, Appendix I to this Schedule.

Edmonton Land Use Bylaw 5996

812B. Floodplain Protection Overlay for Rossdale

*Bylaw No. 8138*

*June 10, 1986*

### **812B.1 Application**

1) This Schedule supplies data pertaining to the Floodplain Protection Overlay for Rossdale. All regulations of the Floodplain Protection Overlay, Section 812, shall apply in accordance with this Schedule. Submission of a certificate from a qualified registered Professional Engineer or Architect will be required in accordance with the guidelines of the Floodplain Management Policies of Schedule "B" to Bylaw No. 8139 Rossdale Area Redevelopment Plan.

2) The area within the Floodplain Protection Overlay Schedule in Rossdale is shown on the Rossdale Floodplain Protection Overlay Map, Appendix 1 to this Schedule.

Edmonton Land Use Bylaw 5996

812C. Floodplain Protection Overlay for Riverdale

*Bylaw No. 10252*

*January 20, 1994*

**812C.1 Application**

*Bylaw No. 11471*

*April 14, 1997*

1) This Schedule supplies data pertaining to the Floodplain Protection Overlay for Riverdale. All regulations of the Floodplain Protection Overlay, Section 812, shall apply in accordance with this Schedule. Submission of a certificate from a qualified registered Professional Engineer or Architect will be required in accordance with the guidelines of the Floodplain Management Policies of Schedule "B" to Bylaw No. 10252 - Riverdale Area Redevelopment Plan.

2) The area within the Floodplain Protection Overlay Schedule in Riverdale is shown on the Riverdale Floodplain Protection Overlay Map, Appendix I to this Schedule.

Edmonton Land Use Bylaw 5996

813. (SAO) Entrance Routes and Special Area Overlay Schedule A

*Bylaw No. 9180*

*September 12, 1989*

### **813.1 General Purpose**

To provide specific regulations for development in highly visible areas along roadways that have been designated as Entrance Routes to the City or the Downtown and for development in Special Areas designated in this Overlay so as to ensure a high standard of appearance that contributes to the overall perception of an attractive City.

### **813.2 Application**

- 1) This Overlay shall apply to all lands abutting the roadways identified as Entrances on the Entrance Routes and Special Area Overlay Map, attached hereto as Appendix 1 to this Overlay.
- 2) This Overlay shall apply to lands identified as Special Areas on the Entrance Routes and Special Overlay Map, attached hereto as Appendix I to this Overlay.
- 3) Where the provisions of this Overlay appear to be in conflict with the regulations of any other section of this Bylaw, the provisions of this Overlay shall take precedence. Where there is no conflict the provisions of this Overlay shall be applied in conjunction with the regulations of the underlying District(s) and other sections of this Bylaw.

### **813.3 Uses**

The Permitted and Discretionary Uses cited in the underlying Districts, subject to the additional regulations concerning land use specified in Section 813.4.

### **813.4 Regulations**

- 1) All development, including signs, on land abutting the roadways identified as Entrances on the Entrance Routes and Special Area Overlay Map shall be serviced by underground power, telephone and C.A.T.V. services.
- 2) All development, including signs, within lands identified as Special Areas on the Entrance Routes and Special Area Overlay Map shall be serviced by underground power, telephone and C.A.T.V. services.

*Bylaw No. 11260*

*June 17, 1996*

- 3) The Development Officer may vary any of the regulations of this Overlay where, in the opinion of the Development Officer:

- i)the proposed development, or the connection of services to the proposed development, is of such a minor nature that no substantive impact would occur as a result of installation of these services above ground;
- ii)the proposed development consists of a reuse of an existing structure in which the proposed development is of such a minor nature that the costs of underground services would represent a disproportionate or unreasonable expenditure for the applicant; or
- iii)the connection of above ground services would not represent a negative aesthetic impact due to its small scale, obscured location or lack of visibility from nearby roads.

Edmonton Land Use Bylaw 5996

814. (MCC) Overlay Schedule for Major Commercial Corridors

*Bylaw No. 9777*

*June 25, 1991*

### **814.1 General Purpose**

To establish development criteria for the purpose of ensuring that development along Major Commercial Corridors is visually attractive and that due consideration is given to pedestrian and traffic safety.

### **814.2 Application**

- 1) This Overlay Schedule applies to those lands identified as Major Commercial Corridors in Appendices I, II, III and IV to this Overlay Schedule.
- 2) Where the provisions of the Overlay Schedule are in conflict with regulations of any other section of the Land Use Bylaw, the more restrictive provisions shall take precedence. Where there is no conflict, the provisions of this Overlay Schedule shall be applied in conjunction with the regulations of the underlying District(s) and other sections of the Land Use Bylaw.
- 3) The Development Officer shall apply the regulations of this Overlay Schedule to a Development Permit application involving new development or any existing development which, in the opinion of the Development Officer, is being substantially enlarged or increased in intensity.
- 4) Notwithstanding that a development does not conform to this Overlay Schedule, where a Development Permit was issued for the development prior to the adoption of this Overlay Schedule, such development shall be deemed to conform to the regulations contained within this Overlay Schedule. However, in the case of any subsequent extension or enlargement of or addition to the development, the provisions of this Overlay Schedule shall only apply to that particular extension, enlargement or addition and to that portion of the site which, in the opinion of the Development Officer, is related to and affected by the particular extension, enlargement or addition.
- 5) The Development Officer may, pursuant to the powers granted to him in Sections 11.5 and 11.6 of the Land Use Bylaw, vary the regulations of this Overlay Schedule.

### **814.3 Uses**

The Permitted and Discretionary Uses are those specified by the underlying District(s).

### **814.4 Definitions**

- 1) For the purposes of this Overlay Schedule the following definitions shall apply:
  - a) Major Arterial Roads: those portions of the following roads shown on the Appendices to this Overlay Schedule:

- i) St. Albert Trail;
- ii) 137 Avenue;
- iii) 127 Street;
- iv) Stony Plain Road;
- v) 100 Avenue;
- vi) 170 Street;
- vii) Anthony Henday Drive;
- viii) Calgary Trail, Calgary Trail Northbound and Calgary Trail Southbound;
- ix) 103 Street;
- x) 103A Street;
- xi) 104 Street;
- xii) Whitemud Drive;
- xiii) Fort Road; and
- xiv) Manning Freeway.

b) Arterial Roads: those roads, shown on the Appendices to this Overlay Schedule, other than those listed in (a) above, defined as arterial roads in Bylaw No. 6707, The City of Edmonton Transportation System Bylaw.

### **814.5 Regulations**

1) All development on a site shall be constructed using a similar architectural theme. An exception may be made to this general requirement where the function of an individual business dictates a specific style or image associated with a company. In such case, the development shall maintain harmony in terms of overall project design and appearance.

2) All mechanical equipment, including roof mechanical units, shall be concealed by screening in a manner compatible with the architectural character of the building or concealed by incorporating it within the building roof.

*Bylaw No. 11261*

*June 17, 1996*

3) Any business premise or multiple occupancy building having a gross floor area greater than 3 000 m<sup>2</sup> (32,292.8 sq. ft.) or a single wall length greater than 40 m (131.2 ft.) visible from an adjacent Arterial Road or Major Arterial Road shall comply with the following design criteria, to the satisfaction of the Development Officer:

- a) the roof line and building facade shall include design elements that reduce the perceived mass of the building and add architectural interest;
- b) the exterior wall finishing materials shall be predominantly composed of muted colours, with strong colours limited to use as an accent so as to minimize the perceived mass of the building; and
- c) the use of landscaping adjacent to exterior walls which are visible from an adjacent Arterial Road or Major Arterial

Road to minimize the perceived mass of the building and to create visual interest.

*Bylaw No. 11261*

*June 17, 1996*

4) A minimum building Setback of 14 m (45.9 ft.) shall be provided adjacent to the Major Arterial Roads and the intersecting Arterial Roads within the Major Commercial Corridors. At the discretion of the Development Officer, this minimum building Setback requirement may be reduced to the minimum applicable landscaped Yard requirement specified by this Overlay Schedule where:

a) the proposed development, or the proposed development in conjunction with any existing development, does not exceed a gross floor area of 1 000 m<sup>2</sup> (10,764.3 sq. ft.), nor 7 m (23.0 ft.) in Height; or

b) where the proposed development lies adjacent to an existing service road,

provided that landscaping and building treatments minimize the perception of massing and create a high standard of building appearance.

*Bylaw No. 11261*

*June 17, 1996*

5) For buildings greater than 3 000 m<sup>2</sup> (32,292.8 sq. ft.) in gross floor area and with a Height greater than 8 m (26.2 ft.), the Development Officer may require that the building Setbacks required in subsection 814.5(4) above be increased to minimize the perceived mass of the building and to ensure a high standard of appearance. The maximum building Setback required by the Development Officer shall not exceed one-half of the length of the building wall located next to the property line from which the Setback is measured. For the purpose of determining Height in this subsection, an architectural feature such as a tower or peak which is proposed to reduce the perceived mass of the building or to add architectural interest, as required by subsection 814.5(3)(a) above, shall be excluded from the calculation of the Height of the building.

*Bylaw No. 11261*

*June 17, 1996*

6) a) Landscaped Yards with a minimum width of 7.5 m (24.6 ft.) shall be provided adjacent to Major Arterial Roads within the Major Commercial Corridors and adjacent Arterial Roads, that directly intersect such Major Arterial Roads. However, the Development Officer may reduce this Yard requirement to a minimum width of 4.5 m (14.8 ft.), provided that:

i) the average width of the landscaped Yard is not less than 6 m (19.7 ft.); and

ii) in the opinion of the Development Officer this Yard width relaxation is required to allow for a more efficient utilization of the site and the relaxation will result in an articulation of the Yard width that will enhance the overall appearance of the site.

b) Within the Yards specified above, a minimum of five deciduous trees (with a minimum caliper of 6 cm [0.2 ft.]), three coniferous trees (with a minimum height of 3 m [9.8 ft.]), and 20 shrubs shall be required for each 35 m (114.8 ft.) of lineal Yard frontage. A continuous screen, an average of 0.75 m (2.5 ft.) in height, shall be provided within the required Yard through a combination of berming and shrub planting.

*Bylaw No. 11261*

*June 17, 1996*

7)a)Where:

i)the proposed development, or the proposed development in conjunction with any existing development, does not exceed a gross floor area of 1 000 m<sup>2</sup> (10,764.3 sq. ft.), nor 7 m (23.0 ft.) in Height; and

ii)in the opinion of the Development Officer, the architectural treatment of the building facades, as well as the juxtaposition of the buildings on the site minimizes the perceived massing of the development when viewed from the adjacent arterial roads;

the Development Officer may reduce the required minimum landscaped Yard width specified in subsection 814.5(6) above to 4.5 m (14.8 ft.) or to the minimum Yard width specified in the underlying District, whichever is greater, adjacent to those Arterial Roads that directly intersect the Major Arterial Roads. This Yard width of 4.5 m (14.8 ft.) may be further reduced to that specified by the underlying District, for that portion of the site beyond a distance of 15 m (49.2 ft.) from the adjacent intersecting Major Arterial Roads.

b)The berming provision specified by subsection 814.5(6) above shall not be required in this reduced Yard; however, the planning treatment specified by subsection 814.5(6) shall apply.

8)An application for a new development or for an addition to existing building(s) shall be accompanied by a site plan which shows the location of easement area(s) for all existing and proposed servicing infrastructure on the site. The Development Officer, in consultation with the affected utility departments, may require that the minimum building Setbacks and the minimum width of landscaped Yards specified in this Overlay Schedule be varied, where such adjustments may be necessary to ensure:

a)that proposed buildings do not conflict with existing or proposed servicing infrastructure; and

b)that the type, amount and location of landscaping, including berms, can be provided in a manner that does not conflict with existing or proposed servicing infrastructure.

*Bylaw No. 11261*

*June 17, 1996*

9)Where off-street parking for 25 or more vehicles is required, and is being provided at grade, dispersed landscaped areas shall be provided within the interior of the parking area(s) for the purpose of providing visual relief and to break up large areas of parking into smaller cells. This landscaping treatment shall be in the form of:

a)landscaped islands, particularly at the termini of long rows of parking;

b)tree lines separating facing rows of parking stalls; or

c)some other form or combination of landscaping treatments;

to the satisfaction of the Development Officer. A minimum of 1.7 m<sup>2</sup> (18.3 sq. ft.) of landscaping in the interior of the parking area(s) shall be required for each parking space provided and shall consist of deciduous trees (a minimum caliper of 6 cm [0.2 ft.]), coniferous trees ( a minimum height of 3 m [9.8 ft.]), and shrubs. The location, extent and type of plantings and other landscaping treatment shall be to the satisfaction of the Development Officer.

10)Conceptual landscaping plans shall be submitted with the initial Development Permit application for review by the Development Officer. Prior to the issuance of the Development Permit, detailed landscaping plans shall be submitted to and approved by the Development Officer. All landscaping plans shall comply with the requirements specified by this Overlay Schedule to ensure a high standard of appearance and a sensitive transition to the surrounding land uses.

*Bylaw No. 11261*

*June 17, 1996*

11)The Development Officer shall require, as a condition of Development Permit approval, that the owner/applicant provide an irrevocable security to the City, in the form of cash or a letter of credit, having a value equal to 100% of the total established landscaping costs for the project. The provisions of subsection 69.6 of this Bylaw identify the applicable regulations with respect to this requirement.

12)Vehicular entrances and exits, as well as on-site and off-site traffic and pedestrian routes, shall be located and designed in a manner that provides a clearly defined, safe, efficient and convenient circulation pattern for both on-site and off-site vehicular traffic and pedestrian movements, including handicapped movements. Loading bays shall be located in such a manner as not to impede the safe and efficient flow of traffic and pedestrian movement and to minimize impacts on adjacent land uses.

13)Adjoining sites shall be integrated by direct on-site access connections to facilitate the convenient, efficient and free flowing vehicular traffic movements and pedestrian movements, including handicapped movements between sites where, in the opinion of the Development Officer, such integration is desirable due to the existing or potential type of adjacent development and where such access is not prohibitive due to such factors as grade, site configurations and the location of existing development, including utility services. The Development Officer shall waive this requirement if, in his opinion, the applicant for the development permit can show that after reasonable effort, exercised over a period of no less than 60 days, the applicant has been unable to obtain the required consents from the adjacent property owner(s) for integration and intersite connections.

14)All on-site services for power, telephone and C.A.T.V. shall be underground. Underground power services shall also be provided for Signs requiring such services.

*Bylaw No. 11260*

*June 17, 1996*

**15)Deleted.**

16)Notwithstanding any other provisions of the Land Use Bylaw, individual Business Identification Signs located on the facades of buildings shall be similar as to proportion, construction materials and placement. The design, placement and scale of the Sign shall be to the satisfaction of the Development Officer so as to ensure that the signage does not detract from the overall appearance of the development and is not obtrusive, having regard to the scale of the buildings on the site and the distance of the building Setback.

17)Gas Bars, Minor and Major Service Stations and Rapid Drive-through Vehicle Services shall be developed in accordance with Section 82 of the Land Use Bylaw and the following additional criteria: any canopy located over the gas pump islands shall be designed and finished in a manner consistent with the design and finishing of the principal building, with the overall height and scale of the canopy to be to the satisfaction of the Development Officer, such that the canopy is not obtrusive and maintains consistency with the eave line of the principal building.

Edmonton Land Use Bylaw 5996

815. Overlay Schedule for Low Density Redevelopment

*Bylaw No. 10618*

*October 17, 1994*

### **815.1 General Purpose**

To supplement the regulations of the RF3 (Low Density Redevelopment) District with design criteria ensuring that the variety of low density infill housing allowed by this District is developed to a high standard of appearance and is compatible, to the extent possible, with adjacent development.

### **815.2 Application**

- 1) This Overlay Schedule shall apply to those lands identified in Appendix I to this Overlay Schedule which are districted RF3.
- 2) The provisions of this Overlay Schedule shall be applied in conjunction with the regulations of the RF3 District and other sections of the Land Use Bylaw. Where the provisions of the Overlay Schedule are in conflict with regulations of any other section of the Land Use Bylaw, the more restrictive provisions will be applied to development.
- 3) Section 815.4 (7) of this Overlay Schedule shall apply to any development taking place on the lands identified in Appendix I.
- 4) New development and additions to existing development shall comply with Sections 815.4 (1) through (6) of this Overlay Schedule.
- 5) If a new development or addition to an existing development does not comply with Sections 815.4 (1) through (6) or any of the regulations of the RF3 District, then Sections 815.4 (8) through (14) shall apply.
- 6) Notwithstanding that a development does not conform to this Overlay Schedule, where a Development Permit was issued for the development prior to the adoption of this Overlay Schedule, such development shall be deemed to conform to the regulations contained within this Overlay Schedule. If at any time an addition is made to the existing development, then the addition shall conform to the applicable provisions of this Overlay Schedule.

### **815.3 Uses**

The Uses for the lands covered by this Overlay Schedule shall be as specified by the RF3 (Low Density Redevelopment) District.

### **815.4 Design Criteria**

- 1) The maximum building Height shall not exceed 7.5 m (24.6 ft.).

- 2)The minimum Rear Yard shall be 12 m (39.4 ft.), except in the case of a corner site it shall be 6 m (19.7 ft.).
- 3)For Row Housing and Semi-detached Housing, individual units shall be recessed/projected in relationship to adjacent dwelling units within the same development to create a strong unit identity, thereby preserving, to the extent possible, the general character of the streetscape.
- 4)Duplex Housing shall be designed in a manner that creates the image of a Single Detached Dwelling when viewed from an adjacent roadway, other than a lane.
- 5)Accessory Buildings visible from abutting public roadways, other than a lane, shall be designed in a manner which creates a sense of architectural harmony with the associated Principal Building. This may be achieved by utilizing similar or compatible exterior materials, colours and architectural details on both the Principal and Accessory Buildings.
- 6)On-site parking areas for three or more vehicles shall be visually screened from abutting sites and public roadways, other than a lane, through the use of landscaping treatment or a combination of landscaping and other forms of screening, to the satisfaction of the Development Officer.
- 7)Vehicular access to a garage or parking area shall be from an abutting lane, where a lane abuts a site.
- 8)The Development Officer shall evaluate a proposed development in its totality (i.e., overall visual impression), rather than in terms of its strict adherence to each of the applicable design criteria outlined in this Overlay Schedule.
- 9)The architectural design of development does not have to mimic or imitate the older-type styles of housing in the area to comply with the general purpose of this Overlay Schedule. Contemporary exterior materials and architectural styles may be used provided that, in the opinion of the Development Officer, the overall site development, including landscaping treatment, is of a high visual quality and responsive to the general streetscape character of the area.
- 10)Where, in the opinion of the Development Officer it is appropriate, the Principal Buildings of the development shall incorporate design features for the purpose of minimizing the perception of massing/height, mitigating the shadowing effect on abutting properties, adding visual interest by breaking up the monotony of large uninterrupted flat surfaces and reducing the box-like appearance of buildings when viewed from abutting public roadways, other than a lane. This may be achieved by utilizing such design features as the following:
  - a)the incorporation of projections/recesses or variations in the front facades including the stepping back or terracing of upper storeys on buildings exceeding one storey;
  - b)the utilization of pitched roofs and the incorporation of different roof angles and styles, as well as special design elements (eg. dormers) into the roof structure;
  - c)the extension or wrapping around of front facade finishing materials or corner accent materials to the sides of the Principal Building when different exterior materials are being used on the front and sides of the building; and
  - d)on corner sites, the Principal Building should present a double frontage appearance by using consistent exterior finishing materials and architectural treatment, including window treatment, on both the flanking and front facing facades.
- 11)In addition to the landscaping requirements of the Land Use Bylaw, landscaping treatment shall serve, to the satisfaction of the Development Officer, the purpose of minimizing the perception of massing, enhancing the overall visual appearance of the site and preserving, to the extent possible, the general character of the adjacent streetscape.
- 12)Development Permit applications shall include:
  - a)proof that at the earliest possible point in the planning of the proposed development, but in any event not later than 21 days prior to the submission of the Development Permit application the Applicant has contacted, in person, by mail

or by way of community meetings or open houses each assessed owner of land within the area of application, as defined in Section 13 of this Overlay Schedule, and the President of the Community League operating within the area where the site is located, to review with them details of the proposed development (including height, site coverage, setbacks, elevations, parking and proposed landscaping) and to seek their comments on the proposal;

b)a narrative which is to include:

i)an explanation of the extent of community contact (i.e. who was contacted, by what means and when in the development process such contact occurred);

ii)documentation of the opinions and concerns expressed to the applicant, if any were received, by the President of the Community League and the owners contacted in response to the information on the proposed development provided to them;

iii)details as to how the applicant has modified the proposed development, if at all, in response to the opinions and concerns from the community; and

iv)where the applicant has been unable to modify the proposed development to specifically address the concerns and opinions of the community, an explanation from the applicant as to why further modifications to the proposed development can not be accommodated or why, in the opinion of the applicant, further modifications to the proposed development are not warranted or necessary; and

c)a statement describing how the proposed development, including landscaping treatment, complies with the General Purpose and the applicable Design Criteria of this Overlay Schedule. The Development Officer may require the applicant to submit additional information if, in his opinion, such information is necessary to verify that the proposed development complies with this Overlay Schedule.

13)For the purposes of this Section the area of application shall be as follows:

a)Single Detached, Semi-detached and Duplex Housing: each assessed owner of land abutting the site; and

b)all other developments/uses: each assessed owner of land wholly or partly within a distance of 30 m (98.4 ft.) of the boundary of the site.

14)The Development Officer may grant relaxations to the provisions of this Overlay Schedule if, in his opinion, such a variance would be in keeping with the General Purpose of this Overlay Schedule and would not affect the amenities, use and enjoyment of the neighbouring properties. The Development Officer may reduce the time period for public consultation specified in Section 12 of this Overlay Schedule if the Development Officer is satisfied that the community has had a reasonable period of time to review and comment on the proposed development.

Edmonton Land Use Bylaw 5996

816. Belgravia Overlay Schedule for Single Detached Residential Development

*Bylaw No. 10619*

*October 17, 1994*

### **816.1 General Purpose**

To supplement the regulations of the RF1 (Single Detached Residential) District with development criteria ensuring that the infill housing allowed by this District is compatible with adjacent development and preserves, to the extent possible, the continuity of the adjacent streetscape.

### **816.2 Application**

- 1) This Overlay Schedule shall apply to those lands identified in Appendix I to this Overlay Schedule which are districted RF1.
- 2) The provisions of this Overlay Schedule shall be applied in conjunction with the regulations of the RF1 District and other sections of the Land Use Bylaw. Where the provisions of the Overlay Schedule are in conflict with regulations of any other section of the Land Use Bylaw, the more restrictive provisions will be applied to development.
- 3) New development and additions to existing development shall comply with Sections 816.4 (1) through (4) of this Overlay Schedule.
- 4) If a new development or addition to an existing development does not comply with Sections 816.4 (1) through (4) or any of the regulations of the RF1 District, then Sections 816.4 (5) through (8) shall apply.
- 5) Notwithstanding that a development does not conform to this Overlay Schedule, where a Development Permit was issued for the development prior to the adoption of this Overlay Schedule, such development shall be deemed to conform to the regulations contained within this Overlay Schedule. If at any time an addition is made to the existing development, then the addition shall conform to the Overlay Schedule.

### **816.3 Uses**

The Uses for the lands covered by this Overlay Schedule shall be as specified by the RF1 (Single Detached Residential) District.

### **816.4 Development Criteria**

- 1) The maximum building Height shall not exceed 7.5 m (24.6 ft.).
- 2) The minimum Rear Yard shall be 12 m (39.4 ft.) except in the case of a corner site it shall be 6 m (19.7 ft.).
- 3) The exterior front facing wall of a garage which is attached or designed as an integral part of a Dwelling shall not

project more than 1 m beyond the main front facing exterior wall of the Dwelling.

4)The maximum width of a garage attached to and designed as an integral part of a Dwelling with vehicular access from a public roadway (other than a lane) abutting the front of the site shall not exceed 35 % of the site width or 8 m, whichever is less. The maximum width of a garage attached to and designed as an integral part of a Dwelling with vehicular access from a flanking public roadway, other than a lane, shall not exceed 35% of the distance between the front and rear lot lines of the site or 8 m, whichever is less.

5)Where, in the opinion of the Development Officer it is appropriate, the Principal Buildings of the development shall incorporate design features for the purpose of minimizing the perception of massing/height, mitigating the shadowing effect on abutting properties, adding visual interest by breaking up the monotony of large uninterrupted flat surfaces and reducing the box-like appearance of buildings when viewed from abutting public roadways, other than a lane. This may be achieved by utilizing such design features as the following:

a)the incorporation of projections/recesses or variations in the front facades including the stepping back or terracing of upper storeys on buildings exceeding one storey;

b)the utilization of pitched roofs and the incorporation of different roof angles and styles, as well as special design elements (eg. dormers) into the roof structure;

c)the extension or wrapping around of front facade finishing materials or corner accent materials to the sides of the Principal Building when different exterior materials are being used on the front and sides of the building; and

d)on corner sites, the Principal Building should present a double frontage appearance by using consistent exterior finishing materials and architectural treatment, including window treatment, on both the flanking and front facing facades.

6)Development Permit applications shall include:

a)proof that at the earliest possible point in the planning of the proposed development, but in any event not later than 21 days prior to the submission of the Development Permit application the Applicant has contacted, in person, by mail or by way of community meetings or open houses each assessed owner of land within the area of application, as defined in Section 7 of this Overlay Schedule, and the President of the Community League operating within the area where the site is located, to review with them details of the proposed development (including height, site coverage, setbacks, elevations, parking and proposed landscaping) and to seek their comments on the proposal;

b)a narrative which is to include:

i)an explanation of the extent of community contact (i.e. who was contacted, by what means and when in the development process such contact occurred);

ii)documentation of the opinions and concerns expressed to the applicant, if any were received, by the President of the Community League and the owners contacted in response to the information on the proposed development provided to them;

iii)details as to how the applicant has modified the proposed development, if at all, in response to the opinions and concerns from the community; and

iv)where the applicant has been unable to modify the proposed development to specifically address the concerns and opinions of the community, an explanation from the applicant as to why further modifications to the proposed development can not be accommodated or why, in the opinion of the applicant, further modifications to the proposed development are not warranted or necessary; and

c)a statement describing how the proposed development, including landscaping treatment, complies with the General Purpose and the applicable Development Criteria of this Overlay Schedule. The Development Officer may require the

applicant to submit additional information if, in his opinion, such information is necessary to verify that the proposed development complies with this Overlay Schedule.

7) For the purposes of this Section the area of application shall be each assessed owner of land abutting the site.

8) The Development Officer may grant relaxations to the provisions of this Overlay Schedule if, in his opinion, such a variance would be in keeping with the General Purpose of this Overlay Schedule and would not affect the amenities, use and enjoyment of the neighbouring properties. The Development Officer may reduce the time period for public consultation specified in Section 6 of this Overlay Schedule if the Development Officer is satisfied that the community has had a reasonable period of time to review and comment on the proposed development.

Edmonton Land Use Bylaw 5996

817. McKernan/Parkallen Overlay Schedule for Single Detached Residential Development

*Bylaw No. 10648*

*October 17, 1994*

### **817.1 General Purpose**

To supplement the regulations of the RF1 (Single Detached Residential) District with development criteria ensuring that the infill housing allowed by this District is compatible with adjacent development and preserves, to the extent possible, the continuity of the adjacent streetscape.

### **817.2 Application**

- 1) This Overlay Schedule shall apply to those lands identified in Appendix I to this Overlay Schedule which are districted RF1.
- 2) The provisions of this Overlay Schedule shall be applied in conjunction with the regulations of the RF1 District and other sections of the Land Use Bylaw. Where the provisions of the Overlay Schedule are in conflict with regulations of any other section of the Land Use Bylaw, the more restrictive provisions will be applied to development.
- 3) Section 817.4 (3) of this Overlay Schedule shall apply to any development taking place on the lands identified in Appendix I.
- 4) New development and additions to existing development shall comply with Sections 817.4 (1) and (2) of this Overlay Schedule.
- 5) If a new development or addition to an existing development does not comply with Sections 817.4 (1) and (2) or any of the regulations of the RF1 District, then Sections 817.4 (4) through (7) shall apply.
- 6) Notwithstanding that a development does not conform to this Overlay Schedule, where a Development Permit was issued for the development prior to the adoption of this Overlay Schedule, such development shall be deemed to conform to the regulations contained within this Overlay Schedule. If at any time an addition is made to the existing development, then the addition shall conform to the applicable provisions of this Overlay Schedule.

### **817.3 Uses**

The Uses for the lands covered by this Overlay Schedule shall be as specified by the RF1 (Single Detached Residential) District.

### **817.4 Development Criteria**

- 1) The maximum building Height shall not exceed 7.5 m (24.6 ft.).

2)The minimum Rear Yard shall be 12 m (39.4 ft.), except in the case of a corner site it shall be 6 m (19.7 ft.).

3)Vehicular access to a garage or parking area shall be from an abutting lane, where a lane abuts a site.

4)Where, in the opinion of the Development Officer it is appropriate, the Principal Buildings of the development shall incorporate design features for the purpose of minimizing the perception of massing/height, mitigating the shadowing effect on abutting properties, adding visual interest by breaking up the monotony of large uninterrupted flat surfaces and reducing the box-like appearance of buildings when viewed from abutting public roadways, other than a lane. This may be achieved by utilizing such design features as the following:

a)the incorporation of projections/recesses or variations in the front facades including the stepping back or terracing of upper storeys on buildings exceeding one storey;

b)the utilization of pitched roofs and the incorporation of different roof angles and styles, as well as special design elements (eg. dormers) into the roof structure;

c)the extension or wrapping around of front facade finishing materials or corner accent materials to the sides of the Principal Building when different exterior materials are being used on the front and sides of the building; and,

d)on corner sites, the Principal Building should present a double frontage appearance by using consistent exterior finishing materials and architectural treatment, including window treatment, on both the flanking and front facing facades.

5)Development Permit applications shall include:

a)proof that at the earliest possible point in the planning of the proposed development, but in any event not later than 21 days prior to the submission of the Development Permit application the Applicant has contacted, in person, by mail or by way of community meetings or open houses each assessed owner of land within the area of application, as defined in Section 6 of this Overlay Schedule, and the President of the Community League operating within the area where the site is located, to review with them details of the proposed development (including height, site coverage, setbacks, elevations, parking and proposed landscaping) and to seek their comments on the proposal;

b)a narrative which is to include:

i)an explanation of the extent of community contact (i.e. who was contacted, by what means and when in the development process such contact occurred);

ii)documentation of the opinions and concerns expressed to the applicant, if any were received, by the President of the Community League and the owners contacted in response to the information on the proposed development provided to them;

iii)details as to how the applicant has modified the proposed development, if at all, in response to the opinions and concerns from the community; and

iv)where the applicant has been unable to modify the proposed development to specifically address the concerns and opinions of the community, an explanation from the applicant as to why further modifications to the proposed development can not be accommodated or why, in the opinion of the applicant, further modifications to the proposed development are not warranted or necessary; and

c)a statement describing how the proposed development, including landscaping treatment, complies with the General Purpose and the applicable Development Criteria of this Overlay Schedule. The Development Officer may require the applicant to submit additional information if, in his opinion, such information is necessary to verify that the proposed development complies with this Overlay Schedule.

6)For the purposes of this Section the area of application shall be each assessed owner of land abutting the site.

7)The Development Officer may grant relaxations to the provisions of this Overlay Schedule if, in his opinion, such a variance would be in keeping with the General Purpose of this Overlay Schedule and would not affect the amenities, use and enjoyment of the neighbouring properties. The Development Officer may reduce the time period for public consultation specified in Section 5 of this Overlay Schedule if the Development Officer is satisfied that the community has had a reasonable period of time to review and comment on the proposed development.

Edmonton Land Use Bylaw 5996

818. Overlay Schedule for Major and Minor Secondhand Stores

*Bylaw No. 11321*

*September 3, 1996*

### **818.1 General Purpose**

To supplement the regulations of commercial districts regarding Major and Minor Secondhand Stores in order to require parties interested in developing such uses to consult with surrounding property owners prior to applying for a Development Permit.

### **818.2 Application**

*Bylaw No. 11521*

*June 16, 1997*

1) This Overlay applies to those lands identified on the Appendices to this Overlay Schedule.

2) Where the provisions of this Overlay appear to be in conflict with the regulations of any other section of the Land Use Bylaw, the provisions of the Overlay shall take precedence. Where there is no conflict, the provisions of this Overlay shall be applied in conjunction with the regulations of the underlying District(s) and other sections of the Land Use Bylaw.

3) Notwithstanding that a Major or Minor Secondhand Store development does not conform to this Overlay Schedule, where a Development Permit was issued for the development prior to the adoption of this Overlay Schedule, such development shall be deemed to conform to the regulations contained within this Overlay Schedule.

### **818.3 Uses**

Major Secondhand Stores and Minor Secondhand Stores Use Classes in the underlying commercial districts are subject to the additional regulations of this Overlay Schedule.

### **818.4 Regulations**

Development Permit applications shall include:

a) proof that at the earliest possible point in the planning of the proposed development, but in any event not later than 21 days prior to the submission of the Development Permit application, the Applicant has contacted, in person, by mail or by way of community meetings or open houses each assessed owner of land wholly or partly within a distance of 30m (98.4 ft.) of the boundary of the site, and the President of the Community League operating within the area where the site is located, to review with them details of the proposed development and to seek their comments on the proposal;

b)a narrative which is to include:

i)an explanation of the extent of community contact (i.e. who was contacted, by what means and when in the development process such contact occurred);

ii)documentation of the opinions and concerns expressed to the Applicant, if any were received, by the President(s) of any Community League and the property owners contacted in response to the information on the proposed development provided to them;

iii)details as to how the applicant has modified the proposed development, if at all, in response to the opinions and concerns expressed by the community; and

iv)where the applicant has not modified the proposed development to specifically address the concerns and opinions of the community, an explanation from the applicant as to why further modifications to the proposed development cannot be accommodated or why, in the opinion of the applicant, further modifications to the proposed development are not warranted or necessary.

Edmonton Land Use Bylaw 5996

820. (SPO) Statutory Plan Overlay

### **820.1 General Purpose**

To provide a means to alter or specify regulations for Permitted and Discretionary Uses in otherwise appropriate Land Use Districts, in order to achieve the local planning objectives of an Area Structure Plan or Area Redevelopment Plan.

### **820.2 Application**

1) This Overlay shall only be applied to Land Use Districts, where specified in an Area Structure Plan or an Area Redevelopment Plan.

2) This Overlay shall only be applied through an amendment to the Land Use Bylaw in the form of a schedule to this Overlay, which shall include:

a) the name of the applicable Statutory Plan and its boundaries;

b) a map at the minimum scale of 1:10,000 (metric) which indicates the designation, location and boundaries of each underlying Land Use District or Subdistrict with different regulations as provided for by this Overlay; and

c) every regulation that is specified or changed by the Overlay in accordance with the provisions of Section 820.4 and Section 820.5, Clause (4).

3) This Overlay shall not be used:

a) in conjunction with a Direct Control District;

*Bylaw No. 11844*

*August 24, 1998*

b) to alter Permitted or Discretionary Uses, or Floor Area Ratio or density except in accordance with Section 820.4 or subsection 820.5(4);

c) where the proposed regulations or changes to the regulations of an underlying District:

i) are significant enough to be inconsistent with the general purpose of that District, and the designation of another Land Use District would be more appropriate;

ii) are not merely related to local planning objectives, but would have sufficient general application to warrant an amendment to the text of the underlying Land Use District itself; or

*Bylaw No. 11844*

*August 24, 1998*

iii)are intended to provide such detailed or site specific discretionary control over the design and siting of development that the use of a Direct Control District would be more appropriate; or

*Bylaw No. 11844*

*August 24, 1998*

d)to allow more than one Single Detached Dwelling on a lot

### **820.3 Permitted Uses**

The Permitted Uses specified in the underlying Land Use District are permitted.

### **820.4 Discretionary Uses**

The Discretionary Uses specified in the underlying Land Use District are discretionary, except for those specified in the RMX Residential Mixed Use District or the CMX Commercial Mixed Use District which are deleted by a schedule to this Overlay

### **820.5 Development Regulations**

1)Where this Overlay is applied, the regulations provided in its schedules shall be substituted for the specified regulations of the underlying Land Use District. Where there appears to be a conflict between the provisions of this Overlay and those of the underlying Land Use District, the provisions of this Overlay shall take precedence and effect.

*Bylaw No. 7971*

*March 25, 1986*

2)Notwithstanding Clause (1) above, the provisions of both the Airport Protection Overlay and Floodplain Protection Overlay shall take precedence over the provisions of this Overlay.

*Bylaw No. 6502*

*November 24, 1981*

3)Notwithstanding Clause (1) above, no regulation specified in a schedule to this Overlay shall have effect except as provided in Section 820.4 and Clauses (4) and (5) below.

4)A schedule to this Overlay may change or specify regulations as provided below and may specify the conditions under which such changed or specified regulations would apply:

a)the maximum total Floor Area Ratio, maximum total residential density, maximum Height and minimum Yards shall be specified for development in the following Districts:

i)RMX Residential Mixed Use District; and

ii)CMX Commercial Mixed Use District;

b)the maximum Floor Area Ratio for each Use Class or group of Use Classes; the required percentage of total Dwellings in each Residential Use Class or group of Residential Use Classes, or the required percentage to be provided as Family Oriented Dwellings; building Setback requirements that are in addition to minimum Yard requirements; parking requirements; minimum Amenity Area per Dwelling to be developed as children's play space for developments containing 20 or more Family Oriented or Stacked Row Housing Dwellings; minimum Private Outdoor Amenity Area

per Dwelling for Stacked Row Housing or Family Oriented Dwellings may be specified for development in the following Districts:

i)RMX Residential Mixed Use District; and

ii)CMX Commercial Mixed Use District;

c)regulations, except those specifying maximum density or Floor Area Ratio, which are included in the development regulations of any Land Use District, whether intended for Permitted or Discretionary Uses, may be changed subject to the guidelines of Section 820.2, Clause (3)(c);

d)Schedule 66A, being the Parking Schedule to the Bylaw, may be changed for development of Permitted or Discretionary Uses in any Land Use District;

e)the maximum density may be reduced to a lower limit of 30 dwellings/ha (12.1 dwellings/acre) for development in the following Districts:

i)RPL Planned Lot Residential District; and

ii)RF5 Row Housing District;

f)the maximum density may be increased to an upper limit of 175 dwellings/ha (70.8 dwellings/acre) for development in the RF6 Medium Density Multiple Family District;

*Bylaw No. 6502*

*November 24, 1981*

g)for development of any site of 1 350 m<sup>2</sup> (14,531.3 sq. ft.) or greater in the RA9 High Rise Apartment District, the maximum density may be changed between the limits of 250 dwellings/ha (101.1 dwellings/acre), and 500 dwellings/ha (202.4 dwellings/acre); the maximum Floor Area Ratio may be changed between the limits of 2.5 and 4.5; and

h)the maximum Floor Area Ratio or maximum Floor Area Ratio for specific uses may be increased to an upper limit of 3.0 for development in the following Districts:

i)CSC Shopping Centre Commercial District; and

ii)CHY Highway Corridor District.

*Bylaw No. 6502*

*November 24, 1981*

5)Setback, Canopy and Arcade Requirements:

*Bylaw No. 7802*

*August 13, 1985*

a)notwithstanding Clause (4) above, setback, canopy and arcade requirements included in this Overlay may replace the minimum Yard or building Setback regulations or both for an underlying Land Use District; and

b)the Development Officer may at his discretion relax the requirement for canopy and arcade requirements for developments which:

i)generally conform to the objectives of the Statutory Plan Overlay, but through an alternate design achieve weather protection, streetscape definition and pedestrian activity; or

ii)would conflict with the intent but which would, in the opinion of the Development Officer, be more in conformity with other objectives in the Statutory Plan, such as designs which are more compatible with adjacent heritage buildings, open space or infrastructure requirements.

Edmonton Land Use Bylaw 5996

820A. Statutory Plan Overlay Schedule for the Oliver Area Redevelopment Plan

*Bylaw No. 5998*

*September 9, 1981*

*Bylaw No. 11619*

*December 9, 1997*

### **820A.1 General Purpose**

To alter or specify regulations for Permitted and Discretionary Uses in otherwise appropriate Land Use Districts in order to achieve the objectives of the Oliver Area Redevelopment Plan, as adopted by Bylaw No. 11618.

### **820A.2 Application**

The designation, location and boundaries of each underlying Land Use District affected by this Schedule are as indicated on Appendix I to this Schedule.

### **820A.3 Regulations Altered by Statutory Plan Overlay**

The development regulations of Sections 820A.4 - 820A.8 shall be applied in place of or in addition to regulations of the following underlying Land Use Districts, in accordance with the provisions of Section 820 of this Bylaw.

[820A.4 RF6\\* Medium Density Family District](#)

[820A.5 RA9\\* High Rise Apartment District](#)

[820A.6 RMX\\* Residential Mixed Use District](#)

[820A.7 CMX\\* \(Area 1\) Commercial Mixed Use District](#)

[820A.8 CMX\\* \(Area 2\) Commercial Mixed Use Districts](#)

Edmonton Land Use Bylaw 5996

Oliver Area Redevelopment Plan

820A.4 RF6\* Medium Density Family District

**820A.4RF6\* Medium Density Multiple Family District**

1)The following development regulations shall be substituted or specified for the regulations of Section 170 of this Bylaw, and shall apply to those RF6\* Districts identified on Appendix I to this Schedule:

a)the maximum density shall be 175 Dwellings/ha (71 Dwellings/acre).

b)maximum total site coverage shall not exceed 60% for sites greater than 1350 m<sup>2</sup> (14,531 sq. ft.) in area. For sites of 1350 m<sup>2</sup> (14,531 sq. ft.) or less in area, there shall be no maximum site coverage.

c)the minimum Front Yard may be reduced to 3 m (9.84 ft.) at the discretion of the Development Officer, where Separation Space is provided in accordance with Section 58 of this Bylaw, and where the windows and Private Outdoor Amenity Areas on the first storey front wall have been located, designed or screened to prevent visual intrusion into the Dwelling from passers-by.

d)the minimum Rear Yard may be reduced to 1.2 m (3.94 ft.) at the discretion of the Development Officer, where Separation Space is provided in accordance with Section 58 of this Bylaw, and where the windows and Private Outdoor Amenity Areas on the first storey rear wall have been located, designed or screened to prevent visual intrusion into the Dwelling from passers-by.e)the minimum Side Yard may be reduced to 1.2 m (3.94 ft.) at the discretion of the Development Officer, where Separation Space is provided in accordance with Section 58 of this Bylaw, and where it can be determined by a sight line analysis that windows and Private Outdoor Amenity Areas on the first storey side walls have been located, designed or screened to prevent visual intrusion into the Dwelling from adjacent properties and by passers-by.

f)a minimum Private Outdoor Amenity Area of 15 m<sup>2</sup> (161.5 sq. ft.) per Dwelling shall be provided.

g)a minimum of 50% of all Dwellings on a site shall be Family Oriented, in accordance with subsection 9.1(20) of this Bylaw.

Edmonton Land Use Bylaw 5996

Oliver Area Redevelopment Plan

820A.5 RA9\* High Rise Apartment District

**820A.5RA9\* High Rise Apartment District**

1)The following development regulations shall be substituted or specified for the regulations of Section 230 of this Bylaw, and shall apply to those RA9\* Districts identified on Appendix I to this Schedule:

a)the maximum Floor Area Ratio shall be 3.0, except that for sites of 1350 m<sup>2</sup> (14,531 sq. ft.) to 2090 m<sup>2</sup> (22,500 sq. ft.) in area, which are developed to a site coverage not exceeding 30%, the maximum Floor Area Ratio shall be 4.0.

b)the maximum building Height shall not exceed 45 m (147.6 ft.), except that for sites of 1350 m<sup>2</sup> (14,531 sq. ft.) to 2090 m<sup>2</sup> (22,500 sq. ft.) in area, which are developed to a site coverage not exceeding 30%, the maximum building Height shall not exceed 60 m (195 ft.).

c)for sites greater than 2090 m<sup>2</sup> (22,500 sq. ft.) in area, which are developed to a maximum building Height not exceeding 23 m (75.5 ft.) or six storeys, and with all Dwellings on the lowest storey having direct access to grade:

i)the maximum Floor Area Ratio shall be 4.0;

ii)the minimum Front Yard shall be 3 m (9.9 ft.);

iii)the minimum Rear Yard shall be 3 m (9.9 ft.);

iv)the minimum Side Yard shall be 2 m (6.6 ft.); and

v) any portion of the building higher than 10 m (32.8 ft.) shall be set back a minimum distance of:

A)6 m (19.7 ft.) from the front lot line;

B)7.5 m (24.6 ft.) from the rear lot line; and

C)7.5 m (24.6 ft.) from the side lot line.

Edmonton Land Use Bylaw 5996

Oliver Area Redevelopment Plan

820A.6 RMX\* Residential Mixed Use District

**820.6RMX\* Residential Mixed Use District**

1)All Discretionary Uses listed in Section 240.4 of the Land Use Bylaw are deleted by means of a Statutory Plan Overlay, except for the following:

a)Residential

i)Apartment Housing

ii)Duplex Housing

iii)Row Housing

iv)Secondary Suites

v)Semi-detached

vi)Single Detached Housing

b)Residential Related

i)Boarding and Lodging Houses

ii)Foster Homes

iii)Group Homes

iv)Group Homes, Limited

v)Home Occupations, Major

vi)Home Occupations, Minor

c)Commercial

i)Amusement Establishments, Minor

ii)Business Support Services

iii)Child Care Services

- iv) Eating and Drinking Establishment, Minor
- v) Health Services
- vi) Personal Service Shops
- vii) Private Clubs
- viii) Professional, Financial and Office Support Services
- ix) Retail Stores, Convenience
- d) Basic Services
- i) Essential Utility Services
- e) Community, Educational, Recreational and Cultural Services
- i) Community Recreation Services

2) The following development regulations shall be specified in addition to the regulations of this Bylaw, and shall apply to those RMX Districts identified on Appendix I to this Schedule:

- a) The maximum total Floor Area Ratio shall be 4.0, of this total the maximum Floor Area Ratio for Commercial uses shall be 1.0.
- b) The maximum Floor Area Ratio for Commercial Uses shall be 1.0.
- c) The maximum Height shall not exceed 45 m (147.6 ft.) nor 15 storeys.
- d) The maximum density for Residential Uses shall be 325 dwellings/ha (131.5 dwellings/acre).
- e) The minimum Yard requirements for existing structures shall be the dimensions that existed on the day of the passing of this Bylaw. If redevelopment occurs, the following minimum Yards shall apply:
  - i) no minimum Front Yard shall be required for main floor Commercial Uses;
  - ii) the minimum Rear Yard shall be 7.5 m (24.6 ft.);
  - iii) Residential Uses shall be set back a minimum of 6 m (19.7 ft.) from the front property line and 7.5 m (24.6 ft.) from the rear property line; and
  - iv) the minimum Side Yard shall be 1 m (3.3 ft.) for each storey, up to a maximum of 4.5 m (14.8 ft.), except that a minimum of 2 m (6.6 ft.) is required and where a Side Yard abuts a flanking public roadway, other than a lane, not less than 4.5 m (14.8 ft.) shall be provided.
  - f) Single Detached, Semi-detached, Duplex and Secondary Suites in this District shall be developed in accordance with the provisions of the RF4 District.
  - g) All exterior trash collection areas shall be screened from view in accordance with Section 69.4(4) of the Land Use Bylaw.
  - h) Notwithstanding other regulations in this District:
    - i) Minor Home Occupations shall be developed in accordance with Section 84 of the Land Use Bylaw.

- ii) Major Home Occupations shall be developed in accordance with Section 85 of the Land Use Bylaw.
- iii) Essential Utility Services shall be developed in accordance with Section 90 of the Land Use Bylaw
- iv) Group Homes shall be developed in accordance with Section 91 of the Land Use Bylaw.
- v) Child Care Services shall be developed in accordance with Section 93 of the Land Use Bylaw.
- vi) Secondary Suites shall be developed in accordance with Section 99 of the Land Use Bylaw.

Edmonton Land Use Bylaw 5996

Oliver Area Redevelopment Plan

820A.7 CMX\* (Area 1) Commercial Mixed Use District

**820A.7CMX\* (Area 1) Commercial Mixed Use District**

1)All Discretionary Uses listed in Section 370.4 of the Land Use Bylaw are deleted by means of a Statutory Plan Overlay, except for the following:

a)Residential

i)Apartment Housing (above the ground floor only)

b)Residential Related

i)Boarding and Lodging Houses

ii)Foster Homes

iii)Group Homes

iv)Group Homes, Limited

v)Home Occupations, Major

vi)Home Occupations, Minor

c)Commercial

i)Alcohol Sales, Major

ii)Alcohol Sales, Minor

iii)Amusement Establishments, Major

iv)Amusement Establishments, Minor

v)Automotive and Minor Recreation Vehicle Sales/Rentals (where existing at the time of the passing of this Bylaw)

vii)Business Support Services

viii)Commercial Schools

ix)Contractor Services, Limited

- x) Custom Manufacturing Establishments
- xi) Eating and Drinking Establishments, Major
- xii) Eating and Drinking Establishment, Minor
- xiii) Health Services
- xiv) Hotels
- xv) Household Repair Services
- xvi) Minor Veterinarian Services
- xvii) Parking, Non-accessory
- xviii) Personal Service Shops
- xix) Professional, Financial and Office Support Services
- xx) Retail Stores, Convenience
- xxi) Retail Stores, General
- xxii) Secondhand Stores, Minor
- xxiii) Spectator Entertainment Establishments
- d) Basic Services
  - i) Essential Utility Services
  - ii) Government Services
  - iii) Protective and Emergency Services
- e) Community, Educational, Recreational and Cultural Services
  - i) Child Care Services
  - ii) Community Recreation Services
  - iii) Exhibition and Convention Facilities
  - iv) Indoor Participant Recreation Services
  - v) Private Clubs
  - vi) Public Libraries and Cultural Exhibits
  - vii) Public Park
  - viii) Religious Assembly

2) The following development regulations shall be specified in addition to the regulations of this Bylaw, and shall apply to those CMX (Area 1) Districts identified on Appendix I to this Schedule:

- a)The maximum total Floor Area Ratio shall be 6.0. Of this total, the maximum Floor Area Ratio for Commercial Uses shall be 3.0.
- b)The maximum building Height shall not exceed 36.6 m (120 ft.).
- c)The maximum density for Residential Uses shall be:
  - i) 450 dwellings/ha (182 dwellings/acre) where development includes roof top landscaped amenity space in excess of the amenity space requirements of the Land Use Bylaw; and
  - ii) 400 dwellings/ha (161 dwellings/acre) in all other cases.
- d)Residential Uses shall not be allowed on the ground floor of any development.
- e)Vehicular parking shall be located to the rear of a development and shall be accessed from the abutting rear lane, where a rear lane abuts a site.
- f)In order to promote the formation of a pedestrian-oriented shopping street, no minimum Front Yard shall be required.
- g)The minimum Rear Yard shall be 7.5 m (24.6 ft.), except that this may be reduced to 2 m (6.6 ft.) provided adequate access is provided for service vehicles and parking.
- h)Residential Uses shall be set back a minimum of 6 m (19.7 ft.) from the front property line and 7.5 m (24.6 ft.) from the rear property line.
- i)A minimum Side Yard of 2 m (6.6 ft.) shall be required where a lot abuts a flanking roadway other than a lane.
- j)Developments within the Major Eating and Drinking Establishments Use Class shall be limited to a maximum of 200 seats, unless it can be demonstrated to the satisfaction of the Development Officer that sufficient on-site parking is available to support additional seating. Notwithstanding this, all Major Eating and Drinking Establishments must meet the minimum parking requirements as identified in Section 66.A(10) of the Land Use Bylaw.
- k)Where required vehicular parking is located to the rear of a development, edge treatment design elements, such as wrought iron fencing, shall be provided to the satisfaction of the Development Officer in accordance with CPTED (Crime Prevention Through Environmental Design) principles, as identified in Section 77 of the Land Use Bylaw.
- l)The maximum business frontage for establishments located on the ground level shall be 16.1 m (53 ft.).
- m)Architectural treatment of new developments and/or renovations shall be designed to enhance the pedestrian character of Jasper Avenue by utilizing the following design features:
  - i)awnings and canopies over windows and doors;
  - ii)a minimum window area of 50% of the front facade (using clear, untinted glass);
  - iii)entrance oriented towards Jasper Avenue; and
  - iv)patio seating areas.
- n)All exterior trash collection areas shall be screened from view in accordance with Section 69.4(4) of the Land Use Bylaw.
- o)Notwithstanding other regulations in this District:
  - i)Religious Assembly shall be developed in accordance with Section 81 of the Land Use Bylaw.

- ii) Minor Home Occupations shall be developed in accordance with Section 84 of the Land Use Bylaw.
- iii) Major Home Occupations shall be developed in accordance with Section 85 of the Land Use Bylaw.
- iv) Essential Utility Services shall be developed in accordance with Section 90 of the Land Use Bylaw.
- v) Group Homes shall be developed in accordance with Section 91 of the Land Use Bylaw.
- vi) Child Care Services shall be developed in accordance with Section 93 of the Land Use Bylaw.
- vii) Major and Minor Alcohol Sales shall be developed in accordance with Section 98 of the Land Use Bylaw.
- viii) Secondary Suites shall be developed in accordance with Section 99 of the Land Use Bylaw.

Edmonton Land Use Bylaw 5996

Oliver Area Redevelopment Plan

820A.8 CMX\* (Area 2) Commercial Mixed Use District

**820A.8CMX\* (Area 2) Commercial Mixed Use District**

1) All Discretionary Uses listed in Section 370.4 of the Land Use Bylaw are deleted by means of a Statutory Plan Overlay, except for the following:

a) Residential

i) Apartment Housing

b) Residential Related

i) Home Occupations, Major

ii) Home Occupations, Minor

c) Commercial

i) Business Support Services

ii) Commercial Schools

iii) Eating and Drinking Establishment, Minor

iv) Health Services

v) Personal Service Shops

vi) Professional, Financial and Office Support Services

vii) Retail Stores, Convenience

viii) Retail Stores, General

d) Basic Services

i) Essential Utility Services

ii) Government Services

e) Community, Educational, Recreational and Cultural Services

- i) Child Care Services
- ii) Community Recreation Services
- iii) Private Clubs
- iv) Public Libraries and Cultural Exhibits

2) The following development regulations shall be specified in addition to the regulations of this Bylaw, and shall apply to those CMX (Area 2) Districts identified on Appendix I to this Schedule:

- a) The maximum Floor Area Ratio shall be 4.0.
- b) The maximum building Height shall not exceed 23 m (75.5 ft.) nor 6 storeys.
- c) The maximum density for Residential Uses shall be 325 dwellings/ha (131.5 dwellings/acre).
- d) The minimum Yard requirements for existing structures shall be the dimensions that existed on the day of the passing of this Bylaw.
- e) All exterior trash collection areas shall be screened from view in accordance with Section 69.4(4) of the Land Use Bylaw.
- f) Notwithstanding other regulations in this District:
  - i) Minor Home Occupations shall be developed in accordance with Section 84 of the Land Use Bylaw.
  - ii) Major Home Occupations shall be developed in accordance with Section 85 of the Land Use Bylaw.
  - iii) Essential Utility Services shall be developed in accordance with Section 90 of the Land Use Bylaw
  - iv) Group Homes shall be developed in accordance with Section 91 of the Land Use Bylaw.
  - v) Child Care Services shall be developed in accordance with Section 93 of the Land Use Bylaw.
  - vi) Secondary Suites shall be developed in accordance with Section 99 of the Land Use Bylaw.

Edmonton Land Use Bylaw 5996

820B. Statutory Plan Overlay Schedule for the Belvedere Station Area Redevelopment Plan

*Bylaw No. 6206*

*September 24, 1980*

### **820B.1 General Purpose**

To alter or specify regulations for Permitted and Discretionary Uses in otherwise appropriate Land Use Districts in order to achieve the objectives of the Belvedere Station Area Redevelopment Plan, as adopted by Bylaw No. 5988.

### **820B.2 Application**

1) The designation, location and boundaries of each underlying Land Use District or Subdistrict affected by this Schedule are as indicated on Appendix I to this Schedule.

2) The development regulations of Sections 820B.3 820B.7 shall be substituted for the specified regulations of the underlying Land Use District, in accordance with the provisions of Section 820 of this Bylaw.

[820B.3 Development Regulations for RA8 Medium Rise Apartment District](#)

[820B.4 Development Regulations for RA9 High Rise Apartment District](#)

[820B.5 Development Regulations for CB1 Low Intensity Business District](#)

[820B.6 Development Regulations for CB2 General Business District](#)

[820B.7 Development Regulations for CO Commercial Office District](#)

Edmonton Land Use Bylaw 5996

Belvedere Station Area Redevelopment Plan

820B.3 Development Regulations for RA8 Medium Rise Apartment District

**820B.3 Development Regulations for RA8 Medium Rise Apartment District**

1) The following development regulations shall be substituted for the specified regulations of Section 220 of this Bylaw, and shall apply to those RA8 Districts identified on Appendix I to this Schedule:

- a) the maximum Height shall not exceed 15 m (49.2 ft.) nor five storeys;
- b) in the case of a five storey structure, at least 75% of the fifth floor exterior wall area shall be setback a minimum 2 m (6.5 ft.) from the principal exterior walls of the building; and
- c) the minimum number of off-street parking spaces required for any development shall be in accordance with Schedule 66A of this Bylaw except that:
  - i) the minimum number of parking spaces per bed-sitting room Dwelling shall be 0.75;
  - ii) the minimum number of parking spaces per 1 bedroom Dwelling shall be 0.75;
  - iii) the minimum number of parking spaces per 2 bedroom Dwelling shall be 1.1;
  - iv) the minimum number of parking spaces per 3 bedroom Dwelling shall be 1.3; and
  - v) of the total number required, 1 guest parking space per every 10 Dwellings must be readily available to an entrance of the building to be served, and must be clearly identified as guest parking.

Edmonton Land Use Bylaw 5996

Belvedere Station Area Redevelopment Plan

820B.4 Development Regulations for RA9 High Rise Apartment District

**820B.4 Development Regulations for RA9 High Rise Apartment District**

1) The following development regulations shall be substituted for the specified regulations of Section 230 of this Bylaw and shall apply to the RA9 Districts identified on Appendix I to this Schedule:

- a) the maximum Height shall not exceed 32 m (104.9 ft.) nor 10 storeys; and
- b) the minimum number of off-street parking spaces required for any development shall be in accordance with Schedule 66A of this Bylaw except that:
  - i) the minimum number of parking spaces per bed-sitting room Dwelling shall be 0.75;
  - ii) the minimum number of parking spaces per 1 bedroom Dwelling shall be 0.75;
  - iii) the minimum number of parking spaces per 2 bedroom Dwelling shall be 1.1;
  - iv) the minimum number of parking spaces per 3 bedroom Dwelling shall be 1.3; and
  - v) of the total required, 1 guest parking space per every 10 Dwellings must be readily available to an entrance of the building to be served and must be clearly identified as guest parking.

Edmonton Land Use Bylaw 5996

Belvedere Station Area Redevelopment Plan

820B.5 Development Regulations for CB1 Low Intensity Business District

**820B.5 Development Regulations for CB1 Low Intensity Business District**

1) The following development regulations shall be substituted for the specified regulations of Section 330 of this Bylaw, and shall apply to those CB1 Districts identified on Appendix I to this Schedule:

a) the minimum number of off-street parking spaces for Commercial Use Classes included in Schedule 66A, Clause (9) of this Bylaw shall be provided on the basis of 1.1 parking spaces per 100 m<sup>2</sup> (1 per 1,000 sq. ft.) of gross floor area regardless of the total gross floor area; and

b) notwithstanding (a) above, the minimum number of off-street parking spaces required for any development shall be in accordance with Schedule 66A of this Bylaw except that:

i) the minimum number of parking spaces per bed-sitting room Dwelling shall be 0.75;

ii) the minimum number of parking spaces per 1 bedroom Dwelling shall be 0.75;

iii) the minimum number of parking spaces per 2 bedroom Dwelling shall be 1.1;

iv) the minimum number of parking spaces per 3 bedroom Dwelling shall be 1.3; and

v) of the total required, 1 guest parking space per every 10 Dwellings must be readily available to an entrance of the building to be served, and must be clearly identified as guest parking.

Edmonton Land Use Bylaw 5996

Belvedere Station Area Redevelopment Plan

820B.6 Development Regulations for CB2 General Business District

**820B.6 Development Regulations for CB2 General Business District**

1) The following development regulations shall be substituted for the specified regulations of Section 340 of this Bylaw, and shall apply to the CB2 District identified on Appendix I to this Schedule:

a) the minimum number of off-street parking spaces for Commercial Use Classes included in Schedule 66A, Clause (9) of this Bylaw shall be provided on the basis of 1.1 parking spaces per 100 m<sup>2</sup> (1 per 1,000 sq. ft.) of gross floor area regardless of the total gross floor area.

Edmonton Land Use Bylaw 5996

Belvedere Station Area Redevelopment Plan

820B.7 Development Regulations for CO Commercial Office District

**820B.7 Development Regulations for CO Commercial Office District**

1) The following development regulations shall be substituted for the specified regulations of Section 360 of this Bylaw, and shall apply to the CO District identified on Appendix I to this Schedule:

a) the minimum number of off-street parking spaces for Commercial Use Classes included in Schedule 66A, Clause (9) of this Bylaw shall be provided on the basis of 1.1 parking spaces per 100 m<sup>2</sup> (1 per 1,000 sq. ft.) of gross floor area regardless of the total gross floor area. Surface parking shall not exceed 25% of the site area.

Edmonton Land Use Bylaw 5996

820C. Statutory Plan Overlay for the Old Strathcona Area Redevelopment Plan

*Bylaw No. 6380*

*September 27, 1981*

### **820C.1 General Purpose**

To alter or specify regulations for Permitted and Discretionary Uses in otherwise appropriate Land Use Districts in order to achieve the objectives of the Old Strathcona Area Redevelopment Plan, as adopted by Bylaw No. 6382.

### **820C.2 Application**

The designation, location and boundaries of each underlying Land Use District or Subdistrict affected by this Schedule are as indicated on Appendix I to this Schedule.

### **820C.3 Regulations Altered by Statutory Plan Overlay**

The development regulations of Sections 820C.4 - 820C.14 shall be applied in place of or in addition to regulations of the underlying Land Use Districts, in accordance with the provisions of Section 820 of this Bylaw.

[820C.4 RF6 Medium Density Family District](#)

[820C.5 RA7 Low Rise Apartment District](#)

[820C.6 RA9 High Rise Apartment District](#)

*Bylaw No. 9703*

*October 9, 1991*

### **820C.7 Deleted**

*Bylaw No. 9703*

*October 9, 1991*

### **820C.8 Deleted**

*Bylaw No. 9703*

*October 9, 1991*

### **820C.9 Deleted**

[820C.10 CB2 General Business District](#)

*Bylaw No. 9703*

*October 9, 1991*

*Bylaw No. 11635*

*January 20, 1998*

[820C.11 DC1 \(Direct Development Control\) District](#)

*Bylaw No. 7541*

*December 11, 1984*

*Bylaw No. 10529*

*November 15, 1993*

*Bylaw No. 10694*

*May 11, 1994*

*Bylaw No. 11095*

*November 6, 1995*

*Bylaw No. 11635*

*January 20, 1998*

**820C.12 Deleted**

*Bylaw No. 9703*

*October 9, 1991*

**820C.13 Deleted**

*Bylaw No. 9703*

*October 9, 1991*

*Bylaw No. 10529*

*November 15, 1993*

*Bylaw No. 10694*

*May 11, 1994*

*Bylaw No. 10854*

*October 17, 1994*

*Bylaw No. 11635*

*January 20, 1998*

**820C.14 Deleted**

Edmonton Land Use Bylaw 5996

Old Strathcona Area Redevelopment Plan

820C.10 CB2 General Business District

*Bylaw No. 11635*

*January 20, 1998*

### **820C.10 CB2 General Business District**

**Purpose:** to maintain the existing low scale of built forms and ensure that redevelopment is in proportion with the existing commercial development and promotes a pedestrian-oriented shopping street environment.

1) The Permitted and Discretionary Uses listed in Section 340.2 and 340.3 of the Land Use Bylaw apply to those CB2 Districts identified on Appendix I to this Schedule, with the following substitutions for clauses 340.2(16) and 340.3(11), respectively:

a) Minor Eating and Drinking Establishments, not to exceed an Occupant Load of 200 nor 240 m (2,583.4 sq. ft.) in Public Space; and

b) Major Eating and Drinking Establishments, not to exceed an Occupant Load of 200 nor 240 m (2,583.4 sq. ft.) in Public Space.

2) The following development regulations shall be substituted for the specified regulations of Section 340 of this Bylaw and shall apply to those CB2 Districts identified on Appendix I to this Schedule:

a) for the purposes of this Statutory Plan Overlay, the following definitions shall apply:

i) "Occupant Load" will mean the maximum number of people that may occupy a space; and

ii) "Public Space" will mean space within an establishment which is open to the public and not restricted to employees only; for example, Public Space does not include kitchens, administrative offices, food or drink preparation areas.

b) the maximum Frontage for lots abutting Whyte Avenue shall be 10.06 m (33.0 ft.), and where the Frontage for lots abutting Whyte Avenue exceeds 10.06 m (33.0 ft.) the front facade of the building shall be designed to break the appearance of a building into modules of approximately 10.06 m (33.0 ft.);

c) buildings shall be built to the front and side property lines. The Development Officer, in consultation with the Heritage Officer, may allow building Setbacks up to 2.5 m (8.2 ft.) to accommodate street related activities such as sidewalk cafes, architectural features and landscaping that contribute to the pedestrian-oriented shopping character of the area;

d) the maximum building Height for Hotel and Apartment Hotel developments shall not exceed 23 m (75.5 ft.) nor six storeys for buildings fronting onto Whyte Avenue, and shall not exceed 15 m (49.2 ft.) nor four storeys for buildings

fronting onto streets and avenues other than Whyte Avenue;

e)at grade Frontage shall be developed for Commercial Uses and where a Hotel is to be developed, a maximum 30% of the first storey Frontage shall be used for lobbies, with the remaining floor space used for Commercial Uses;

f)a minimum Setback of the principal front wall of a residential development above the second storey for buildings on all sites not fronting onto Whyte Avenue shall be 4.5 m (14.8 ft.);

g)vehicular access to properties from a public roadway shall be restricted to the abutting lanes to maintain uninterrupted breaks in the street facade and strengthen the pedestrian-oriented character of the area;

h)the minimum number of off-street parking spaces required shall be in accordance with the provisions of Schedule 66A of this Bylaw, except that:

i)for Professional, Financial and Office Support Services at grade, parking shall be provided on the basis of 1.1 spaces per 100 m (1 per 1,000 sq. ft.) of gross floor area, and no parking spaces shall be required for this use on upper floors;

ii)for Commercial Use Classes included in Schedule 66A, Clause (9) of this Bylaw, spaces shall be provided on the basis of 1.1 spaces per 100 m (1 per 1,000 sq. ft.) of gross floor area;

iii)for Major and Minor Eating and Drinking Establishments, spaces shall be provided on the basis of 1 space per 4 occupants or per 4.8 m (1 per 51.7 sq. ft.) of gross floor area, whichever is less;

iv)no site fronting onto Whyte Avenue shall be developed for non-accessory parking; and

v)accessory vehicular parking shall be located at the rear of the building.

i)architectural treatment of new developments and/or renovations will ensure that each floor has windows on the front facade of the building, and that the placement and type of windows shall promote a positive pedestrianoriented shopping street;

j)on corner lots the facade treatment will wrap around the side of the building to provide a consistent profile;

k)signage shall be provided in accordance with Schedule 79E of this Bylaw, with the intent to compliment the pedestrian-oriented commercial environment, except that:

i)the maximum Height of a Freestanding Sign shall be 6 m (19.7 ft.);

ii)a Projecting Sign may be used to identify businesses which are located entirely at or above the second storey level; and

iii)the top of a Projecting Sign on a building two storeys or higher shall not extend more than 75 cm (2.5 ft.) above the floor of the second or third storey nor higher than the window sill level of the second or third floor; and

l)A Comprehensive Sign Design Plan and Schedule, consistent with the overall intent of Section 79.6 of the Land Use Bylaw, shall be prepared for the development and submitted with the development application, to be approved by the Development Officer.

Edmonton Land Use Bylaw 5996

Old Strathcona Area Redevelopment Plan

820C.11 DC1 (Direct Development Control) District

*Bylaw No. 9703*

*October 9, 1991*

*Bylaw No. 11635*

*January 20, 1998*

**820C.11 DC1 (Direct Development Control) District**

The land use, development and signage regulations applicable to the DC1 Districts identified in Appendix I to this Schedule are contained in Bylaw No. 6382, as amended being the Old Strathcona Area Redevelopment Plan Bylaw.

Edmonton Land Use Bylaw 5996

Old Strathcona Area Redevelopment Plan

820C.4 RF6 Medium Density Family District

**820C.4RF6 Medium Density Family District**

1)The following development regulations shall be substituted or specified for the regulations of Section 170 of this Bylaw and shall apply to those RF6 Districts identified on Appendix I to this Schedule:

a)the maximum density shall be 175 dwellings/ha (70.8 dwellings/acre); and

b)the minimum number of off-street parking spaces required shall be in accordance with the provisions of Schedule 66A of this Bylaw except that:

i)the minimum number of parking spaces per 3 bedroom Dwelling or larger shall be 1.5; and

ii)of the total number required, 1 guest parking space per every 10 Dwellings must be readily available to an entrance of the building to be served, and must be clearly identified as guest parking.

Edmonton Land Use Bylaw 5996

Old Strathcona Area Redevelopment Plan

820C.5 RA7 Low Rise Apartment District

**820C.5RA7 Low Rise Apartment District**

1)The following development regulations shall be specified in addition to the regulations of Section 210 of this Bylaw and shall apply to those RA7 Districts identified on Appendix I to this Schedule:

a)a minimum of 25% of all Dwellings shall be Family Oriented, in accordance with requirements of Section 9, Clause (20) of this Bylaw; and

b)minimum Private Outdoor Amenity Area shall be provided in accordance with the following:

i)30 m<sup>2</sup> (322 sq. ft.) per Family Oriented Dwelling any part of which is contained in the lowest storey; and

ii)15 m<sup>2</sup> (161.5 sq. ft.) per Family Oriented Dwelling no part of which is contained in the lowest storey.

Edmonton Land Use Bylaw 5996

Old Strathcona Area Redevelopment Plan

820C.6 RA9 High Rise Apartment District

**820C.6RA9 High Rise Apartment District**

1)The following development regulations shall be specified in addition to the regulations of Section 230 of this Bylaw and shall apply to those RA9 Districts identified on Appendix I to this Schedule:

a)a minimum of 20% of all Dwellings shall be Family Oriented, in accordance with the requirements of Section 9, Clause (20) of this Bylaw; and

b)minimum Private Outdoor Amenity Area shall be provided in accordance with the following:

i)30 m<sup>2</sup> (322.9 sq. ft.) per Family Oriented Dwelling any part of which is contained in the lowest storey; and

ii)15 m<sup>2</sup> (161.5 sq. ft.) per Family Oriented Dwelling no part of which is contained in the lowest storey.

Edmonton Land Use Bylaw 5996

820D. Statutory Plan Overlay for the Boyle Street/McCauley Area Redevelopment Plan

*Bylaw No. 6390*

*September 9, 1981*

*Bylaw No. 7541*

*December 11, 1984*

*Bylaw No. 7728*

*March 12, 1985*

*Bylaw No. 7729*

*March 12, 1985*

*Bylaw No. 10529*

*November 15, 1993*

*Bylaw No. 10705*

*July 18, 1994*

### **820D.1 General Purpose**

To alter or specify regulations for Permitted Discretionary Uses in otherwise appropriate Land Use Districts in order to achieve the objectives of the Boyle Street/McCauley Area Redevelopment Plan, as adopted by Bylaw No. 10705.

### **820D.2 Application**

The designation, location and boundaries of each underlying Land Use District or Subdistrict affected by this Schedule are as indicated on Appendix I to this Schedule.

### **820D.3 Regulations Altered by Statutory Plan Overlay**

The development regulations of Sections 820D.4 to 820D.15 shall be applied in place of or in addition to regulations of the underlying Land Use Districts, in accordance with the provisions of Section 820 of this Bylaw.

[820D.4 RA7 Low Rise Apartment District](#)

[820D.5 RA8 \(Area 1\)](#)

[820D.6 RA8 \(Area 2\)](#)

[820D.7 RMX \(Area 1\) Residential Mixed Use District \(1981\)](#)

[820D.8 RMX \(Area 1\) 102A Avenue Residential Mixed Use District](#)

[820D.9 RMX \(Area 2\) 110A Avenue Residential Mixed Use District](#)

[820D.10 RMX \(Area 3\) Residential Mixed Use District \(1981\)](#)

[820D.11 CNC Neighbourhood Convenience Commercial District](#)

[820D.12 CB1 Low Intensity Business District](#)

[820D.13 CB2 \(Area 1\) General Business District](#)

[820D.14 CB2 \(Area 2\) General Business District](#)

[820D.14A CB2 \(Area 3\) General Business District](#)

[820D.15 CMX \(Jasper Avenue\) Commercial Mixed Use District](#)

Edmonton Land Use Bylaw 5996

Boyle Street/McCauley Area Redevelopment Plan

820D.4 RA7 Low Rise Apartment District

**820D.4RA7 Low Rise Apartment District**

1) Regulations of the Land Use Bylaw pertaining to this District apply, except that the following regulations shall be substituted by means of a Statutory Plan Overlay:

a) the Development Officer may vary the density to a maximum of 214 dwellings/ha (87 dwellings/acre) provided the following criteria are met:

i) the minimum site area shall not be less than 735 m<sup>2</sup> (7,908.6 sq. ft.) and not more than 1 475 m<sup>2</sup> (15,877.3 sq. ft.); and

ii) the Dwellings shall consist of Bed-sitting Rooms (self contained housekeeping units) where all units are more than 25 m<sup>2</sup> (269.1 sq. ft.) and at least 60% of the units are less than 37 m<sup>2</sup> (398.1 sq. ft.); and

b) the minimum number of off-street parking spaces required for any development shall be in accordance with Schedule 66A of the Land Use Bylaw except that the minimum number of parking spaces per Bed-sitting Room Dwelling shall be 0.33.

Edmonton Land Use Bylaw 5996

Boyle Street/McCauley Area Redevelopment Plan

820D.5 RA8 (Area 1)

**820D.5RA8 (Area 1) Medium Rise Apartment District**

1) Regulations of the Land Use Bylaw pertaining to this District apply, except that the following regulations shall be substituted by means of a Statutory Plan Overlay:

a) the maximum building Height shall not exceed 26 m (85.3 ft.) nor 8 storeys.

Edmonton Land Use Bylaw 5996

Boyle Street/McCauley Area Redevelopment Plan

820D.6 RA8 (Area 2)

**820D.6RA8 (Area 2) Medium Rise Apartment District**

1) Regulations of the Land Use Bylaw pertaining to this District apply, except that the following regulations shall be substituted by means of a Statutory Plan Overlay:

a) the Development Officer may vary the density to a maximum of 224 dwellings/ha (91 dwellings/acre) provided the following criteria are met:

i) the minimum site area shall not be less than 735 m<sup>2</sup> (7,908.6 sq. ft.); and

ii) the Dwellings shall consist of Bed-sitting Rooms (self contained housekeeping units) where all units are more than 25 m<sup>2</sup> (269.1 sq. ft.) and at least 60% of the units are less than 37 m<sup>2</sup> (398.1 sq. ft.); and

b) the minimum number of off-street parking spaces required for any development shall be in accordance with Schedule 66A of the Land Use Bylaw except that the minimum number of parking spaces per Bed-sitting Room Dwelling shall be 0.33.

Edmonton Land Use Bylaw 5996

Boyle Street/McCauley Area Redevelopment Plan

820D.7 RMX (Area 1) Residential Mixed Use District (1981)

**820D.7RMX (Area 1) Residential Mixed Use District (1981)**

1)Discretionary Uses listed in Section 240.4 of the Land Use Bylaw are deleted by means of a Statutory Plan Overlay, except for the following:

a)Residential

(i)Apartment Housing

(ii)Duplex Housing

(iii)Linked Housing

(iv)Row Housing

(v)Semi-detached Housing

(vi)Single Detached Housing

(vii)Stacked Row Housing

b)Residential-Related

i)Apartment Hotels

ii)Minor Home Occupations

iii)Major Home Occupations

c)Commercial

i)Convenience Retail Stores

ii)Health Services

iii)Household Repair Services

iv)Minor Eating and Drinking Establishments

v)Personal Service Shops

vi) Minor Amusement Establishments

d) Community, Educational, Recreational and Cultural Services

*Bylaw No. 11095*

*November 6, 1995*

i) Child Care Services

ii) Indoor Participant Recreation Services

iii) Public Libraries and Cultural Exhibits

iv) Religious Assembly

2) The following development regulations shall be specified in addition to the regulations of this Bylaw, and shall apply to those RMX (Area 1) (1981) Districts identified on Appendix I to this Schedule:

a) the maximum total Floor Area Ratio shall be 2.5;

b) a maximum Floor Area Ratio of 0.5 may be used for Commercial, Community, Educational, Recreational or Cultural uses, provided such uses occur on the ground floor only;

c) the maximum total residential density shall be 339 dwellings/ha (136 dwellings/acre);

d) the maximum building Height shall not exceed 26 m (85.3 ft.) or 8 storeys;

e) the minimum site area shall be 800 m<sup>2</sup> (8,611.1 sq. ft.);

f) the Development Officer may exercise his discretion in considering Apartment Housing, Stacked Row Housing, or Boarding and Lodging Houses, which would isolate another site within this District of less than 800 m<sup>2</sup> (8,611.4 sq. ft.) having regard to the location, age and nature of the use or uses on the site which would be isolated;

g) the minimum Front Yard shall be 2 m (6.6 ft.);

h) the minimum Rear Yard shall be 7.5 m (24.6 ft.);

i) the minimum Side Yard shall be 1 m (3.3 ft.) for each storey or partial storey, up to a maximum of 7.5 m (24.6 ft.) except that a total of at least 2 m (6.6 ft.) shall be provided in all cases. A Side Yard shall be not less than 4.5 m (14.8 ft.) where it abuts a flanking public roadway other than a lane;

j) a minimum of 20% of the total Dwellings shall be Family Oriented, in accordance with the requirements of Section 9, Clause (20) of the Land Use Bylaw;

k) minimum Private Outdoor Amenity Area shall be provided in accordance with the following:

i) 30 m<sup>2</sup> (322.9 sq. ft.) for each Family Oriented Dwelling, any part of which is contained in the lowest storey; and

ii) 15 m<sup>2</sup> (161.5 sq. ft.) for each Family Oriented Dwelling, no part of which is contained in the lowest storey;

l) minimum Amenity Area of 9 m<sup>2</sup> (96.8 sq. ft.) per Family Oriented Dwelling shall be provided and developed as children's play space for developments containing 20 or more Family Oriented or Stacked Row Housing Dwellings;

m) non-residential Uses shall not be in any freestanding structure separate from a structure containing Residential Uses and shall have a principal, outside entrance;

- n)the total gross floor area for Commercial Uses on any site shall not exceed 275 m<sup>2</sup> (2,960.2 sq. ft.);
- o)the minimum number of off-street parking spaces required shall be in accordance with the provisions of Schedule 66A of the Land Use Bylaw except that:
  - i)the minimum number of parking spaces for Community Housing shall be:
    - A)1.0 parking spaces per Bed-sitting Room and 1 bedroom Dwelling;
    - B)1.25 parking spaces per 2 bedroom Dwelling; and
    - C)1.5 parking spaces per 3 bedroom Dwelling or larger; and
  - p)notwithstanding other regulations of this District:
    - i)Religious Assembly Uses shall be developed in accordance with the provisions of Section 81 of the Land Use Bylaw;
    - ii)Single Detached, Semi-detached and Duplex Housing in this District shall be developed in accordance with the provisions of Section 120 of the Land Use Bylaw;
    - iii)Minor Home Occupations shall be developed in accordance with the provisions of Section 84 of the Land Use Bylaw;
    - iv)Major Home Occupations shall be developed in accordance with the provisions of Section 85 of the Land Use Bylaw; and
    - v)Boarding and Lodging Houses shall be developed in accordance with the provisions of Section 86 of the Land Use Bylaw.

Edmonton Land Use Bylaw 5996

Boyle Street/McCauley Area Redevelopment Plan

820D.8 RMX (Area 1) 102A Avenue Residential Mixed Use District

**820D.8RMX (Area 1) 102A Avenue Residential Mixed Use District**

1) All Discretionary Uses listed in Section 240.4 of the Land Use Bylaw are deleted by means of a Statutory Plan Overlay, except for the following:

a) Residential

i) Apartment Housing

ii) Duplex Housing

iii) Linked Housing

iv) Row Housing

v) Semi-detached Housing

vi) Single Detached Housing

vii) Stacked Row Housing

b) Residential-Related

i) Apartment Hotels

ii) Boarding and Lodging Houses

iii) Foster Homes

iv) Group Homes

v) Minor Home Occupations

vi) Major Home Occupations

vii) Residential Sales Centre

c) Commercial

i) Convenience Retail Stores

- ii)Health Services
- iii)Personal Service Shops
- iv)Professional, Financial and Office Support Services
- d)Basic Services
- i)Extended Medical Treatment Services
- e)Community, Educational, Recreational and Cultural Services

*Bylaw No. 11095*

*November 6, 1995*

- i)Child Care Services
- ii)Public Libraries and Cultural Exhibits
- iii)Religious Assembly
- iv)Public Park

2)Regulations of the Land Use Bylaw pertaining to this District apply, except that the following regulations shall be specified by means of a Statutory Plan Overlay:

- a)the maximum total Floor Area Ratio shall be 3.0;
- b)a maximum Floor Area Ratio of 1.0 may be used for Commercial, Community, Education, Recreational or Cultural uses, provided such uses occur on the first two floors only;
- c)the maximum total residential density shall be 325 dwellings/ha (131.5 dwellings/acre);
- d)the maximum building Height shall not exceed 26 m (85.3 ft.) nor 8 storeys;
- e)the minimum site area shall be 800 m<sup>2</sup> (8,611.1 sq. ft.);
- f)the Development Officer may exercise his discretion in considering development which would isolate another site within this District of less than 800 m<sup>2</sup> (8,611.4 sq. ft.) having regard to the location, age and nature of the use or uses on the site which would be isolated;
- g)the minimum Front Yard shall be 2 m (6.6 ft.). The Development Officer may grant Front Yard variances for the non-residential portions of a building designed to take advantage of the street frontage;
- h)the minimum Rear Yard shall be 7.5 m (24.6 ft.);
- i)the minimum Side Yard shall be 1 m (3.3 ft.) for each storey or partial storey, up to a maximum of 7.5 m (24.6 ft.) except that a total of at least 2 m (6.6 ft.) shall be provided in all cases. A Side Yard shall be not less than 4.5 m (14.8 ft.) where it abuts a flanking public roadway other than a lane;
- j)non-residential Uses excluding Extended Medical Treatment Services shall not be in any free-standing structure separate from a structure containing Residential Uses and shall have a principal, outside entrance;
- k)parking and loading shall be located, wherever possible, at the rear areas;

l)the minimum number of off-street parking spaces required shall be in accordance with the provisions of Schedule 66A of the Land Use Bylaw except that the minimum number of parking spaces for Community Housing shall be:

i)1.0 parking spaces per Bed-sitting Room and 1 bedroom Dwelling;

ii)1.25 parking spaces per 2 bedroom Dwelling; and

iii)1.5 parking spaces per 3 bedroom Dwelling or larger; and

m)notwithstanding other regulations of this District:

i)Religious Assembly Uses shall be developed in accordance with the provisions of Section 81 of the Land Use Bylaw;

ii)Single Detached, Semi-detached and Duplex Housing in this District shall be developed in accordance with the provisions of Section 120 of the Land Use Bylaw;

iii)Minor Home Occupations shall be developed in accordance with the provisions of Section 84 of the Land Use Bylaw;

iv)Major Home Occupations shall be developed in accordance with the provisions of Section 85 of the Land Use Bylaw;

v)Boarding and Lodging Houses shall be developed in accordance with the provisions of Section 86 of the Land Use Bylaw; and

vi)Public Parks may include a Chinese Garden.

Edmonton Land Use Bylaw 5996

Boyle Street/McCauley Area Redevelopment Plan

820D.9 RMX (Area 2) 110A Avenue Residential Mixed Use District

**820D.9 RMX (Area 2) 110A Avenue Residential Mixed Use District**

1) Discretionary Uses listed in Section 240.4 of the Land Use Bylaw are deleted by means of a Statutory Plan Overlay, except for the following:

a) Residential

i) Apartments

ii) Row Housing

iii) Stacked Row Housing

b) Commercial

i) Professional, Financial and Office Support Services

ii) Minor Eating and Drinking Establishments

iii) Health Services

c) Basic Services

i) Government Services

d) Community, Educational, Recreational and Cultural Services.

i) Community Recreation Services

2) The following development regulations shall be specified in addition to the regulations of this Bylaw, and shall apply to those RMX (Area 2) Districts identified on Appendix I to this Schedule:

a) the maximum Floor Area Ratio shall be 2.0;

b) the maximum total residential density shall be 271 dwellings/ha (110 dwellings/acre);

c) the maximum building Height shall not exceed 11 m (36.1 ft.) nor 3 storeys;

d) the minimum Front Yard for sites abutting 110A Avenue shall be 4 m (13.1 ft.);

e)the minimum Rear Yard for sites abutting 110A Avenue shall be 4 m (13.1 ft.);

f)the minimum Side Yard for sites abutting 110A Avenue shall be 1.5 m (4.9 ft.);

g)Separation Space shall be provided in accordance with the provisions of Section 58 of the Land Use Bylaw;

h)a minimum of 20% of the total Dwellings shall be Family Oriented, in accordance with the requirements of Section 9(20) of the Land Use Bylaw;

i)a Dwelling, any part of which is contained in the lowest storey, shall be Family Oriented, in accordance with the requirements of Section 9(20) of the Land Use Bylaw;

j)minimum Private Outdoor Amenity Area shall be provided in accordance with the following:

i)30 m<sup>2</sup> (322.9 sq. ft.) per Family Oriented Dwelling, any part of which is contained in the lowest storey; and

ii)15 m<sup>2</sup> (161.5 sq. ft.) per Family Oriented Dwelling, no part of which is contained in the lowest storey;

k)minimum Amenity Area of 9 m<sup>2</sup> (96.8 sq. ft.) per Family Oriented Dwelling shall be provided and developed as children's play space for developments containing 20 or more Family Oriented or Stacked Row Housing Dwellings; and

l)non-residential Uses shall not be developed in any freestanding structure separate from a structure containing Residential Uses. The principal entrance to these uses shall be a separate outside entrance.

Edmonton Land Use Bylaw 5996

Boyle Street/McCauley Area Redevelopment Plan

820D.10 RMX (Area 3) Residential Mixed Use District (1981)

**820D.10 RMX (Area 3) Residential Mixed Use District (1981)**

1) Discretionary Uses listed in Section 240.4 of this Bylaw are deleted by means of a Statutory Plan Overlay, except for the following:

a) Residential

i) Apartment Housing

ii) Linked Housing

iii) Row Housing

iv) Stacked Row Housing

b) Residential-Related

i) Apartment Hotels

ii) Boarding and Lodging Houses

iii) Foster Homes

iv) Group Homes

c) Commercial

i) Business Support Services

ii) Commercial Schools

iii) Convenience Retail Stores

iv) Health Services

v) Household Repair Services

vi) Minor Eating and Drinking Establishments

vii) Personal Service Shops

- viii) Professional, Financial and Office Support Services
- ix) Minor Secondhand Stores
- x) Minor Amusement Establishments
- xi) Major Secondhand Stores
- d) Basic Services
- i) Extended Medical Treatment Services
- ii) Government Services
- iii) Minor Impact Utility Services
- e) Community, Educational, Recreational and Cultural Services

*Bylaw No. 11095*

*November 6, 1995*

- i) Child Care Services
- ii) Indoor Participant Recreation Services
- iii) Public Libraries and Cultural Exhibits
- iv) Religious Assembly
- v) Spectator Entertainment Establishments

2) The following development regulations shall be specified in addition to the regulations of this Bylaw and shall apply to those RMX (Area 3) (1981) Districts identified on Appendix I to this Schedule:

a) the maximum Floor Area Ratio shall be 4.0, except that the Development Officer may, at his discretion, increase the Floor Area Ratio to a maximum of 5.0 for comprehensive development on sites of 1 600 m<sup>2</sup>. (17,220.0 sq. ft.) or greater which, in his opinion, meets the objectives of the Boyle Street/McCauley Area Redevelopment Plan and provides the following:

- i) effective and efficient local traffic management through the provision of a limited number of common parking and service access points to the site;
- ii) parking which is below grade and covered, or parking in a structure above grade with an exterior which integrates with the overall design and character of the proposed development;
- iii) continuity of pedestrian-oriented retail and service establishments with direct access to grade providing activity and interest for passers-by;
- iv) Amenity Area, in excess of the requirements of this District, particularly those which promote the pedestrian-oriented nature of the development, through the provision of such features as atriums, plazas and seating areas;
- v) design elements and landscaping features which add to the streetscape and promote the pedestrian-oriented nature of the development, such as:
  - A) additional building Setbacks used for sidewalk widening with colonnades, awnings, bus shelters, landscaping and

other forms of weather and wind protection within the property line; and

B) exterior lighting and furniture, mature trees in excess of the requirements of this Bylaw and other planting including means to facilitate natural growth;

vi) lighting and design elements such as openness to public view and a mixture of uses in addition to the expected retail and residential activity, such as restaurants, theatres, and cafes which ensure the attractiveness and safety of the development at night and encourage the active use of the site beyond normal office hours; and

vii) architectural detailing, exterior finishing materials and building massing which are in harmony throughout the development and with features prevalent in existing adjacent developments where these are consistent with the objectives of the Boyle Street/McCauley Area Redevelopment Plan for this District;

b) a maximum Floor Area Ratio of 2.0 may be used for non-residential Uses;

c) Residential or Residential-Related Use Classes shall not be developed in the lowest storey except where the maximum Floor Area Ratio of non-residential Use Classes is less than 0.75;

d) the maximum total residential density shall be 680 dwellings/ha (275 dwellings/acre);

e) the maximum building Height shall not exceed 26 m (85.3 ft.) nor 8 storeys;

f) the minimum site area shall be 800 m<sup>2</sup> (8,611.4 sq. ft.);

g) the Development Officer may exercise his discretion in considering development which would isolate another site in this District of less than 800 m<sup>2</sup> (8,611.4 sq. ft.) having regard to the location, age and nature of the use or uses on the site which would be isolated;

h) no minimum Yards shall be required; however, Separation Space shall be provided in accordance with Section 58 of the Land Use Bylaw;

i) minimum Private Outdoor Amenity Area of 15 m<sup>2</sup> (161.5 sq. ft.) per Family Oriented Dwelling shall be provided;

j) a minimum Amenity Area of 9.0 m<sup>2</sup> (96.8 sq. ft.) per Family Oriented Dwelling shall be provided and developed as children's play space, for developments containing 20 or more Family Oriented or Stacked Row Housing Dwellings; and

k) notwithstanding other regulations of this District:

i) Religious Assembly Uses shall be developed in accordance with the provisions of Section 81 of the Land Use Bylaw.

Edmonton Land Use Bylaw 5996

Boyle Street/McCauley Area Redevelopment Plan

820D.11 CNC Neighbourhood Convenience Commercial District

**820D.11CNC Neighbourhood Convenience Commercial District**

1)Regulations of the Land Use Bylaw pertaining to this District apply except that the following regulations shall be substituted by means of a Statutory Plan Overlay:

a)the maximum gross floor area of an individual business premise for a Discretionary Use shall not exceed 275 m<sup>2</sup> (2,960.2 sq. ft.), except that a grocery store or supermarket may be permitted a gross floor area of up to 2 500 m<sup>2</sup> (26,909.8 sq. ft.);

b)the first storey of a building shall not be set back from the front lot line unless a particular design feature is being encouraged that would enhance the overall streetscape, subject to the satisfaction of the Development Officer; and

c)parking and loading shall be located, wherever possible, at the rear areas.

Edmonton Land Use Bylaw 5996

Boyle Street/McCauley Area Redevelopment Plan

820D.12 CB1 Low Intensity Business District

**820D.12CB1 Low Intensity Business District**

1) Regulations of the Land Use Bylaw pertaining to this District apply except that the following regulations shall be substituted by means of a Statutory Plan Overlay:

- a) the first storey of a building shall not be set back from the front lot lines unless a particular design feature is being encouraged that would enhance the overall streetscape, subject to the satisfaction of the Development Officers; and
- b) parking and loading shall be located, wherever possible, at the rear areas.

Edmonton Land Use Bylaw 5996

Boyle Street/McCauley Area Redevelopment Plan

820D.13 CB2 (Area 1) General Business District

**820D.13CB2 (Area 1) General Business District**

1) Regulations of the Land Use Bylaw pertaining to this District apply except that the following regulations shall be substituted by means of a Statutory Plan Overlay:

- a) the first storey of a building shall not be set back from the front lot lines unless a particular design feature is being encouraged that would enhance the overall streetscape, subject to the satisfaction of the Development Officer; and
- b) parking and loading shall be located, wherever possible, at the rear areas.

Edmonton Land Use Bylaw 5996

Boyle Street/McCauley Area Redevelopment Plan

820D.14 CB2 (Area 2) General Business District

**820D.14CB2 (Area 2) General Business District**

1) Regulations of the Land Use Bylaw pertaining to this District apply except that the following regulations shall be substituted by means of a Statutory Plan Overlay:

a) for all developments, the following development regulations shall apply:

i) the first storey of a building shall not be set back from the front lot lines unless a particular design feature is being encouraged that would enhance the overall streetscape, subject to the satisfaction of the Development Officer; and

ii) parking and loading shall be located, wherever possible, at the rear areas; and

b) for any mixed use projects, consisting of ground floor General Business Uses and four or five storeys of Apartment Housing above it, the following development regulations shall apply:

i) the maximum Floor Area Ratio shall be 4.0;

ii) the maximum site area shall be 800 m<sup>2</sup> (8,611.1 sq. ft.);

iii) development above the first floor shall be for Apartment Housing only;

iv) development exceeding 4 storeys (14 m or 45.9 ft.) shall provide a building setback of 3 m (9.9 ft.) for each additional storey, from the streets and avenues;

v) residential parking, except for visitor parking shall be located underground;

vi) the maximum Floor Area Ratio for Apartment Housing shall be 3.5; and

vii) the maximum Height shall not exceed 23 m (75.5 ft.) nor 6 storeys.

Edmonton Land Use Bylaw 5996

Boyle Street/McCauley Area Redevelopment Plan

820D.14A CB2 (Area 3) General Business District

*Bylaw No. 11470*

*October 28, 1997*

**820D.14ACB2 (Area 3) General Business District**

1) Regulations of the Land Use Bylaw pertaining to this District apply except that the following regulations shall be substituted by means of a Statutory Plan Overlay:

- a) The first storey of a building shall not be setback from the front lot lines unless a particular design feature is being encouraged that would enhance the overall streetscape, subject to the satisfaction of the Development Officer;
- b) The maximum building height shall not exceed 17.5m (57.4 ft.) nor 5 storeys;
- c) The maximum Floor Area Ratio shall be 3.75; and
- d) Parking and loading shall be located at the rear areas.

Edmonton Land Use Bylaw 5996

Boyle Street/McCauley Area Redevelopment Plan

820D.15 CMX (Jasper Avenue) Commercial Mixed Use District

**820D.15CMX (Jasper Avenue) Commercial Mixed Use District**

1)All Discretionary Uses listed in Section 370.4 of the Land Use Bylaw are deleted by means of a Statutory Plan Overlay, except for the following:

a)Residential

i)Apartment Housing

b)Residential-Related

i)Apartment Hotels

ii)Boarding and Lodging Houses

iii)Foster Homes

iv)Group Homes

v)Minor Home Occupations

vi)Major Home Occupations

c)Commercial

i)Business Support Services

ii)Commercial Schools

iii)Convenience Retail Stores

iv)General Retail Stores

v)Health Services

vi)Hotels

vii)Major and Minor Amusement Establishments

viii)Major and Minor Eating and Drinking Establishments

- ix) Minor Alcohol Sales
- x) Non-accessory Parking
- xi) Personal Service Shops
- xii) Professional, Financial and Office Support Services
- xiii) Spectator Entertainment Establishments
- xiv) Minor Veterinary Services
- d) Basic Services
  - i) Extended Medical Treatment Facilities
  - ii) Government Services
  - iii) Minor Impact Utility Services
  - iv) Protective and Emergency Services
  - e) Community, Educational, Recreational and Cultural Services

i) Community Recreation Services

*Bylaw No. 11095*

*November 6, 1995*

- ii) Child Care Services
- iii) Indoor Participant Recreation Services
- iv) Private Clubs
- v) Private Education Services
- vi) Public Education Services
- vii) Public Libraries and Cultural Exhibits
- viii) Public Park
- ix) Religious Assembly

2) Regulations of the Land Use Bylaw pertaining to this District apply except that the following regulations shall be specified by means of a Statutory Plan Overlay:

a) the maximum Floor Area Ratio shall be 3.0 except that, the Development Officer may, at their discretion, increase the Floor Area Ratio to a maximum of 5.0 for comprehensive development on sites of 1 600 m<sup>2</sup> (17,220.0 sq. ft.) or greater which, in their opinion, meets the objectives of the Plan and provides the following:

i) effective and efficient local traffic management through the provision of a limited number of common parking and service access points to the site;

- ii) parking which is below-grade and covered, or parking in a structure above-grade with an exterior which integrates with the overall design and character of the proposed development;
- iii) continuity of pedestrian-oriented retail and service establishments with direct access to grade providing activity and interest for passers-by;
- iv) Amenity Area, in excess of the requirements of this District, particularly those which promote the pedestrian-oriented nature of the development, through the provision of such features as atriums, plazas and seating areas;
- v) design elements and landscaping features which add to the streetscape and promote the pedestrian-oriented nature of the development, such as:
  - A) additional building Setbacks used for sidewalk widening with colonnades, awnings, bus shelters, landscaping and other forms of weather and wind protection within the property line; and
  - B) exterior lighting and furniture, mature trees and other planting including means to facilitate natural growth, in excess of the requirements of the Land Use Bylaw.
- vi) lighting and design elements such as openness to public view and a mixture of uses in addition to the expected retail and residential activity, such as restaurants, theatres, cabarets and nightclubs which ensure the attractiveness and safety of the development at night and encourage the active use of the site beyond normal office hours; and
- vii) architectural detailing, exterior finishing materials and building massing which are in harmony throughout the development and with features prevalent in existing adjacent developments where these are consistent with the objectives of this Plan for this District;
- b) the maximum total residential density shall be 224 dwellings/ha (91 dwellings/acre);
- c) the maximum building Height shall not exceed 20 m (65.6 ft.) nor 6 storeys;
- d) the first storey of buildings along Jasper Avenue shall not be set back from the front lot line unless a particular design feature is being encouraged that would enhance the overall streetscape;
- e) no minimum Yards shall be required, however, Separation Space shall be provided in accordance with the requirements of Section 58 of the Land Use Bylaw;
- f) the minimum site area for new development shall be 360 m<sup>2</sup> (3,875.1 sq. ft.);
- g) direct vehicular access shall not be permitted to 95 Street, Jasper Avenue, or 101 Avenue;
- h) parking and loading shall be located, wherever possible, at the rear areas. Required off-street parking shall be provided in accordance with Section 66 of the Land Use Bylaw;
- i) a minimum Amenity Area of 7.5 m<sup>2</sup> (80.8 sq. ft.) per Dwelling shall be provided in accordance with Section 56 of the Land Use Bylaw; and
- j) notwithstanding other regulations of this District:
  - i) Religious Assembly uses shall be developed in accordance with the provisions of Section 81 of the Land Use Bylaw;
  - ii) Minor Home Occupations shall be developed in accordance with the provisions of Section 84 of the Land Use Bylaw;
  - iii) Major Home Occupations shall be developed in accordance with the provisions of Section 85 of the Land Use Bylaw;

iv) Minor Alcohol Sales shall be developed in accordance with the provisions of Section 98 of the Land Use Bylaw;

*Bylaw No. 11095*

*November 6, 1995*

v) Child Care Services shall be developed in accordance with the provisions of Section 93 of the Land Use Bylaw; and

vi) Group Homes shall be developed in accordance with the provisions of Section 91 of the Land Use Bylaw.

Edmonton Land Use Bylaw 5996

820E. Statutory Plan Overlay for the Downtown Area Redevelopment Plan

*Bylaw No. 11404*

*April 30, 1997*

**Deleted.**

See Section [910](#).

Edmonton Land Use Bylaw 5996

820F. Statutory Plan Overlay for the Central McDougall Area Redevelopment Plan

*Bylaw No. 6388*

*February 23, 1982*

*Bylaw No. 7057*

*January 11, 1983*

*Bylaw No. 7541*

*December 11, 1984*

*Bylaw No. 7728*

*March 12, 1985*

*Bylaw No. 10699*

*May 16, 1994*

*Bylaw No. 11095*

*November 6, 1995*

*Bylaw No. 11649*

*March 5, 1998*

**820FDeleted.**

Edmonton Land Use Bylaw 5996

820G. Statutory Plan Overlay for the Garneau Area Redevelopment Plan

*Bylaw No. 6220*

*May 25, 1982*

### **820G.1 General Purpose**

To alter or specify regulations for Permitted and Discretionary Uses in otherwise appropriate Land Use Districts in order to achieve the objectives of the Garneau Area Redevelopment Plan, as adopted by Bylaw No. 6221.

### **820G.2 Application**

The designation, location and boundaries of each underlying Land Use District or Subdistrict affected by this Schedule are as indicated on Appendix I to this Schedule.

### **820G.3 Regulations Altered by Statutory Plan Overlay**

The development regulations of Sections 820G.4 to 820G.8 shall be applied in place of or in addition to regulations of the following underlying Land Use Districts, in accordance with the provisions of Section 820 of this Bylaw.

[820G.4 RF6 \(Area 1\) Medium Density Family District](#)

[820G.5 RA7 Low Rise Apartment District](#)

[820G.6 CMX Commercial Mixed Use District](#)

[820G.7 RF6 \(Area 2\) Medium Density Family District](#)

[820G.8 RA9 High Rise Apartment District](#)

Edmonton Land Use Bylaw 5996

Garneau Area Redevelopment Plan

820G.4 RF6 (Area 1) Medium Density Family District

**820G.4RF6 (Area 1) Medium Density Family District**

1)The following development regulations shall be substituted or specified for the regulations of Section 170 of this Bylaw, and shall apply to those RF6 (Area 1) Districts identified on Appendix I to this Schedule:

a)the maximum density shall be 125 dwellings/ha (50 dwellings/acre);

b)the maximum site coverage shall not exceed 60% for sites greater than 1 350 m<sup>2</sup> (14,531 sq. ft.). For sites 1 350 m<sup>2</sup> (14,531 sq. ft.) or less, there shall be no maximum site coverage;

c)for sites 1 350 m<sup>2</sup> (14,531 sq. ft.) or less, the minimum Front Yard may be reduced to 3 m (9.84 ft.) at the discretion of the Development Officer, where Separation Space is provided in accordance with Section 58 of this Bylaw, and where windows within the first storey of the front wall and the Private Outdoor Amenity Areas have been located, designed or screened so as to prevent overlooking by pedestrians into the Dwelling;

d)for sites 1 350 m<sup>2</sup> (14,531 sq. ft.) or less, the minimum Rear Yard may be reduced to 1.2 m (3.94 ft.) at the discretion of the Development Officer, where Separation Space is provided in accordance with Section 58 of this Bylaw, and where windows within the first storey of the front wall and the Private Outdoor Amenity Areas have been located, or designed or screened so as to prevent overlooking by pedestrians into the Dwelling;

e)for sites 1 350 m<sup>2</sup> (14,531 sq. ft.) or less, the minimum Side Yard may be reduced to 1.2 m (3.94 ft.) at the discretion of the Development Officer, where Separation Space is provided in accordance with Section 58 of this Bylaw, and where it can be determined by a sightline analysis that windows within the side wall and Private Outdoor Amenity Areas have been located, designed and/or screened to prevent overlooking by occupants of the site and adjacent properties;

f)a minimum Private Outdoor Amenity Area of 15 m<sup>2</sup> (161.5 sq. ft.) shall be provided for each Family Oriented Dwelling and minimum Private Outdoor Amenity Area of 7.5 m<sup>2</sup> (80.7 sq. ft.) shall be provided for each non-family oriented Dwelling; and

g)a minimum of 50% of all Dwellings shall be Family Oriented, provided that the average number of bedrooms per Dwelling for the development as a whole is not less than 1.5. Family Oriented Dwellings shall be developed in accordance with Section 9, Clause (20) of the Land Use Bylaw, except that access to grade for Dwellings located above the first storey shall not be shared by more than two Dwellings.

Edmonton Land Use Bylaw 5996

Garneau Area Redevelopment Plan

820G.5 RA7 Low Rise Apartment District

**820G.5RA7 Low Rise Apartment District**

1)The following development regulations shall be substituted or specified for the regulations of Section 210 of this Bylaw, and shall apply to those RA7 Districts identified on Appendix I to this Schedule:

a)no minimum site area and no minimum site width shall be required for Stacked Row Housing, Row Housing and Linked Housing;

b)the minimum Front Yard may be reduced to 3 m (9.84 ft.) for Stacked Row Housing, Row Housing and Linked Housing at the discretion of the Development Officer, where Separation Space is provided in accordance with Section 58 of this Bylaw, and where the windows within the first storey of the front wall and Amenity Areas are located, designed and/or screened appropriately to prevent overlooking by pedestrians into the Dwelling;

c)the minimum Rear Yard may be reduced to 1.2 m (3.94 ft.) for Stacked Row Housing, Row Housing and Linked Housing at the discretion of the Development Officer, where Separation Space is provided in accordance with Section 58 of this Bylaw, and where the windows within the first storey of the rear wall and Amenity Areas are located, designed and/or screened appropriately to prevent overlooking by pedestrians into the Dwelling; and

d)the minimum Side Yard may be reduced to 1.2 m (3.94 ft.) for Stacked Row Housing, Row Housing and Linked Housing at the discretion of the Development Officer, where Separation Space is provided in accordance with Section 58 of this Bylaw, and where it can be determined by a sightline analysis that windows within the side wall and Amenity Areas have been located, designed and/or screened to prevent overlooking by occupants of the site and adjacent properties.

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Garneau Area Redevelopment Plan

820G.6 CMX Commercial Mixed Use District

*Bylaw No. 6985*

*December 14, 1982*

**820G.6CMX Commercial Mixed Use District**

1)Discretionary Uses listed in Section 370.4 of this Bylaw are deleted, except for the following:

a)Residential

i)Apartment Housing

b)Residential-Related

*Bylaw No. 10529*

*November 15, 1993*

i)**Deleted**

*Bylaw No. 10529*

*November 15, 1993*

ii)**Deleted**

*Bylaw No. 10529*

*November 15, 1993*

iii)Minor Home Occupations

*Bylaw No. 10529*

*November 15, 1993*

iv)Major Home Occupations

c)Commercial

i)Automotive and Minor Recreation Vehicle Sales/Rentals

- ii)Business Support Services
- iii)Commercial Schools
- iv)Convenience Retail Stores
- v)General Retail Services
- vi)Health Services
- vii)Hotels
- viii)Household Repair Services
- ix)Minor Eating and Drinking Establishments
- x)Major Eating and Drinking Establishments
- xi)Personal Service Shops
- xii)Professional, Financial and Office Support Services
- xiii)Spectator Entertainment Establishments

*Bylaw No. 7728*

*March 12, 1985*

- xiv)Minor Secondhand Stores

*Bylaw No. 7541*

*December 11, 1984*

- xv)Major and Minor Amusement Establishments

- xvi)Custom Manufacturing Establishments

*Bylaw No. 7728*

*March 12, 1985*

- xvii)Major Secondhand Stores

*Bylaw No. 10696*

*May 16, 1994*

- xviii)Alcohol Sales, Major

*Bylaw No. 10696*

*May 16, 1994*

- xxix)Alcohol Sales, Minor

d)Community, Educational, Recreational and Cultural Services

*Bylaw No. 11095*

*November 6, 1995*

i)Child Care Services

ii)Indoor Participant Recreation Services

2)The following development regulations shall be applied in addition to the regulations of this Bylaw to those CMX Districts identified on Appendix I to this Schedule:

a)the maximum total Floor Area Ratio for properties abutting Whyte Avenue shall be 4.0:1;

i)the maximum total Floor Area Ratio for Commercial Uses on properties adjacent to Whyte Avenue shall be 2.0:1; and

ii)the maximum Floor Area Ratio for Residential Uses on properties abutting Whyte Avenue shall be 2.0:1;

b)the maximum total Floor Area Ratio for properties abutting 81 Avenue shall be 2.5:1;

i)the maximum total Floor Area Ratio for Commercial Uses on properties abutting 81 Avenue shall be 0.5:1; and

ii)the maximum total Floor Area Ratio for Residential Uses on properties abutting 81 Avenue shall be 2.0:1;

c)the maximum total residential density is 271 dwellings/ha (109 dwellings/acre);

d)the maximum building Height:

i)shall not exceed 23 m (75.46 ft.) nor 6 storeys for properties abutting Whyte Avenue; and

ii)shall not exceed 15 m (49.2 ft.) nor 4 storeys for properties abutting 81 Avenue;

e)no minimum Front Yard shall be required for sites fronting Whyte Avenue. In all other cases the minimum Front Yard shall be 4.5 m (14.76 ft.);

f)a minimum Yard of 4.5 m (14.76 ft.) shall be required where a site abuts a public roadway, other than Whyte Avenue or a lane;

g)in all instances, the Residential Use component of the building shall be set back 7.5 m (24.6 ft.) from Whyte Avenue;

h)residential Dwellings are not permitted lower than the second storey on those properties abutting Whyte Avenue;

i)ground floor developments fronting onto Whyte Avenue shall be used for Convenience Retail Stores, General Retail Stores, Personal Service Shops, and Major and Minor Eating and Drinking Establishments. Individual establishments within a development shall have a maximum of 20 m (65.62 ft.) of frontage along Whyte Avenue. Notwithstanding this restriction on frontage, when:

i)the frontage does not comply with the performance standard;

ii)the applicant can clearly demonstrate the need for variance because of physical constraint to the development; and

iii)the variance does not, in the opinion of the Development Officer, prejudice the objectives of the Garneau Area Redevelopment Plan relating to retaining commercial continuity along Whyte Avenue;

the Development Officer may vary this regulation in accordance with Sections 11.5 and 11.6 of the Land Use Bylaw;

j) sites abutting 81 Avenue shall have as Commercial Uses, Personal Service, and Convenience Retail Stores which shall be located on the ground floor;

k) a minimum Amenity Area of 7.5 m<sup>2</sup> (80.7 sq. ft.) per Dwelling shall be provided;

l) no parking, loading, trash collection, outdoor service or display area shall be permitted within a required Yard; and

*Bylaw No. 10696*

*May 16, 1994*

m) Major and Minor Alcohol Sales shall be developed in accordance with Section 98 of this Bylaw.

Edmonton Land Use Bylaw 5996

Garneau Area Redevelopment Plan

820G.7 RF6 (Area 2) Medium Density Family District

**820G.7RF6 (Area 2) Medium Density Family District**

1)The following development regulations shall be substituted for the regulations of Section 170 of this Bylaw, and shall apply to those RF6 (Area 2) Districts identified on Appendix I to this Schedule:

- a)the maximum density shall be 175 dwellings/ha (70.8 dwellings/acre);
- b)the maximum total site coverage shall not exceed 60% for sites greater than 1 350 m<sup>2</sup> (14,531 sq. ft.);
- c)for sites 1 350 m<sup>2</sup> (14,531 sq. ft.) or less, the minimum Front Yard may be reduced to 3 m at the discretion of the Development Officer, where Separation Space is provided in accordance with Section 58 of this Bylaw, and where windows within the first storey of the front wall and the Private Outdoor Amenity Areas have been located, designed or screened so as to prevent pedestrians looking into the Dwelling;
- d)for sites 1 350 m<sup>2</sup> (14,531 sq. ft.) or less the minimum Rear Yard may be reduced to 1.2 m (3.94 ft.) at the discretion of the Development Officer, where Separation Space is provided in accordance with Section 58 of this Bylaw, and where the windows within the first storey of the rear wall and Private Outdoor Amenity Areas have been located, designed or screened so as to prevent pedestrians looking into the Dwelling;
- e)for sites 1 350 m<sup>2</sup> (14,531 sq. ft.) or less, the minimum Side Yard may be reduced to 1.2 m (3.94 ft.) at the discretion of the Development Officer, where Separation Space is provided in accordance with Section 58 of this Bylaw, and where it can be determined by a sightline analysis that windows within the side wall and Amenity Areas have been located, designed and/or screened to prevent overlooking by occupants of the site and adjacent properties;
- f)a minimum Private Outdoor Amenity Area of 15 m<sup>2</sup> (161.4 sq. ft.) per Dwelling shall be provided; and
- g)a minimum of 50% of all Dwellings shall be Family Oriented in accordance with Section 9, Clause (20) of this Bylaw.

Edmonton Land Use Bylaw 5996

Garneau Area Redevelopment Plan

820G.8 RA9 High Rise Apartment District

**820G.8RA9 High Rise Apartment District**

1)The following development regulations shall be substituted for the regulations of Section 230 of this Bylaw, and shall apply to those RA9 Districts identified on Appendix I of this Schedule:

a)the maximum Height shall not exceed 23 m (75.46 ft.) or 6 storeys.

Edmonton Land Use Bylaw 5996

820H. Statutory Plan Overlay for the Montrose/Santa Rosa Area Redevelopment Plan

*Bylaw No. 6768*

*January 11, 1983*

### **820H.1 General Purpose**

To alter or specify regulations for Permitted and Discretionary Uses in otherwise appropriate Land Use Districts in order to achieve the objectives of the Montrose/Santa Rosa Area Redevelopment Plan Bylaw, being Bylaw No. 6769.

### **820H.2 Application**

The designation, location and boundaries of each underlying Land Use District or Subdistrict affected by this Schedule are as indicated on Appendix I to this Schedule.

### **820H.3 Regulations Altered by Statutory Plan Overlay**

The development regulations of Section 820H.4 shall be applied in place of or in addition to, regulations of the underlying Land Use Districts, hereinafter set forth, in accordance with the provisions of Section 820 of this Bylaw.

### **820H.4 RMX - Residential Mixed Use District (Section 340, Land Use Bylaw)**

#### **Area of Application**

The area east of 72 Street between 118 Avenue and 120 Avenue, designated RMX in Bylaw No. 6768, amending the Land Use Bylaw.

#### **Rationale**

To provide a District primarily for adult-oriented apartment accommodation and related Commercial Uses which complement the ease of access to this location due to the proposed Capilano Freeway extension and L.R.T. Station. The General Municipal Plan recommends that this area of Montrose/Santa Rosa form part of the transition zone from the L.R.T. Station to the low density residential development to the east. The Height and intensity of development should also be compatible with adjacent major developments such as the Northlands Coliseum and Forum Inn.

#### **Discretionary Uses Not Deleted by Statutory Plan Overlay**

The following Discretionary Uses, from those listed in Section 240.4 of the Land Use Bylaw, apply to this area:

1) Residential

a) Apartment Housing

2)ResidentialRelated

a)Apartment Hotels

*Bylaw No. 10529*

*November 15, 1993*

**b)Deleted**

*Bylaw No. 10529*

*November 15, 1993*

**c)Deleted**

*Bylaw No. 10529*

*November 15, 1993*

d)Minor Home Occupations

*Bylaw No. 10529*

*November 15, 1993*

e)Major Home Occupations

3)Commercial

a)Business Support Services

b)Commercial Schools

c)Convenience Retail Stores

d)General Retail Stores

e)Major Eating and Drinking Establishments

f)Minor Eating and Drinking Establishments

g)Minor Service Stations

h)Personal Service Shops

i)Professional, Financial and Office Support Services

*Bylaw No. 7541*

*December 11, 1984*

j)Minor Amusement Establishments

4)Community, Educational, Recreational and Cultural Services

*Bylaw No. 11095*

*November 6, 1995*

- a)Child Care Services
- b)Indoor Participant Recreation Services
- c)Private Clubs
- d)Private Education Services
- e)Public Libraries and Cultural Exhibits

**Regulations Specified by Statutory Plan Overlay**

- 1)The maximum density shall be:
  - a)125 dwellings/ha (50.6 dwellings/acre) for any site less than 885 m<sup>2</sup> (9,526 sq. ft.); or
  - b)256 dwellings/ha (104 dwellings/acre) for any site of 885 m<sup>2</sup> (9,526 sq. ft.) or greater.
- 2)The minimum site area shall be 800 m<sup>2</sup> (8,611.1 sq. ft.).

*Bylaw No. 11832*

*August 24, 1998*

- 3)The minimum site width shall be 20 m (65.6 ft.).
- 4)The maximum total Floor Area Ratio shall be 2.5 and the maximum Floor Area Ratio for non-residential Uses shall be 0.5.
- 5)The maximum building Height shall not exceed 27 m (89 ft.) nor 7 storeys.
- 6)The minimum Front Yard shall be 4.5 m (14.75 ft.).
- 7)The minimum rear Setback shall be 7.5 m (24.6 ft.).
- 8)The minimum Side Yard shall be 1 m (3.3 ft.) for each storey or partial storey, up to a maximum of 4.5 m (14.8 ft.) except that a total of at least 2 m (6.6 ft.) shall be provided in all cases. A Side Yard shall not be less than 4.5 m (14.8 ft.) when it abuts a flanking public roadway other than a lane.
- 9)All developments shall front onto 72 Street.
- 10)Non-residential Uses shall be limited to the first two floors of the developments.
- 11)The Front Yard of all developments shall be so designed as to enhance the pedestrian circulation through provision of any of the following:
  - a)canopies, awnings, and building overhangs;
  - b)landscaped seating area;
  - c)outdoor restaurant facilities;
  - d)outdoor temporary sales outlet or display areas; or

e)any other type of design amenity providing continued pedestrian interest in the street.

12)Parking and loading facilities shall not front onto 72 Street and should be properly screened from adjacent uses.

13)Vehicle access is not permitted at the front of the development.

14)Parking shall be provided in accordance with Section 66 of the Land Use Bylaw.

15)A minimum Amenity Area of 7.5 m<sup>2</sup> (80.7 sq. ft.) per residential Dwelling shall be provided.

Edmonton Land Use Bylaw 5996

820I. Statutory Plan Overlay for the Parkdale Area Redevelopment Plan

*Bylaw No. 6766*

*February 8, 1983*

### **820I.1 General Purpose**

To alter or specify regulations for Permitted and Discretionary Uses in otherwise appropriate Land Use Districts in order to achieve the objectives of the Parkdale Area Redevelopment Plan Bylaw, being Bylaw No. 6766.

### **820I.2 Application**

The designation, location and boundaries of each underlying Land Use District or Subdistrict affected by this Schedule are as indicated on Appendix I to this Schedule.

### **820I.3 Regulations Altered by Statutory Plan Overlay**

The development regulations of Section 820I.4 to I.6 shall be applied in place of or in addition to, regulations of the underlying Land Use Districts, hereinafter set forth in accordance with the provisions of Section 820 of this Bylaw.

[820I.4 RA7 Low Rise Apartment District](#)

[820I.5 RA9 \(Area 1\) High Rise Apartment District](#)

[820I.6 RA9 \(Area 2\) High Rise Apartment District](#)

Edmonton Land Use Bylaw 5996

Parkdale Area Redevelopment Plan

820I.4 RA7 Low Rise Apartment District

**820I.4RA7 Low Rise Apartment District**

The following development regulations shall be specified in addition to the regulations of Section 210 of this Bylaw and shall apply to those RA7 Districts identified on Appendix I of this Schedule:

- 1) a minimum of 25% of all Dwellings shall be Family Oriented, in accordance with the requirements of Section 9, Clause (20) of this Bylaw; and
- 2) minimum Private Outdoor Amenity Area shall be provided in accordance with the following:
  - a) 30 m<sup>2</sup> (322 sq. ft.) per Family Oriented Dwelling any part of which is contained in the lowest storey; and
  - b) 15 m<sup>2</sup> (161.5 sq. ft.) per Family Oriented Dwelling no part of which is contained in the lowest storey.

Edmonton Land Use Bylaw 5996

Parkdale Area Redevelopment Plan

820I.5 RA9 (Area 1) High Rise Apartment District

**820I.5RA9 (Area 1) High Rise Apartment District**

The following development regulations shall be substituted or specified for the regulations of Section 230 of this Bylaw, and shall apply to those RA9 (Area 1) District identified on Appendix I of this Schedule:

- 1) the maximum density shall be 325 dwellings/ha (131.5 dwellings/acre) for any site;
- 2) the maximum building Height shall not exceed 10 storeys nor 40 m; and
- 3) for a site which is developed to a maximum building Height not exceeding 6 storeys, and with all Dwellings on the lowest storey having direct access to grade:
  - a) the maximum Floor Area Ratio shall be 4.0;
  - b) the minimum Front Yard shall be 3 m (9.9 ft.);
  - c) the minimum Rear Yard shall be 3 m (9.9 ft.);
  - d) the minimum Side Yard shall be 2 m (6.6 ft.); and
  - e) that portion of the building higher than 10 m (32.8 ft.) shall be set back a minimum of:
    - i) 6 m (19.7 ft.) from the front lot line;
    - ii) 7.5 m (24.6 ft.) from the rear lot line; and
    - iii) 7.5 m (24.6 ft.) from the side lot line.

Edmonton Land Use Bylaw 5996

Parkdale Area Redevelopment Plan

820I.6 RA9 (Area 2) High Rise Apartment District

**820I.6RA9 (Area 2) High Rise Apartment District**

The following development regulations shall be substituted or specified for the regulations of Section 230 of this Bylaw, and shall apply to the RA9 (Area 2) District identified on Appendix I of this Schedule:

- 1) the maximum density shall be 500 dwellings/ha (202.4 dwellings/acre) for any site of 1 350 m<sup>2</sup> (14,531 sq. ft.) or greater; and
- 2) the maximum floor area ratio shall be 4.5 for any site of 1 350 m<sup>2</sup> (14,531 sq. ft.) or greater.

Edmonton Land Use Bylaw 5996

820J. Statutory Plan Overlay for the Cloverdale Area Redevelopment Plan

*Bylaw No. 7971*

*March 25, 1986*

### **820J.1 General Purpose**

To alter or specify regulations for Permitted and Discretionary Uses in otherwise appropriate Land Use Districts in order to achieve the objectives of the Cloverdale Area Redevelopment Plan Bylaw, as adopted by Bylaw No. 7972.

### **820J.2 Application**

The designation, location and boundaries of each underlying Land Use District or Subdistrict affected by this Schedule are as indicated on Appendix I to this Schedule.

### **820J.3 Regulations Altered by Statutory Plan Overlay**

The development regulations of Section 820J.4 and 820J.5 shall be applied in place of or in addition to, regulations of the underlying Land Use Districts, in accordance with the provision of Section 820 of this Bylaw.

[820J.4 RF3 Cloverdale Low Density Redevelopment District](#)

[820J.5 CNC Cloverdale Neighbourhood Convenience Commercial District](#)

Edmonton Land Use Bylaw 5996

Cloverdale Area Redevelopment Plan

820J.4 RF3 Cloverdale Low Density Redevelopment District

**820J.4RF3 Cloverdale Low Density Redevelopment District**

1)The following development regulations shall be substituted for the specified regulations of Section 140 of this Bylaw and shall apply to those RF3 Districts identified on Appendix I to this Schedule:

a)the minimum site area shall be as follows:

i)175 m<sup>2</sup> (1,880 sq. ft.) for each Duplex, Row Housing, Apartment Housing or Stacked Row Housing Dwelling;

b)the minimum site width shall be as follows:

i)5 m (16.4 ft.) for each Duplex, Row Housing, Apartment Housing or Stacked Row Housing Dwelling;

c)the maximum total site coverage may be increased to 45%, with a maximum of 35% for a Principal Building and a maximum of 15% for Accessory Buildings if the development has varied building articulation so as to avoid massive large walls and continuous surfaces;

d)the minimum Front Yard shall be 4.5 m (14.8 ft.);

*Bylaw No. 8962*

*August 16, 1988*

e)any development which is located between 4.5 m (14.8 ft.) and 6 m (19.7 ft.) of the front lot line shall have a Height no greater than one storey or 3.3 m (10.8 ft.). Notwithstanding Section 11.6 of this Bylaw, the Development Officer may allow an increase in Height of this portion of the site provided that all of the following criteria are met:

i)the development remains one storey for that portion of the site;

ii)the increase in Height is related to flood proofing; and

iii)the increase in Height provides a design more compatible with the streetscape;

f)the minimum Rear Yard for all accessory buildings shall be 1.2 m (3.94 ft.);

g)the minimum Side Yard on interior sites shall be 1.2 m (3.94 ft.), except that the minimum Side Yard on interior sites for buildings over 7.5 m (24.6 ft.) in Height shall be 2 m (6.6 ft.);

*Bylaw No. 8962*

*August 16, 1988*

h)no entry to any new Dwelling shall be placed on side walls unless the entrance is generally oriented towards the front or rear of the property, to ensure privacy of adjacent properties. On a corner site, a side entrance to the flanking roadway or lane may be allowed where, in the opinion of the Development Officer, the building is oriented toward the Front Yard and the side entrance is secondary;

i)balconies shall be located only on the front and rear of a building;

j)a Principal Building shall not be greater than 20.0 m (65.5 ft.) in length;

*Bylaw No. 8962*

*August 16, 1988*

k)on a corner site where the building fronts on the Front Yard, the minimum Side Yard abutting a flanking public roadway other than a lane shall be 20% of the site width, to a maximum requirement of 4.5 m (14.8 ft.). The Side Yard abutting a flanking public roadway may be reduced to 1.5 m (4.9 ft.) where development between 1.5 m and 20% of the site width from the side lot line does not have a Height greater than the limit prescribed in Section 820J.4(1)(e) above and is an open area such as a side porch or veranda;

*Bylaw No. 8962*

*August 16, 1988*

l)notwithstanding Section 61.3(4)(e) of this Bylaw, where the Accessory Building is a detached garage and where the vehicle doors of the detached garage face a lane abutting the site, no portion of the garage shall be located less than 1.2 m (3.94 ft.) from the lane; and

*Bylaw No. 8962*

*August 16, 1988*

m)notwithstanding Section 61.3(5)(b) of this Bylaw, where an Accessory Building is a detached garage, the vehicle doors of the detached garage shall not face any flanking public roadway.

Edmonton Land Use Bylaw 5996

Cloverdale Area Redevelopment Plan

820J.5 CNC Cloverdale Neighbourhood Convenience Commercial District

**820J.5 CNC Cloverdale Neighbourhood Convenience Commercial District**

1) The following development regulations shall be substituted or specified for the regulations of Section 310 of this Bylaw, and shall apply to those CNC Districts identified on Appendix I to this Schedule:

- a) Commercial Uses shall be permitted only in the first storey of any building except in that part of the District lying between 94 and 95 Streets;
- b) the maximum Floor Area Ratio may be increased to 2.0 and the maximum building Height may be increased to 12 m (39.4 ft.) or 3 storeys, provided the maximum Height of the front 2 m (6.6 ft.) of any part of the building lying within 10 m (32.8 ft.) of a lot line other than an interior side lot line is not over 9 m (29.6 ft.) nor 2 storeys;
- c) a minimum Yard of 1.7 m (5.6 ft.) shall be required where a site abuts a public roadway other than a lane;
- d) the intrusion of a building into a minimum Side Yard to the property line may be allowed, but only to the extent of the length of a common party wall;
- e) the maximum density for Residential Uses shall be 125 dwellings/ha (50.6 dwellings/acre);
- f) projections into a required Yard will be permitted as follows:
  - i) ground floor canopies 2 m (6.6 ft.) maximum; and
  - ii) upper floor enclosed projections such as individual bay windows and partial balconies 1 m (3.3 ft.) maximum;
- g) the Yard, adjacent to any public roadway other than a lane, shall be landscaped, in addition to the provisions of the Land Use Bylaw, to the satisfaction of the Development Officer, having regard to the planned public improvements in the area; and
- h) individual Commercial Uses shall have individual pedestrian entrances.

Edmonton Land Use Bylaw 5996

820K. Statutory Plan Overlay for the Rossdale Area Redevelopment Plan

*Bylaw No. 8138*

*June 10, 1986*

### **820K.1 General Purpose**

To alter or specify regulations for Permitted and Discretionary Uses in otherwise appropriate Land Use Districts in order to achieve the objectives of the Rossdale Area Redevelopment Plan, as adopted by Bylaw No. 8139.

### **820K.2 Application**

The designation, location and boundaries of each underlying Land Use District or Subdistrict affected by this Schedule are as indicated on Appendix I to this Schedule.

### **820K.3 Regulations Altered by Statutory Plan Overlay**

The development regulations of Section 820K.4 to 820K.7, both inclusive, shall be applied in place of, or in addition to, regulations of the underlying Land Use Districts, in accordance with the provision of Section 820 of this Bylaw.

[820K.4 RF3 Rossdale Low Density Redevelopment District](#)

[820K.5 RA9 Rossdale High Rise Valley Edge Apartment District](#)

[820K.6 RMX \(Area 1\) Rossdale Street-Related Residential Mixed Use District](#)

[820K.7 RMX \(Area 4\) 97 Avenue Shopping and Residential District](#)

Edmonton Land Use Bylaw 5996

Rosedale Area Redevelopment Plan

820K.4 RF3 Rosedale Low Density Redevelopment District

**820K.4RF3 Rosedale Low Density Redevelopment District**

1)The following development regulations shall be substituted for the specified regulations of Section 140 of this Bylaw and shall apply to those RF3 Districts identified on Appendix I to this Schedule:

a)the minimum site area shall be 300 m<sup>2</sup> (3,229.0 sq. ft.) for each Single Detached Dwelling;

b)the minimum site width shall be 10 m (32.8 ft.) for each Single Detached Dwelling;

c)the maximum site coverage for a Principal Building shall not exceed 35% and for an Accessory Building shall not exceed 15%. The maximum total site coverage shall not exceed 45%;

d)the minimum Front Yard shall be 3 m (9.8 ft.);

*Bylaw No. 8963*

*August 16, 1988*

e)any development which is located between 3 m (9.8 ft.) and 5 m (16.4 ft.) of the front lot line shall have a Height no greater than one storey or 3.3 m (10.8 ft.). Notwithstanding Section 11.6 of this Bylaw, the Development Officer may allow an increase in Height of this portion of the site provided that all of the following criteria are met:

i)the development remains one storey for that portion of the site;

ii)the increase in Height is related to flood proofing; and

iii)the increase in Height provides a design more compatible with the streetscape;

f)the minimum Rear Yard for an accessory building shall be 1.2 m (3.9 ft.);

g)Side Yards shall be established on the following basis:

*Bylaw No. 8963*

*August 16, 1988*

i)on a corner site where the building fronts on the Front Yard, the minimum Side Yard abutting a flanking public roadway other than a lane shall be 20% of the site width, to a maximum requirement of 3 m (9.8 ft.). The Side Yard abutting a flanking public roadway may be reduced to 1.5 m (4.9 ft.) where development between 1.5 m and 20% of the site width from the side lot line does not have a Height greater than the limit prescribed in Section 820K.4(1)(e)

above and is an open area such as a side porch or veranda; and

ii) on a corner site where the building fronts on a flanking public roadway other than a lane, the minimum Side Yard abutting the flanking public roadway shall be 3 m (9.8 ft.);

h) notwithstanding any other provisions of this Bylaw, the subdivision officer may approve the creation of a lot of less frontage or area than those required in this District if such lot is created in recognition of an encroachment of a building existing at the date of the passage of this Bylaw. Such lot will be considered to conform to this Bylaw for the purposes of the Permitted and Discretionary Uses;

*Bylaw No. 8963*

*August 16, 1988*

*Bylaw No. 11261*

*June 17, 1996*

i) notwithstanding subsection 61.3(4)(e) of this Bylaw, where the Accessory Building is a detached garage and where the vehicle doors of the detached garage face the rear property line of the site, no portion of the garage shall be located less than 1.2 m (3.9 ft.) from the rear property line; and

*Bylaw No. 8963*

*August 16, 1988*

j) notwithstanding Section 61.3(5)(b) of this Bylaw, where the Accessory Building is a detached garage, the vehicle doors of the detached garage shall not face any flanking public roadway.

2) The following development regulations shall be specified in addition to the regulations of Section 140 of this Bylaw and shall apply to those RF3 Districts identified in Appendix I to this Schedule:

a) no entry to any new Dwelling shall be placed on the side walls:

i) where the Side Yard is less than 3.0 m; or

*Bylaw No. 8963*

*August 16, 1988*

ii) unless the entrance is generally oriented towards the front or rear of the property, to ensure privacy of adjacent properties. On a corner site, a side entrance to the flanking roadway or lane may be allowed where, in the opinion of the Development Officer, the building is oriented toward the Front Yard and the side entrance is secondary.

Edmonton Land Use Bylaw 5996

Rossdale Area Redevelopment Plan

820K.5 RA9 Rossdale High Rise Valley Edge Apartment District

**820K.5RA9 Rossdale High Rise Valley Edge Apartment District**

1)The following development regulations shall be substituted for the specified regulations of Section 230 of this Bylaw, and shall apply to those RA9 Districts identified on Appendix I to this Schedule:

a)the minimum Yards adjacent to 99 Avenue shall be 2.5 m (8.2 ft.); adjacent to Bellamy Hill Road shall be 2.5 m (8.2 ft.), and adjacent to Rossdale Road shall be 6 m (19.7 ft.).

2)The following development regulations shall be specified in addition to the regulations of Section 230 of this Bylaw and shall apply to those RA9 Districts identified in Appendix I to this Schedule:

a)parking shall be provided in accordance with Sections 7(a), 7(b) and 23 of Schedule 66A of this Bylaw; and

b)parking must be provided underground or in a manner such that it is screened from view from adjacent public roadways.

Edmonton Land Use Bylaw 5996

Rossdale Area Redevelopment Plan

820K.6 RMX (Area 1) Rossdale Street-Related Residential Mixed Use District

**820K.6 RMX (Area 1) Rossdale Street-Related Residential Mixed Use District**

1) Discretionary Uses listed in Section 240.4 of this Bylaw are deleted, except for the following:

a) Residential

i) Apartment Housing

ii) Linked Housing

iii) Row Housing

iv) Stacked Row Housing

v) Duplex Housing

vi) Semi-detached Housing

vii) Single Detached Housing

b) Residential-Related

i) Apartment Hotels

ii) Boarding and Lodging Houses

iii) Foster Homes

iv) Limited Group Homes

*Bylaw No. 10529*

*November 15, 1993*

v) **Deleted**

*Bylaw No. 10529*

*November 15, 1993*

vi) **Deleted**

*Bylaw No. 10529*

*November 15, 1993*

vii) Minor Home Occupations

*Bylaw No. 10529*

*November 15, 1993*

viii) Major Home Occupations

c) Commercial

i) Business Support Services

ii) Convenience Retail Stores

iii) Personal Service Shops

iv) Professional, Financial and Office Support Services

d) Community, Educational, Recreational and Cultural Services

*Bylaw No. 11095*

*November 6, 1995*

i) Child Care Services

ii) Indoor Participant Recreation Services

2) The following development regulations shall be specified in addition to the regulations of this Bylaw, and shall apply to those RMX (Area 1) Districts identified on Appendix I to this Schedule:

a) the maximum total Floor Area Ratio shall be 1.5;

b) the maximum density shall be 155 dwellings/ha (62.8 dwellings/acre);

c) the maximum Height shall not exceed 15 m (49.21 ft.) nor 3 1/2 storeys;

d) the minimum Front Yard shall be 2.5 m (8.2 ft.), except for structures fronting on Rosedale Road, where the minimum Front Yard shall be 3.5 m (11.5 ft.) and for residential structures fronting on 97 Avenue where the minimum Front Yard shall be 8 m (26.24 ft.). For commercial structures fronting on 97 Avenue no Yard is required;

e) the minimum Rear Yard shall be 3 m (9.8 ft.);

f) parking shall be provided in accordance with Sections 7(a), 7(b) and 23 of Schedule 66A of this Bylaw;

g) parking must be provided underground or in a manner such that it is screened from view from adjacent streets;

h) parking and loading facilities shall not front onto public roadways;

i) the maximum total site coverage shall be 55%;

j) a minimum Private Outdoor Amenity Area of 12 m<sup>2</sup> (129.2 sq. ft.) per Dwelling shall be provided for Dwellings any

part of which is contained in the lowest storey and 6 m<sup>2</sup> (64.6 sq. ft.) per Dwelling shall be provided for at least 75% of Dwellings no part of which is contained in the lowest storey. Private Outdoor Amenity Space at ground level shall not be provided in the Front Yard. Ground related Amenity Space shall equal at least 25% of the total site area;

k)Dwellings at the ground level and second floor shall have entries directly accessible to the outdoors;

l)roof tops shall be designed and oriented such that mechanical equipment is screened from view;

m)Personal Service Shops and Convenience Retail Stores shall not be permitted in any freestanding structure separate from a structure containing Residential Uses. The total gross floor area of these uses on any site shall not exceed 100 m<sup>2</sup> (1,076.42 sq. ft.); and

n)the development regulations of the RF3 District shall apply to any Duplex Housing, Semi-detached Housing and Single Detached Housing within this District.

Edmonton Land Use Bylaw 5996

Rossdale Area Redevelopment Plan

820K.7 RMX (Area 4) 97 Avenue Shopping and Residential District

**820K.7RMX (Area 4) 97 Avenue Shopping and Residential District**

1) Discretionary Uses listed in Section 240.4 of this Bylaw are deleted, except for the following:

a) Residential

i) Apartment Housing or Stacked Row Housing, provided that each building contain not more than 4 Dwellings

ii) Duplex Housing

iii) Row Housing, in buildings of up to 4 Dwellings

iv) Semi-detached Housing

v) Single Detached Housing

b) Residential-Related

i) Boarding and Lodging Houses

ii) Foster Homes

iii) Limited Group Homes

*Bylaw No. 10529*

*November 15, 1993*

iv) **Deleted**

*Bylaw No. 10529*

*November 15, 1993*

v) **Deleted**

*Bylaw No. 10529*

*November 15, 1993*

vi) Minor Home Occupations

*Bylaw No. 10529*

*November 15, 1993*

- vii)Major Home Occupations
- c)Commercial
  - i)Convenience Retail Stores
  - ii)Health Services
  - iii)Minor Eating and Drinking Establishments
  - iv)Personal Services Shops
  - v)Professional, Financial and Office Support Services
  - vi)Minor Secondhand Stores
  - vii)Custom Manufacturing
- d)Community, Educational, Recreational and Cultural Services
  - i)Community Recreation Services

*Bylaw No. 11095*

*November 6, 1995*

- ii)Child Care Services
- iii)Private Clubs
- iv)Religious Assembly

2)The following development regulations shall be specified in addition to the regulations of this Bylaw and shall apply to the RMX (Area 4) District identified on Appendix I to this Schedule:

- a)the maximum total Floor Area Ratio shall be 1.0 for all Use Classes;
- b)the maximum building Height shall not exceed 10 m (32.8 ft.) nor 2 1/2 storeys;
- c)the maximum site coverage for a Principal Building shall not exceed 35% and for an Accessory Building 15%. The maximum total site coverage shall not exceed 45%; and
- d)parking shall be provided in accordance with Schedule 66 of this Bylaw.

3)For Residential Uses the following regulations shall apply:

- a)the minimum Front Yard shall be 3 m (9.8 ft.);
- b)Side Yards shall be established on the following basis:
  - i)on a corner site where the building fronts on the Front Yard the minimum Side Yard abutting a flanking public roadway other than a lane shall be 20% of the site width, to a maximum requirement of 3 m (9.8 ft.); and

ii) on a corner site where a building fronts on a flanking public roadway other than a lane the minimum Side Yard shall be 3 m (9.8 ft.);

c) no entry to any Dwelling shall be placed on the side wall:

i) where the Side Yard provided is less than 3 m (9.8 ft.); or

ii) unless it is generally oriented towards the front of the property and the public roadway;

d) except for Apartment Housing existing on the date of the passing of this Bylaw, each Dwelling unit shall have separate access at grade; and

e) if a development contains two or more Dwellings, a minimum of 7.5 m<sup>2</sup> (80.72 sq. ft.) of Amenity Area is required per unit, in accordance with the provisions of Section 56 of this Bylaw.

4) For Commercial Uses the following regulations shall apply:

a) the maximum gross floor area of any individual business premise shall not exceed 275 m<sup>2</sup> (2,960.07 sq. ft.);

b) a minimum Yard of 3 m (9.8 ft.) shall be required where a site abuts a public roadway other than a lane except:

i) where adjacent commercial buildings abut the property line to form a pedestrian-oriented shopping street, no Yard shall be required; and

ii) where there is no vehicular access to the site from the public roadway, the minimum Yard shall be not less than 1.5 m (4.92 ft.);

c) a minimum Yard of 3 m (9.8 ft.) shall be required where the rear or side lot line of the site abuts the lot line of a residential only site; and

d) loading, storage and trash collection areas shall be located to the rear or sides of the principal building and shall be screened from view from any adjacent sites or public roadways in accordance with Section 69.3 of this Bylaw. If the rear or sides of a site are used for parking, an outdoor service or display area or both, and abut a Residential District or lane serving a Residential District, they shall be screened in accordance with the provisions of Section 69.3 of this Bylaw.

Edmonton Land Use Bylaw 5996

820L. Statutory Plan Overlay for the Scona East Area Redevelopment Plan

*Bylaw No. 8157*

*September 24, 1986*

### **820L.1 General Purpose**

To alter or specify regulations for Permitted and Discretionary Uses in otherwise appropriate Land Use Districts in order to achieve the objectives of the Scona East Area Redevelopment Plan, as adopted by Bylaw No. 8156.

### **820L.2 Application**

The designation, location and boundaries of each underlying Land Use District or Subdistrict affected by this Schedule are as indicated on Appendix I to this Schedule.

### **820L.3 Regulations Altered by Statutory Plan Overlay**

The development regulations of Sections 820L.4 and 820L.5 shall be applied in place of or in addition to regulations of the underlying Land Use Districts, in accordance with the provision of Section 820 of this Bylaw.

[820L.4 RF2 Scona East Low Density Infill District](#)

[820L.5 RF3 Scona East Low Density Redevelopment District](#)

Edmonton Land Use Bylaw 5996

Scona East Area Redevelopment Plan

820L.4 RF2 Scona East Low Density Infill District

**820L.4RF2 Scona East Low Density Infill District**

1)The following development regulations shall be substituted for the specified regulations of Section 120 of this Bylaw and shall apply to those RF2 Districts identified on Appendix I to this Schedule:

a)the minimum site area shall be 300 m<sup>2</sup> (3,229 sq. ft.) for each Single Detached Dwelling;

b)the minimum site width shall be 10 m (32.8 ft.) for each single detached unit;

c)the minimum Front Yard shall be 3 m (9.8 ft.). Notwithstanding the above, where a consistent front Setback exists on the block, that Setback should be respected with new development neither projecting in front nor creating a gap in the established building line;

d)the maximum total site coverage shall not exceed 40%, with a maximum of 30% for a Principal Building and a maximum of 12% for Accessory Buildings;

e)where lane access is provided, Side Yards shall be provided on the following basis:

i)the minimum Side Yard shall be 1.2 m (3.94 ft.). Notwithstanding the above, minimum Side Yard requirements for developments involving renovations and additions shall be based on the building line of the existing building, but in no case shall be less than 0.5 m (1.6 ft.). In such cases, the proposed development shall be deemed a Class C development application;

ii)on a corner site where the building fronts onto the Front Yard, the minimum Side Yard abutting a flanking public roadway other than a lane shall be a minimum of 2 m (6.6 ft.); and

iii)on a corner site where the building fronts onto a flanking public roadway other than a lane, the minimum Side Yard abutting the flanking public roadway shall be 2 m (6.6 ft.); and

f)where lane access is not provided, Side Yards shall be established on the following basis:

i)Side Yards shall total at least 20% of the site width, but the requirement shall not be more than 6.0 m (19.7 ft.) with a minimum Side Yard of 1.2 m (3.94 ft.). Notwithstanding the above, the minimum Side Yard requirements for developments involving renovations and additions shall be based on the building line of the existing building, but in no case shall be less than 0.5 m (1.6 ft.). In such cases, the proposed development shall be deemed a Class C development application;

ii)on a corner site where the building fronts onto the Front Yard, the minimum Side Yard abutting a flanking public roadway other than a lane shall be 20% of the site width to a maximum of 4.5 m (14.8 ft.); and

iii) on a corner site where the building fronts onto a flanking public roadway other than a lane, the minimum Side Yard abutting the flanking roadway shall be 4.5 m (14.8 ft.).

Edmonton Land Use Bylaw 5996

Scona East Area Redevelopment Plan

820L.5 RF3 Scona East Low Density Redevelopment District

**820L.5RF3 Scona East Low Density Redevelopment District**

1)The following development regulations shall be substituted for the specified regulations of Section 140 of this Bylaw and shall apply to those RF3 Districts identified on Appendix I to this Schedule:

a)the minimum site area shall be as follows:

i)300 m<sup>2</sup> (3,229 sq. ft.) for each Single Detached Dwelling; and

ii)175 m<sup>2</sup> (1,888 sq. ft.) for each Duplex, Row Housing, Apartment Housing or Stacked Row Housing Dwelling;

b)the minimum site width shall be as follows:

i)10 m (32.8 ft.) for each Single Detached Dwelling; and

ii)5 m (16.4 ft.) for each Row Housing, Apartment Housing or Stacked Row Housing Dwelling;

c)the minimum Front Yard shall be 3 m (9.8 ft.). Notwithstanding the above, where a consistent front Setback exists on the block, that Setback should be respected with new development neither projecting in front nor creating a gap in the established building line;

d)the maximum total site coverage shall not exceed 40%, with a maximum of 30% for a Principal Building and a maximum of 12% for Accessory Buildings;

e)where lane access is provided, Side Yards shall be provided on the following basis:

i)the minimum Side Yard shall be 1.2 m (3.94 ft.). Notwithstanding the above, minimum Side Yard requirements for developments involving renovations and additions shall be based on the building line of the existing building but in no case shall be less than 0.5 m (1.5 ft.). In such cases the proposed development shall be deemed a Class C development application;

ii)on a corner site where the building fronts onto the Front Yard, the minimum Side Yard abutting a flanking public roadway other than a lane shall be a minimum of 2 m (6.6 ft.); and

iii)on a corner site where the building fronts onto a flanking public roadway other than a lane, the minimum Side Yard abutting the flanking public roadway shall be 2 m (6.6 ft.); and

f)where lane access is not provided, Side Yards shall be established on the following basis:

i)Side Yards shall total at least 20% of the site width but the requirement shall not be more than 6.0 m (19.7 ft.) with a

minimum Side Yard of 1.2 m (3.94 ft.). Notwithstanding the above the minimum Side Yard requirements for developments involving renovations and additions shall be based on the building line of the existing building but in no case shall be less than 0.5 m (1.5 ft.). In such cases the proposed development shall be deemed a Class C development application;

ii) on a corner site where the building fronts onto the Front Yard, the minimum Side Yard abutting a flanking public roadway other than a lane shall be 20% of the site width to a maximum of 4.5 m (14.8 ft.); and

iii) on a corner site where the building fronts onto a flanking public roadway other than a lane, the minimum Side Yard abutting the flanking roadway shall be 4.5 m (14.8 ft.).

Edmonton Land Use Bylaw 5996

820M. Statutory Plan Overlay for the Riverdale Area Redevelopment Plan

*Bylaw No. 10252*

*January 20, 1994*

[820M.1 RF2 Low Density Infill District](#)

[820M.2 RF5 Row Housing District](#)

[820M.3 RF6 Medium Density Multiple Family District](#)

[820M.4 RA8 Medium Rise Apartment District](#)

[820M.5 CNC Neighbourhood Convenience Commercial District](#)

Edmonton Land Use Bylaw 5996

Riverdale Area Redevelopment Plan

820M.1 RF2 Low Density Infill District

### **820M.1RF2 Low Density Infill District**

#### **Area of Application**

The majority of Riverdale as shown on Appendix I of Schedule 820M.

#### **Rationale**

To provide a District for Single Family and Semi-detached Housing that is compatible with existing development in the Riverdale community.

#### **Development Regulations**

Generally the regulations of the RF2 District shall apply, except where superseded by the following guideline:

1)vehicular access shall be from the rear of the lot (no front drives), except where there is no back lane, or steep slope conditions prohibit rear access.

Edmonton Land Use Bylaw 5996

Riverdale Area Redevelopment Plan

820M.2 RF5 Row Housing District

### **820M.2RF5 Row Housing District**

#### **Area of Application**

Areas south of Rowland Road on 90 Street and on 94 Street as shown on Appendix I of Schedule 820M.

#### **Rationale**

To provide a District for Row Housing that is compatible with existing development patterns in the community and with adjacent forms of single family development.

#### **Development Regulations**

Generally the regulations of the RF5 District will apply, except where superseded by the following guidelines:

1)structures have been designed such that each dwelling unit appears from the street as a separate dwelling unit. This will be achieved for each dwelling unit through the use of an individual roofline or roofline feature, individual entranceways fronting onto the street, and individual walkways leading to the street; and

2)Dwellings will contribute towards an attractive pedestrian atmosphere on the street. To achieve this:

a)there will be no front drive garages, except where there is no back lane or steep slope conditions prohibit rear access; and

b)there will be a continuous frontage of dwelling units onto the street (except Rowland Road). Units will have front entrances and walks onto the street.

Edmonton Land Use Bylaw 5996

Riverdale Area Redevelopment Plan

820M.3 RF6 Medium Density Multiple Family District

### **820M.3RF6 Medium Density Multiple Family District**

#### **Area of Application**

South of Rowland Road, east of 95 Street, as shown on Appendix I of Schedule 820M.

#### **Rationale**

To provide a District for medium density multiple family housing, where some Dwellings may not be at grade, to maintain the views and amenity of the adjacent area on Nichols Hill, and to provide an attractive pedestrian environment on 95 Street.

#### **Development Regulations**

Generally the regulations of the RF6 District shall apply, except where superseded by the following guidelines:

- 1)there shall be a continuous orientation of dwelling units onto 95 Street. Ground floor units on 95 Street shall have street-oriented entrances;
- 2)parking shall be screened or provided below grade; if parking is developed at grade it shall be screened from view to maintain the appearance and view of this property from 95 Street and from the base of the hill on 94 Street; and
- 3)vehicular access shall be provided from 95 Street, and should be designed so as not to detract from the street orientation of dwelling units and the pedestrian environment on 95 Street.

Edmonton Land Use Bylaw 5996

Riverdale Area Redevelopment Plan

820M.4 RA8 Medium Rise Apartment District

### **820M.4RA8 Medium Rise Apartment District**

#### **Area of Application**

South of 101 Avenue, west of 95 Street as shown on Appendix I of Schedule 820M.

#### **Rationale**

To provide a District for medium density Apartment Housing, to ensure that there is a pedestrian friendly atmosphere on 101 Avenue between 95 and 95A Streets, where an extension of Heritage Trail is proposed, and to maximize the views and amenities of the adjacent river valley.

#### **Development Regulations**

Generally the regulations of the RA8 District shall apply, except where superseded by the following:

- 1)there will be no vehicular access from 101 Avenue;
- 2)all buildings with frontage on 101 Avenue will provide a major pedestrian entrance to the building on 101 Avenue;  
and
- 3)parking, except for visitor parking or parking associated with Row Housing, shall be underground.

Edmonton Land Use Bylaw 5996

Riverdale Area Redevelopment Plan

820M.5 CNC Neighbourhood Convenience Commercial District

### **820M.5CNC Neighbourhood Convenience Commercial District**

#### **Area of Application**

On the southwest corner of 101A Avenue and 89 Street and the northwest corner of 90 Street and 101A Avenue as shown on Appendix I of Schedule 820M.

#### **Rationale**

To provide a District to permit pedestrian-oriented Neighbourhood Convenience Commercial uses in Riverdale.

#### **Development Regulations**

Generally the regulations of the CNC District shall apply, except where superseded by the following:

1)future development shall not provide any Yard Setbacks adjacent to public roadways, with the exception of laneways.

Edmonton Land Use Bylaw 5996

900. Special Areas General Provisions

*Bylaw No. 11318*

*August 12, 1996*

### **900.1 General Purpose**

To provide an opportunity to regulate the use, design and extent of development within specific geographic areas of the City in order to achieve the planning objectives of an Area Structure Plan or Area Redevelopment Plan for those areas with special or unique attributes which cannot be satisfactorily addressed through conventional land use districting or statutory plan overlays.

### **900.2 Application**

1) A Special Area can only be established if the following conditions are satisfied:

- a) an approved Area Structure Plan or Area Redevelopment Plan states that a Special Area shall be established in order to achieve clearly stated objectives;
- b) the approved Area Structure Plan or Area Redevelopment Plan explains why conventional districting or other land use control techniques applied through this Bylaw could not appropriately or adequately deal with the special or unique attributes of the specified geographic area; and
- c) unique Land Use Districts which may be created for use within a Special Area may only be used within that Special Area.

2) Special Areas shall only be applied through an amendment to the Land Use Bylaw, which shall include the following:

- a) the name of the applicable Special Area and its boundaries;
- b) a map at a minimum scale of 1:10,000 which indicates the designation, location, and boundaries of:
  - i) all conventional land use districts within the Special Area;
  - ii) all direct control districts within the Special Area;
  - iii) all mixed use districts within the Special Area; and
  - iv) all new land use districts within the Special Area.

3) If conventional districts are to be modified for application within a Special Area:

- i) modifications to use shall be limited to the deletion of discretionary uses within the CMX and RMX Districts. No other changes to the uses specified in conventional districts shall be allowed; and
- ii) modification to regulations shall be limited to the type and scope of modifications that would be allowed through Section 820 of this Bylaw and the application of a Statutory Plan Overlay.
- 4) If direct control districts are to be used within a Special Area, such direct control districts shall be established in accordance with the provisions of Sections 710 through 750 of this Bylaw.
- 5) If mixed use districts are to be used within a Special Area, the provisions of Sections 240 (for RMX Districts) and 370 (for CMX Districts), as well as the provisions of Section 820 of this Bylaw, shall apply to such mixed use districts.
- 6) If unique districts are to be created for use within the Special Area, the section in this Bylaw establishing the Special Area must specify a unique district name that will not be confused with any conventional land use district and the development regulations for that district. Unique districts may be created at any time for application within a Special Area.

### **900.3 Permitted and Discretionary Uses**

- 1) Permitted and Discretionary Uses specified in any conventional land use district within a Special Area shall be those of that conventional land use district.
- 2) Any new land use districts or zones may specify any Permitted or Discretionary Uses deemed to be in accordance with the approved Area Structure Plan or Area Redevelopment Plan for that area.
- 3) Any direct control district within a Special Area may specify those major or minor developments which shall be considered as Permitted or as Discretionary uses deemed to be in accordance with the approved Area Structure Plan or Area Redevelopment Plan for that area, and in accordance with Section 14 of the Land Use Bylaw.

### **900.4 Discretionary Uses**

- 1) Any mixed use land use districts within a Special Area may specify those Discretionary Uses deemed to be in accordance with the approved Area Structure Plan or Area Redevelopment Plan for that area.

### **900.5 Development Regulations**

- 1) The provisions of the Airport Protection Overlay and the Floodplain Protection Overlay shall take precedence over the provisions of any Special Area.
- 2) Special Area provisions and related land use bylaw amendments may be used to alter any regulation of the Land Use Bylaw except for the following:
  - a) Sections 1 through 9, inclusive;
  - b) Section 10, except that new Use Classes may be added to Section 10, and listed in newly created districts or direct control land use districts within Special Areas;
  - c) Sections 11 through 27, inclusive, except that new fees may be established for new Use Classes and new land use districts with respect to redistrictings and development permit applications;
  - d) Section 51;
  - e) Sections 70 through 74, inclusive;
  - f) Section 240;

g)Section 370;

h)Section 820; and

i)Section 900.

Edmonton Land Use Bylaw 5996

910. Special Area Downtown

*Bylaw No. 11404*

*April 30, 1997*

### **910.1 General Purpose**

To designate the Downtown, as shown on Appendix I to this Section, as a Special Area and to adopt appropriate land use regulations for this Special Area to achieve the objectives of the Downtown Area Redevelopment Plan (ARP), as adopted under Bylaw No. 11400.

### **910.2 Application**

The designation, location and boundaries of each underlying Land Use District affected or created through this Section 910 shall apply as indicated on Appendix I to this Section.

### **910.3 Land Use Districts Created by Special Area Provisions**

1) Land Use Districts as contained in Sections 910.4, 910.5, 910.6, 910.7, 910.8, 910.9, and 910.10, have been created in accordance with Sections 900.2 and 900.5 of this Bylaw.

2) The following regulations contained in the Land Use Bylaw, as they may be amended from time to time, shall apply to developments within sites districted as HDR, RMU, HA, EZ, CCA, CMU or MSC, unless such regulations are specifically excluded or modified therein:

a) all General Development Regulations;

b) all Special Land Use Provisions, where the applicable Use Class is listed in the District; and

c) any Overlay provision including, but not limited to, the Airport Protection Overlay and the Floodplain Protection Overlay.

3) When a Development Permit application for the development of a site within the Downtown Special Area is considered by the Development Officer to be a Class C or D application, or any application that, in the opinion of the Development Officer may have urban design implications, the Development Officer shall, prior to making a decision on the Development Permit Application, refer the application to be reviewed by the Urban Design Review Panel (as established by the Downtown Business Association).

[910.4 HDR \(High Density Residential\) District](#)

[910.5 RMU \(Residential Mixed Use\) District](#)

[910.6 HA \(Heritage Area\) District](#)

[910.7 EZ \(Enterprise Zone\) District](#)

[910.8 CCA \(Core Commercial Arts\) District](#)

[910.9 CMU \(Commercial Mixed Use\) District](#)

[910.10 MSC \(Main Street Commercial\) District](#)

Edmonton Land Use Bylaw 5996

Special Area Downtown

910.4 HDR (High Density Residential) District

### **910.4HDR (High Density Residential) District**

#### **1)General Purpose**

To accommodate high density housing with minor local commercial uses in a predominantly residential environment to support the concept of a livable urban village with a strong sense of identity and place, where community activities and amenities are focused on a neighbourhood main street.

#### **2)Permitted Uses**

- a)Apartment Hotels
- b)Apartment Housing
- c)Minor Home Occupations
- d)Row Housing

#### **3)Discretionary Uses**

- a)Boarding and Lodging Houses
- b)Child Care Services
- c)Convenience Retail Stores
- d)Duplex Housing
- e)Foster Homes
- f)Group Homes
- g)Major Home Occupations
- h)Personal Service Shops
- i)Professional Offices
- j)Religious Assembly

k)Residential Sales Centre

l)Semi-detached Housing

m)Single Detached Housing

#### **4)Development Regulations**

The following regulations shall apply to all Permitted and Discretionary Uses.

a)Floor Area Ratio:

i)the maximum total Floor Area Ratio for all combined uses shall be 4.5;

ii)the maximum Floor Area Ratio for residential uses shall be 4.0; and

iii)the maximum Floor Area Ratio for non-residential uses shall be 0.5.

b)Residential Density:

i) for sites greater than 1 350 m<sup>2</sup> the maximum density shall be 500 dwellings/ha (202 dwellings/ac); and

ii)for sites less than 1 350 m<sup>2</sup> the maximum density shall be 370 dwellings/ha (150 dwellings/ac).

c)Minimum Site Area:

i)the minimum site area for low to medium rise apartments of up to 6 storeys shall be 600 m<sup>2</sup> (6,458.5 sq. ft.); and

ii)the minimum site area for high rise apartments from 7 storeys and up shall be 800 m<sup>2</sup> (8,611.1 sq. ft.).

d)Maximum Height:

i) 45 m (147.6 ft.).

e)Yards:

i)the minimum Front Yard shall be 3 m (9.8 ft.), except that buildings fronting onto 99 Avenue and 104 Street (the "local main" street) shall not require a Front Yard;

ii)the maximum Front Yard shall be 4.5 m (14.0 ft.);

iii)the minimum Rear Yard shall be 7.5 m (24.6 ft.);

iv)the minimum Side Yard shall be 1 m (3.3 ft.) per storey, to a maximum of 7.5 m (24.6 ft.), except that a total of at least 2 m (6.6 ft.) shall be provided in all cases. A Side Yard shall be not less than 4.5 m (14.8 ft.) when it abuts a flanking public roadway other than a lane; and

v)notwithstanding the above, where a consistent front Setback exists on the block, that Setback should be respected with new development neither projecting in front nor creating a gap in the established building line.

f)Parking Spaces:

i)parking shall be in accordance to Section 66 of the Land Use Bylaw; and

ii)existing parking on site shall remain and additional parking will not be required for conversions to residential uses.

g)Vehicular Access:

- i) the access to parking structures and sites shall be from the lane, except where there is no lane or steep slopes prohibiting access it shall than be from the street; and
  - ii) the passenger dropoff areas and laybys on private properties may be allowed in the Front Yard, provided there is adequate space available and that sidewalk continuity is maintained, to the satisfaction of the Development Officer and the Transportation and Streets Department.
- h) Amenity Area:
- i) non-residential uses will not be required to provide Amenity Area;
  - ii) Amenity Area for Apartment Housing shall not be required;
  - iii) minimum Private Outdoor Amenity Area of 15 m<sup>2</sup> (161.5 sq. ft.) per Dwelling for Dwellings any part of which is contained in the lowest storey, and 7.5 m<sup>2</sup> (80.7 sq. ft.) per Dwelling for Dwellings no part of which is contained in the lowest storey; and
  - iv) neither the width nor the length of any Private Outdoor Amenity Area shall be less than 3 m (9.8 ft.), except that if it is provided above the first storey the minimum dimensions shall be 2 m (6.6 ft.).

### **5) Additional Regulations for Specific Uses**

- a) Apartment Housing with commercial uses on the main floor shall have access at grade which is separate from the commercial component.
- b) Personal Service Shops, Convenience Retail Stores and Professional Offices shall not be in any free standing structure separate from any structure containing residential uses, and shall not be developed above the lowest storey, except along McKay Avenue neighbourhood's "main street" (99 Avenue and 104 Street) and in the case of the conversion of Dwellings.
- c) Surface accessory parking lots shall not be permitted abutting 99 Avenue between 104 and 107 Streets and 104 Street, between 99 Avenue and 100 Avenue.
- d) Any Yard abutting a public roadway other than a lane, may require an additional Setback and landscaping, as per Section 69.5 of the Land Use Bylaw, to the satisfaction of the Development Officer.

### **6) Development Guidelines**

The Development Officer shall encourage the application of the following development guidelines to all developments within this District.

- a) Urban Character and Built Form:
- i) developments should reinforce the existing residential character of medium to high density apartments on larger sites. A variety of housing forms and styles which support a pedestrian environment should be encouraged;
  - ii) new developments or additions to existing developments should be designed to provide a transition to lower scale developments and public spaces to reduce the impact of sun shadow and wind on adjacent public spaces, boulevards and buildings;
  - iii) medium to high density housing with commercial and community oriented facilities at ground level should be designed to front onto McKay Avenue neighbourhood's "main street" (99 Avenue and 104 Street within this District) in support of the urban village concept and should be compatible with the character envisioned for Heritage Trail; and
  - iv) buildings should be designed to enhance important views and vistas from Heritage Trail and other prominent or

historic locations.

b)Street Level Architecture

i)primary emphasis should be placed on the design and improvement of street level architecture, particularly to facade improvements at the first and second levels of buildings, to create a pedestrian friendly environment. Buildings on corner sites should address both the street and avenue; and

ii)new or substantially renovated commercial or mixed use developments or conversions along 99 Avenue and 104 Street, the "local main street", should, where ever practical, incorporate the following architectural and urban design elements:

A)multiple and varied street entrances that relate to the street;

B)canopies, awnings and arcades;

C)lower portions of the facades should be strongly articulated to add variety, interest and a human scale dimension; and

D)provide clear glazing along the lower portions of the facade to promote pedestrian interaction and safety.

Edmonton Land Use Bylaw 5996

Special Area Downtown

910.5 RMU (Residential Mixed Use) District

### **910.5RMU (Residential Mixed Use) District**

#### **1)General Purpose**

To provide a District for primarily medium to high density residential mixed-use developments, with limited commercial, institutional, office and service uses distributed on site in a manner sensitive to the street environment and adjacent residential areas, to support an urban village where amenities are focused on a local main street, and enhance the institutional and hotel cluster along the north edge of the sub-area.

#### **2)Permitted Uses**

- a)Apartment Housing
- b)Row Housing
- c)Stacked Row Housing
- d)Minor Home Occupations
- e)Convenience Retail Stores
- f)Personal Service Shops
- g)Professional Offices
- h)Government Services
- i)Community Recreation Services
- j)Public Libraries and Cultural Exhibits

#### **3)Discretionary Uses**

- a)Apartment Hotels
- b)Boarding and Lodging Houses
- c)Child Care Services
- d)Commercial Schools

- e)Foster Homes
- f)General Retail Stores
- g)Group Homes
- h)Health Services
- i)Hotels
- j)Household Repair Services
- k)Indoor Participant Recreation Services
- l)Major Home Occupations
- m)Minor Amusement Establishments
- n)Minor Eating and Drinking Establishments
- o)Minor Impact Utility Services
- p)Minor Second Hand Stores
- q)Minor Veterinary Services
- r)Motels
- s)Natural Science Exhibits
- t)Private Clubs
- u)Professional, Financial and Office Support Services
- v)Protective and Emergency Services
- w)Public and Private Education Services
- x)Recycled Materials Drop-off Centres
- y)Religious Assembly
- z)Residential Sales Centre
- aa)Spectator Entertainment Establishments

#### **4)Development Regulations**

The following regulations shall apply to Permitted and Discretionary Uses.

##### a)Floor Area Ratio:

- i)the maximum total Floor Area Ratio for all combined uses shall be 5.5;
- ii)the maximum Floor Area Ratio for residential uses shall be 4.0; and
- iii)the maximum Floor Area Ratio for non-residential uses shall be 1.5.

b) Residential Density:

i) the maximum density shall be 500 dwellings/ha (202 dwellings/acre).

c) Maximum Height:

i) 45 m (147.6 ft.).

d) Yards:

i) the minimum Front Yard shall be 3 m (9.8 ft.);

ii) there shall be no Rear Yard required, except that residential buildings shall provide at least a 3 m (9.8 ft.) Setback;

iii) there shall be no Side Yard required for non-residential buildings; and

iv) the minimum Side Yard shall be 1 m (3.3 ft.) per storey to a maximum of 7.5 m (24.6 ft.), except that a total of at least 2 m (6.6 ft.) shall be provided in all cases. A Side Yard shall be not less than 3 m (9.8 ft.) where it abuts a flanking public roadway other than a lane.

e) Building Setbacks:

i) buildings fronting onto 100 Avenue and 105 Street shall provide a Setback of 3 m (9.8 ft.) or align with adjacent buildings; and

ii) notwithstanding the above, where a consistent front Setback exists on the block, that Setback should be respected with new development neither projecting in front or creating a gap in the established

f) Parking Spaces:

i) parking shall be in accordance to Section 66 of the Land Use Bylaw; and

ii) existing parking on site shall remain and additional parking will not be required for conversions to residential uses.

g) Vehicular Access:

i) vehicular access to properties shall be from the abutting lanes, (except where there is no lane or steep slopes prohibiting access) in order to maintain uninterrupted breaks along pedestrian boulevards, Heritage Trail and major arterials.

h) Amenity Area:

i) a minimum Amenity Area of 4% of the non-residential gross floor area shall be provided and such Amenity Area shall be exempted from floor area calculations to a maximum of 10% of the gross floor area of the development. Such Amenity Areas may include courtyards, interior landscaped open space, arcades, plazas, atriums and seating areas;

ii) non-residential buildings of less than 1 394 m<sup>2</sup> (15,000 sq. ft.) will not be required to provide the 4% Amenity Area;

iii) Amenity Area for Apartment Housing shall not be required;

iv) Minimum Private Outdoor Amenity Area of 15 m<sup>2</sup> (161.5 sq. ft.) per Dwelling for Dwellings any part of which is contained in the lowest storey, and 7.5 m<sup>2</sup> (80.7 sq. ft.) per Dwelling for Dwellings no part of which is contained in the lowest storey; and

v)Neither the width nor the length of any Private Outdoor Amenity Area shall be less than 3 m (9.8 ft.), except that if it is provided above the first storey the minimum dimensions shall be 2 m (6.6 ft.).

### **5)Additional Regulations for Specific Uses**

a)Apartment Housing with commercial uses on the main floor shall have access at grade which is separate from the commercial component.

b)Surface parking lots shall not be permitted directly abutting 99 Avenue and 104 Street, within this District.

c)Any Yard abutting the property line of a public roadway other than a lane, may require an additional Yard setback and landscaping, as per Section 69.5 of the Land Use Bylaw, to the satisfaction of the Development Officer.

### **6)Development Guidelines**

The Development Officer shall encourage the application of the following development guidelines to all developments within this District.

#### **a)Urban Character and Built Form**

i) developments in this District should enhance the diversity of mixed-use and built form through sympathetic infill, conversions and additions to establish a work/live community with appropriate amenities and landscaping in a high quality pedestrian environment;

ii)higher density developments containing Hotels, institutional and office commercial uses, with street level retail and orientation would be allowed along 100 Avenue to consolidate the sub-area's cluster of hotel and institutional uses;

iii)medium to high density housing with commercial and community oriented facilities at ground level should be designed to front onto McKay Avenue neighbourhood's "main street" (99 Avenue and 104 Street) in support of the urban village concept; and

iv)Buildings greater than 6 storeys or additions to existing developments should be designed to provide a transition to lower scale developments to reduce the impact of sun shadow and wind on adjacent public spaces, boulevards and buildings.

#### **b)Street Level Architecture**

i)facade treatments of new or substantially renovated buildings should incorporate, where ever practical, the following architectural and urban design elements along 99 Avenue and 104 Street, the "local main street", and on commercial developments along 100 Avenue, 105 Street and 106 Street:

A)canopies, awnings and arcades;

B)lower portions of the facades should be

designed to add variety, interest and a

human scale dimension;

C)provide clear glazing along the lower

portions of the facade to promote

pedestrian interaction and safety; and

D)pedestrian oriented streetscape elements

- lighting, landscaping and benches.

Edmonton Land Use Bylaw 5996

Special Area Downtown

910.6 HA (Heritage Area) District

## **910.6HA (Heritage Area) District**

### **1)General Purpose**

To establish a special historical District, in which the existing concentration of historical resources will be preserved, rehabilitated and reused, and to ensure that new developments in the form of medium density residential infill and/or street oriented commercial uses are compatible in scale, built form and design continuity with the historical and architectural character of the area.

### **2)Permitted Uses**

- a)Apartment Hotels
- b)Apartment Housing
- c)Boarding and Lodging Houses
- d)Business Support Services
- e)Commercial Schools
- f)Community Recreation Services
- g)Convenience Retail Stores
- h)Government Services
- i)Hotels
- j)Household Repair Services
- k)Indoor Participant Recreation Services
- l)Limited Contractor Services
- m)Minor Alcohol Sales
- n)Minor Amusement Establishments
- o)Minor and Major Home Occupations

- p)Minor Eating and Drinking Establishments
- q)Personal Service Shops
- r)Private and Public Education Services
- s)Professional Offices
- t)Professional, Financial and Office Support Services
- u)Public Libraries and Cultural Exhibits
- v)Religious Assembly
- w)Row Housing
- x)Stacked Row Housing

### **3)Discretionary Uses**

- a)Auctioneering Establishments
- b)Broadcasting and Motion Picture Studios
- c)Carnivals
- d)Convenience Vehicle Rentals
- e)Custom Manufacturing Establishments
- f)Flea Markets
- g)Foster Homes
- h)Fraternity and Sorority Housing
- i)General Retail Stores
- j)Group Homes
- k)Health Services
- l)Major Eating and Drinking Establishments
- m)Major Secondhand Stores
- n)Minor Impact Utility Services
- o)Minor Secondhand Stores
- p)Minor Veterinary Services
- q)Non-accessory Parking
- r)Private Clubs
- s)Protective and Emergency Services

t)Residential Sales Centre

u)Temporary Shelter Services

v)Warehouse Sales

#### **4)Development Regulations**

The following regulations shall apply to Permitted and Discretionary Uses.

a)Floor Area Ratio:

i)the maximum Floor Area Ratio north of 102 Avenue shall be 8.0; and

ii)the maximum Floor Area Ratio south of 102 Avenue shall be 10.0.

b)Maximum Height

i)north of 102 Avenue: 32 m (105 ft.); and

ii)south of 102 Avenue: as established by the Municipal Airport Protection Overlay, Section 810A of the Land Use Bylaw.

c)Building Setbacks:

i)buildings shall be built to the front and side property lines. The Development Officer, in consultation with the Heritage Officer, may allow building Setbacks up to 2.5 m (8.2 ft.) to accommodate street related activities such as sidewalk cafes, architectural features and landscaping that contribute to the historical character of the area. The Development Officer may allow a building Setback of 3 m (9.8 ft.) for residential buildings. (The required Outdoor Amenity Area can be within the 3 m (9.8 ft.) building Setback).

d)Parking Spaces:

i)parking shall be in accordance to Section 66 of the Land Use Bylaw; and

ii)existing parking on site shall remain and additional parking will not be required when older and historical buildings are being rehabilitated or converted to residential uses.

e)Vehicular Access:

i)vehicular access to properties shall be from the abutting rear lanes to maintain uninterrupted breaks in the street facade and strengthen the historical character of the area.

f)Amenity Area:

i)a minimum Amenity Area of 4% of the non-residential gross floor area shall be provided and such Amenity Area shall be exempted from floor area calculations to a maximum of 10% of the gross floor area of the development. Such Amenity Areas may include courtyards, interior landscaped open space, arcades, plazas, atriums and seating areas;

ii)non-residential buildings of less than 1 394 m<sup>2</sup> (15,000 sq. ft.) will not be required to provide the 4% Amenity Area;

iii)Amenity Area for Apartment Housing shall not be required;

iv)minimum Private Outdoor Amenity Area of 30 m<sup>2</sup> (322.9 sq. ft.) per Dwelling for Dwellings any part of which is contained in the lowest storey, and 15 m<sup>2</sup> (161.5 sq. ft.) per Dwelling for Dwellings no part of which is contained in

the lowest storey; and

v)neither the width nor the length of any Private Outdoor Amenity Area shall be less than 3 m (9.8 ft.), except that if it is provided above the first storey the minimum dimensions shall be 2 m (6.6 ft.).

### **5)Additional Regulations for Specific Uses**

a)Non-accessory surface parking lots shall provide a minimum 2 m (6.6 ft.) landscaped Setback from any property line abutting a public roadway and lane in addition to the landscaping requirements as per Section 69 of the Land Use Bylaw to the satisfaction of the Development Officer.

b)The storage of materials and the piling of snow on non-accessory parking surface lots shall be in a location away from the public roadway to improve safety and visibility to the satisfaction of the Development Officer.

c)The lighting for the non-accessory surface parking lots shall be a minimum of 6 LUX.

d)Notwithstanding the requirements of subsection 910.6(4)(a), Residential Use Classes and Hotels shall be allowed an additional Floor Area Ratio of 4.0. In cases where additional density has been granted, the Development Officer shall ensure that new developments fit within the urban context of the area and that adverse environmental impacts (sun shadow and wind impacts) are minimized.

### **6)Development Guidelines**

The Development Officer shall encourage the application of the following development guidelines to all developments within this District.

#### **a)Urban Character and Built Form:**

i)new buildings should be similar in scale and form to the existing four to five storey historical structures and be compatible with these buildings in overall appearance and architectural details. Buildings greater than six storeys, however, will also be allowed in the form of a podium plus tower composition or other configuration that ensures design treatments are compatible with the facades of adjacent historical buildings;

ii)the architectural design of new development does not have to mimic or imitate historical buildings in the area to comply with the general purpose of this District. Contemporary exterior materials and architectural styles may be used provided that, in the opinion of the Development Officer, the overall site development, including landscaping treatment, is of a high visual quality and responsive to the general urban character of the area;

iii)the rehabilitation of older buildings should ensure design compatibility with the historical character of the area. Consideration should be given to incorporating the architectural features of historical buildings; and

iv)developments fronting onto 104 Street should incorporate design features that establish a street which functions as a "Gathering Place" where establishments such as cafes, bars, arts and entertainment, retail and personal services business flourish.

#### **b)Street Level Architecture**

i)primary emphasis should be placed on design elements and facade improvements to ensure that new buildings do not dominate historical buildings or the block face, when viewed from pedestrian level;

ii)recessed entrances, or setbacks, if provided, should be designed to integrate with street level spaces or sidewalk design elements; and

iii)landscaped elements should be used to visually integrate new buildings with historical buildings or adjacent, newer structures.

Edmonton Land Use Bylaw

Special Area Downtown

910.7 EZ (Enterprise Zone) District

## **910.7EZ (Enterprise Zone) District**

### **1)General Purpose**

To establish an "Open for Business" Enterprise Zone that accommodates a diversity of mixed uses, including residential, commercial, institutional, light manufacturing and assembly in a safe, walkable, human-scale built environment that builds on the existing land use pattern and respects the architectural characteristics and functions of the Warehouse District.

### **2)Permitted Uses**

- a)Apartment Hotels
- b)Apartment Housing
- c)Boarding and Lodging Houses
- d)Broadcasting and Motion Picture Studios
- e)Business Support Services
- f)Child Care Services
- g)Commercial Schools
- h)Community Recreation Services
- i)Convenience Retail Stores
- j)Custom Manufacturing Establishments
- k)Foster Homes
- l)General Retail Stores
- m)Government Services
- n)Hotels
- o)Household Repair Services

- p)Indoor Participant Recreation Services
- q)Limited Contractor Services
- r)Major and Minor Alcohol Sales
- s)Major and Minor Amusement Establishments
- t)Major and Minor Home Occupations
- u)Minor Eating and Drinking Establishments
- v)Minor Veterinary Services
- w)Natural Science Exhibits
- x)Personal Service Shops
- y)Professional Offices
- z)Professional, Financial and Office Support Services
- aa)Public and Private Education Services
- bb)Public Libraries and Cultural Exhibits
- cc)Religious Assembly
- dd)Residential Sales Centre
- ee)Row Housing
- ff)Stacked Row Housing
- 3)Discretionary Uses**
- a)Auctioneering Establishments
- b)Automotive and Equipment Repair Shops
- c)Automotive and Minor Recreational Vehicle Sales/Rentals
- d)Carnivals
- e)Casinos and Other Gaming Establishments
- f)Convenience Vehicle Rentals
- g)Cremation and Interment Services
- h)Equipment Rentals
- i)Exhibition and Convention Facilities
- j)Flea Markets
- k)Fleet Services

- l)Funeral Services
  - m)Gas Bars
  - n)Greenhouses and Plant Nurseries
  - o)Health Services
  - p)Major Eating and Drinking Establishments
  - q)Major Secondhand Stores
  - r)Minor Impact Utility Services
  - s)Minor Secondhand Stores
  - t)Minor Service Stations
  - u)Mobile Catering Food Services
  - v)Motels
  - w)Non-accessory Parking
  - x)Outdoor Amusement Establishments
  - y)Outdoor Participant Recreation Services
  - z)Private Clubs
  - aa)Rapid Drive-through Vehicle Services
  - bb)Recycled Materials Drop-off Centres
  - cc)Recycling Depots
  - dd)Spectator Entertainment Establishments
  - ee)Spectator Sports Establishments
  - ff)Temporary Shelter Services
  - gg)Warehouse Sales
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- hh)Protective and Emergency Services
- 4)Development Regulations**

The following regulations shall apply to Permitted and Discretionary Uses.

- a)Floor Area Ratio:

i)the maximum Floor Area Ratio shall be 6.0.

b)Residential Density:

i)the maximum density shall be 500 dwellings/ha (202 dwellings/acre).

c)Maximum Height:

i)as established by the Municipal Airport Protection Overlay, Section 810A of the Land Use Bylaw.

d)Building Setbacks:

i)where existing non-residential buildings create a consistent Setback on the block, that Setback should be respected with new development neither projecting in front nor creating a gap in the established building line, except that buildings fronting onto 109 Street and on the south side of 104 Avenue shall provide a continuous Setback of 1.5 m (4.9 ft.); and

ii)residential buildings fronting onto all streets and avenues shall provide a setback of 3 m (9.8 ft.). (The required Private Outdoor Amenity Area can be within the 3 m (9.8 ft.) building setback).

e)Parking Spaces:

i)parking shall be in accordance to Section 66 of the Land Use Bylaw; and

ii)existing parking shall remain and additional parking requirements will not be required when older and historical buildings are being rehabilitated or converted to residential uses.

f)Vehicular Access:

i)vehicular access to properties shall be from the abutting rear lanes to maintain uninterrupted breaks in the street facade and strengthen the historical character of the area.

g)Amenity Area:

i)Amenity Area shall not be provided for non-residential gross floor area;

ii)Amenity Area for Apartment Housing shall not be provided;

iii) minimum Private Outdoor Amenity Area of 15 m<sup>2</sup> (161.5 sq. ft.) per Dwelling for Dwellings any part of which is contained

in the lowest storey, and 7.5 m<sup>2</sup> (80.7 sq. ft.) per Dwelling for Dwellings no part of which is contained in the lowest storey; and

iv)neither the width nor the length of any Private Outdoor Amenity Area shall be less than 3 m (9.8 ft.), except that if it is provided above the first storey the minimum dimensions shall be 2 m (6.6 ft.).

## **5)Additional Regulations for Specific Uses**

a)Non-accessory surface parking lots shall not be permitted adjacent to 104 Avenue and 109 Street.

b)Non-accessory surface parking lots shall provide a minimum 2 m (6.6 ft.) landscaped Setback from any property line abutting a public roadway and lane in addition to the landscaping requirements as per Section 69 of the Land Use Bylaw to the satisfaction of the Development Officer.

c)The storage of materials and the piling of snow on non-accessory parking surface lots shall be in a location away

from the public roadway to improve safety and visibility to the satisfaction of the Development Officer.

d)The lighting for the non-accessory surface parking lots shall be a minimum of 6 LUX.

e)Notwithstanding the requirements of subsection 910.7(4)(a), Residential Use Classes and Hotels shall be allowed an additional Floor Area Ratio of 4.0. In cases where additional density has been granted, the Development Officer shall ensure that new developments fit within the urban context of the area and that adverse environmental impacts (sun shadow and wind impacts) are minimized.

f)The following regulations shall apply to Automotive and Minor Recreational Vehicle Sales/Rentals and Convenience Vehicle Rentals developments:

i)the maximum site area for a business shall be 2 000 m<sup>2</sup> (21,527.8 sq. ft.);

ii)servicing and repair operations shall be permitted only as Accessory Uses;

iii)all storage, display or parking areas shall be hard surfaced in accordance with Section 67.3 of this Bylaw;

iv)all outdoor display areas which abut a Residential District or a lane serving a Residential District shall be obscured from direct view by providing a visual screen at least 1.8 m (6.0 ft.) in height in accordance with the provisions of subsection 69.3(4) of this Bylaw; and

v)lighting for the display area shall be mounted on lamp standards and no exposed bulbs or strings of lights shall be used.

## **6)Development Guidelines**

The Development Officer shall encourage the application of the following development guidelines to all developments within this District.

a)Urban Character:

i)the general intent is to transform the Warehouse District into an urban neighbourhood which respects the character of existing historical and older buildings and offers a diversity of mixed uses and building types to intensify the work/live situation in a pedestrian-oriented, safe environment;

ii)new non-residential buildings should be compatible with the existing warehouse architecture. Low to medium rise buildings, built to the property line with ground floor retail and service uses will be allowed;

iii)commercial mixed-use development, with an emphasis on at-grade retailing and service uses should be featured along 104 Avenue and 109 Street. High quality, medium intensity commercial and residential developments will be designed to integrate with a multi-use corridor (referred to as a "civic space corridor" in the CP Lands Master Plan); and

iv)housing in the form of townhouse, row house, stacked townhouse and low-rise apartments will be allowed as stand alone or as mixed use projects anywhere in the District. Buildings should be arranged to create new urban spaces that addresses the street or avenues, as well as the lane, or to focus on the neighbourhood centre or open spaces.

b)Street Level Architecture:

i)primary emphasis should be placed on design elements and facade improvements, particularly to the first and second levels of buildings to create a pedestrian friendly environment. Lower floors should be strongly articulated to add variety, interest and a human scale dimension.

Edmonton Land Use Bylaw 5996

Special Area Downtown

910.8 CCA (Core Commercial Arts) District

**910.8CCA (Core Commercial Arts) District**

**1)General Purpose**

To provide a District for a variety of high density and quality development that accommodates office, retail, service, institutional, residential, arts and entertainment uses to meet the land use objectives for the Commercial Cultural Core. The intent is to further strengthen the Downtown"s central area by providing continuous retail at grade, enhancing arts and entertainment activities, accommodating residential uses and making the Core more pedestrian friendly.

**2)Permitted Uses**

- a)Apartment Housing
- b)Apartment Hotels
- c)Auctioneering Establishments
- d)Broadcasting and Motion Picture Studios
- e)Business Support Services
- f)Child Care Services
- g)Commercial Schools
- h)Limited Contractor Services
- i)Convenience Retail Stores
- j)General Retail Stores
- k)Health Services
- l)Hotels
- m)Minor Amusement Establishments

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- n) Minor and Major Home Occupations
- o) Minor and Major Alcohol Sales
- p) Minor and Major Eating and Drinking Establishments
- q) Personal Service Shops
- r) Professional, Financial and Office Support Services
- s) Professional Offices
- t) Government Services
- u) Community Recreation Services
- v) Indoor Participant Recreation Services
- w) Private and Public Education Services
- x) Private Clubs
- y) Public Libraries and Cultural Exhibits
- z) Religious Assembly

### **3) Discretionary Uses**

- a) Automotive and Minor Recreational Vehicle Sales/Rentals
- b) Carnivals
- c) Casinos and Other Gaming Establishments
- d) Convenience Vehicle Rentals
- e) Custom Manufacturing Establishments
- f) Exhibition and Convention Facilities
- g) Extended Medical Treatment Services
- h) Fleet Services
- i) Funeral Services
- j) Major Secondhand Stores
- k) Minor Impact Utility Services
- l) Minor Secondhand Stores
- m) Minor Veterinary Services
- n) Mobile Catering Food Services
- o) Motels

- p) Natural Science Exhibits
- q) Non-accessory Parking
- r) Protective and Emergency Services
- s) Recycled Materials Drop-off Centres
- t) Residential Sales Centres
- u) Warehouse Sales

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- v) Major Amusement Establishments
- w) Spectator Entertainment Establishments

#### **4) Development Regulations**

The following regulations shall apply to Permitted and Discretionary Uses.

##### a) Floor Area Ratio:

- i) the maximum Floor Area Ratio east of 100 Street shall be 8.0;
- ii) the maximum Floor Area Ratio west of 100 Street shall be 12.0; and
- iii) the maximum Floor Area Ratio shall be 13.1 for the area bounded on the east by 100 Street, on the north by Jasper Avenue, on the south by Macdonald Drive and on the west by the north/south lane and pedestrian walkway.

##### b) Height:

- i) the maximum Height shall not exceed that established by the Municipal Airport Protection Overlay, Section 810A of the Land Use Bylaw.

##### c) Building Setbacks:

- i) buildings shall be built to the front property line, except for a Setback of 1.5 m (4.9 ft.) along 104 Avenue; and
- ii) the Development Officer may, using discretion, allow Setbacks up to 4.5 m (14.8 ft.) to accommodate courtyards, colonnades, arcades or plazas, or to maintain established building Setbacks along the street in keeping with established street themes.

##### d) Street Frontage:

- i) at least 65% of at grade street Frontage on shopping and pedestrian oriented streets identified in subsections 910.8(6)(b)(i) and (ii) shall be developed for retail, services and other commercial uses to provide for retail continuity.

##### e) Weather Protection:

- i) weather protection in the form of a canopy of at least 2 m (6.56 ft.) wide, or any other method suitable to the architectural style of the building or street theme shall be provided one storey above sidewalk level.

f)Parking:

Parking shall be in accordance to Section 66 of the Land Use Bylaw.

i)Existing parking shall remain and additional parking will not be required for conversions to residential uses.

ii)Properties adjacent to Jasper Avenue, 102 Avenue, 99 Street, 100 and 101 Streets in the Core Commercial Arts District shall not be developed for non-accessory surface parking. Parkades may be allowed at the discretion of the Development Officer, if uses, other than parking, are provided fronting onto the streets identified above.

g)Vehicular Access:

i)shall preferably be from the adjacent rear lanes. Shared access will be encouraged to minimise curb cuts when access is allowed from the street frontage.

h)Amenity Area:

i)a minimum Amenity Area of 4% of the non-residential gross floor area shall be provided and such Amenity Area shall be exempted from floor area calculations to a maximum of 10% of the gross floor area of the development. Such Amenity Areas may include courtyards, interior landscaped open space, arcades, plazas, atriums and seating areas;

ii)non-residential buildings of less than 1 394 m<sup>2</sup> (15,000 sq. ft.) shall not provide the 4% Amenity Area; and

iii)Amenity Area for Apartment Housing shall not be provided.

### **5)Additional Regulations for Specific Uses**

a) Non-accessory surface parking lots shall provide a minimum 2 m (6.6 ft.) landscaped Setback from any property line abutting a public roadway and lane in addition to the landscaping requirements as per Section 69 of the Land Use Bylaw to the satisfaction of the Development Officer.

b)The storage of materials and the piling of snow on non-accessory parking surface lots shall be in a location away from the public roadway to improve safety and visibility to the satisfaction of the Development Officer.

c)The lighting for the non-accessory surface parking lots shall be a minimum of 6 LUX.

d)Notwithstanding the requirements of subsection 910.8(5)(d), Residential Use Classes and Hotels shall be allowed an additional Floor Area Ratio of 4.0. In cases where additional density has been granted, the Development Officer shall ensure that new developments fit within the urban context of the area and that adverse environmental impacts (sun shadow and wind impacts) are minimized.

e)The following regulations shall apply to Automotive and Minor Recreational Vehicle Sales/Rentals and Convenience Vehicle Rentals developments:

i)there shall be no servicing and repair operations; and

ii)all sales, display and storage shall be contained within the building.

### **6)Development Guidelines**

The Development Officer shall encourage the application of the following development guidelines to all developments within this District.

a)Urban Character and Built Form:

i) developments should continue to project a dense concentration of high-rise office towers, hotels, shopping centres

and retail establishments connected by a system of pedestrian linkages, urban parks and open spaces interspersed with lower scale, retail oriented commercial, historic and institutional buildings in a compact, highly visible pedestrian friendly core;

ii) developments should strengthen the cultural, economic and entertainment functions of the area and should be integrated with the Commercial Core through specific streetscape improvements and pedway connections to enhance the District as a people's place;

iii) buildings and street furnishings should project a strong commercial office core visibly expressed in engineering and architectural works. Physical improvements adjacent to or being part of government, arts and cultural buildings; and private developments abutting public spaces should provide appropriate uses, amenities, art and sculptures and architectural features to create a strong sense of place;

iv) point towers, podium plus towers and lower scaled structures should provide for weather protection at street level and solar access to sidewalks and public open spaces, where practical; and

v) infill developments should ensure buildings are built to the property line and accommodate approved pedway connections and linkages to LRT entrances.

#### b) Street Level Architecture:

i) development along pedestrian oriented shopping streets (Jasper Avenue, 102 Avenue, 101 Street, 100 Street, 99 Street and Rice Howard Way) and areas should provide architectural features, public open spaces, plazas, landscaping weather protection devices, multiple and varied entrances, pedestrian scaled lighting, linkages and inviting entrances at street level to enhance the character of the streets and support a lively pedestrian shopping environment; and

ii) buildings should generally be built to property lines, unless otherwise indicated in the regulations of this District, and should be designed in a consistent manner, preferably with entrances at corner sites.

Edmonton Land Use Bylaw 5996

Special Area Downtown

910.9 CMU (Commercial Mixed Use) District

### **910.9CMU (Commercial Mixed Use) District**

#### **1)General Purpose**

To provide a District for medium intensity development that accommodates a mix of predominantly commercial, office, institutional and business uses as a secondary office commercial area while emphasizing retail activities, entertainment and service uses at grade; to accommodate the existing commercial development west of 109 Street; and to allow conversion to residential and related uses.

#### **2)Permitted Uses**

- a)Apartment Hotels
- b)Apartment Housing
- c)Business Support Services
- d)Child Care Services
- e)Commercial Schools
- f)Community Recreation Services
- g)Convenience Retail Stores
- h)General Retail Stores
- i)Government Services
- j)Health Services
- k)Hotels
- l)Indoor Participant Recreation Services
- m)Limited Contractor Services
- n)Major and Minor Alcohol Sales
- o)Major and Minor Eating and Drinking Establishments

- p) Minor Amusement Establishments
- q) Personal Service Shops
- r) Private and Public Education Services
- s) Private Clubs
- t) Professional Offices
- u) Professional, Financial and Office Support Services
- v) Public Libraries and Cultural Exhibits
- w) Religious Assembly
- x) Spectator Entertainment Establishments

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- y) Major and Minor Home Occupations

### **3) Discretionary Uses**

- a) Auctioneering Establishments
- b) Broadcasting & Motion Picture Studios
- c) Carnivals
- d) Casinos and Other Gaming Establishments
- e) Convenience Vehicle Rentals
- f) Custom Manufacturing Establishments
- g) Equipment Rentals
- h) Fleet Services
- i) Funeral Services
- j) Minor Impact Utility Services
- k) Minor Service Stations
- l) Minor Secondhand Stores
- m) Mobile Catering Food Services
- n) Non-accessory Parking
- o) Outdoor Amusement Establishments
- p) Outdoor Participant Recreation Services

q)Protective and Emergency Services

r)Residential Sales Centre

s)Spectator Sport Establishments

#### **4)Development Regulations**

The following regulations shall apply to Permitted and Discretionary Uses.

a)Floor Area Ratio:

i)the maximum Floor Area Ratio east of 109 Street shall be 10.0; and

ii)the maximum Floor Area Ratio west of 109 Street shall be 4.0.

b)Height:

i)east of 109 Street: 45 m (147.6 ft.); and

ii)west of 109 Street: 20 m (65.6 ft.).

c)Building Setbacks:

i)buildings shall be built to the front property line, except for a Setback of 1.5 m (4.9 ft.) along 104 Street and 109 Street. A Setback of 3 m (9.8 ft.) along 105 Street, 99 Avenue and 100 Avenue; and

ii)the Development Officer may, at his discretion, allow Setbacks up to 4.5 m (14.8 ft.) to accommodate courtyards, colonnades, arcades or plazas, or to maintain established building Setbacks along the street in keeping with established street themes.

d)Parking Spaces:

i)parking shall be in accordance to Section 66 of the Land Use Bylaw; and

ii)existing parking shall remain and additional parking shall not be required for conversions to residential uses.

e)Vehicular Access:

i)access to buildings, entrances, service areas and parking facilities should preferably be from the rear lanes, except for emergency vehicles and handy-bus services which may be allowed at the discretion of the Development Officer in consultation with the Transportation and Streets Department.

f)Amenity Area:

i)a minimum Amenity Area of 4% of the non-residential gross floor area shall be provided and such Amenity Area shall be exempted from floor area calculations to a maximum of 10% of the gross floor area of the development. Such Amenity Areas may include courtyards, interior landscaped open space, arcades, plazas, atriums and seating areas;

ii)non-residential buildings of less than 1 394 m<sup>2</sup> (15,005.4 sq. ft.) shall not provide the 4% Amenity Area; and

iii)Amenity Area for Apartment Housing shall not be provided.

#### **5)Additional Regulations for Specific Uses**

- a) Non-accessory surface parking lots shall provide a minimum 2 m (6.6 ft.) landscaped Setback from any property line abutting a public roadway and lane in addition to the landscaping requirements as per Section 69 of the Land Use Bylaw to the satisfaction of the Development Officer.
- b) The storage of materials and the piling of snow on non-accessory parking surface lots shall be in a location away from the public roadway to improve safety and visibility to the satisfaction of the Development Officer.
- c) The lighting for the non-accessory surface parking lots shall be a minimum of 6 LUX.
- d) Notwithstanding the requirements of subsection 910.9(4)(a), Residential Use Classes and Hotels shall be allowed an additional Floor Area Ratio of 4.0. In cases where additional density has been granted, the Development Officer shall ensure that new developments fit within the urban context of the area and that adverse environmental impacts (sun shadow and wind impacts) are minimized.
- e) The following regulations shall apply to Convenience Vehicle Rentals developments:
  - i) there shall be no servicing and repair operations; and
  - ii) all storage and display shall be contained within the building.

## **6) Development Guidelines**

The Development Officer shall encourage the application of the following development guidelines to all developments within this District.

### **a) Urban Character and Built Form:**

- i) developments in this area should continue to accommodate specialty office commercial uses with medium to high density mixed-use residential and office commercial buildings, built to property lines that abut public roadways;
- ii) the primary intent is to refurbish and enhance the existing commercial developments on the west side of 109 Street, and to encourage infill redevelopment that maintains the low rise character of existing buildings. Two to five storey commercial and/or mixed use buildings with continuous retail or service oriented commercial uses at grade will be encouraged;
- iii) developments along the east side of 109 Street should accommodate new and retrofitted buildings and should reflect the medium to high density, high quality office and commercial buildings prevalent in the area; and
- iv) as a route to the Alberta Legislature, development along 108 Street should support the building style and streetscape ambiance established by the Provincial Legislature and existing office buildings. Developments should harmonize with the streetscape design elements of 108 Street Capital Boulevard.

### **b) Street Level Architecture:**

- i) facade improvements should complement the landscaped boulevard treatment envisioned for 109 Street; and
- ii) developments should incorporate street related commercial uses and architectural features, to strengthen the image of the businesses along the street. Such elements may include:
  - A) multiple and varied street entrances;
  - B) canopies, awnings and atriums;
  - C) lower floors designed to add variety, interest and a human scale dimension; and
  - D) provide clear glazing along the lower portions of the facade to promote pedestrian interaction and safety.



Edmonton Land Use Bylaw 5996

Special Area Downtown

910.10 MSC (Main Street Commercial) District

### **910.10MSC (Main Street Commercial) District**

#### **1) General Purpose**

To provide a District which accommodates at-grade, predominantly retail commercial, office and service uses suitable for the Downtown's Main Street-Jasper Avenue, to ensure that infill developments and the retrofitting and preservation of historical and older buildings incorporate human scale design characteristics to enhance a revitalized, dynamic main street atmosphere.

#### **2) Permitted Uses**

- a) Apartment Hotels
- b) Apartment Housing
- c) Broadcasting and Motion Picture Studios
- d) Business Support Services
- e) Child Care Services
- f) Commercial Schools
- g) Community Recreation Services
- h) Convenience Retail Stores
- i) General Retail Stores
- j) Government Services
- k) Health Services
- l) Hotels
- m) Indoor Participant Recreation Services
- n) Major and Minor Alcohol Sales
- o) Major and Minor Amusement Establishments

- p)Major and Minor Eating and Drinking Establishments
- q)Minor Veterinary Services
- r)Personal Service Shops
- s)Private Clubs
- t)Professional Offices
- u)Professional, Financial and Office Support Services
- v)Public and Private Education Services
- w)Public Libraries and Cultural Exhibits
- x)Religious Assembly
- y)Spectator Entertainment Establishments

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- z)Major and Minor Home Occupations

### **3)Discretionary Uses**

- a)Auctioneering Establishments
- b)Automotive and Minor Recreational Vehicle Sales/Rentals
- c)Boarding and Lodging Houses
- d)Carnivals
- e)Convenience Vehicle Rentals
- f)Custom Manufacturing Establishments
- g)Equipment Rentals
- h)Household Repair Services
- i)Limited Contractor Services
- j)Major Secondhand Stores
- k)Minor Impact Utility Services
- l)Minor Secondhand Stores
- m)Mobile Catering Food Services
- n)Non-accessory Parking
- o)Protective and Emergency Services

p)Residential Sales Centre

q)Warehouse Sales

#### **4)Development Regulations**

The following regulations shall apply to Permitted and Discretionary Uses.

a)Floor Area Ratio:

i)the maximum Floor Area Ratio shall be 10.0.

b)Height:

i)the maximum Height shall be 45 m (147.5 ft.).

c)Building Setbacks:

i)minimum: none required; and

ii)maximum: 2 m (6.6 ft.).

d)Building Frontage:

i)the business Frontage for establishments located in the lowest storey shall not exceed 10 m (32.8 ft.); and

ii)buildings fronting onto Jasper Avenue and abutting side streets shall provide at least 65% of at grade street Frontage for retail and other commercial and service uses.

e)Parking Spaces:

Parking shall be in accordance to Section 66 of the Land Use Bylaw.

i)Existing parking shall remain.

ii)No site fronting on to Jasper Avenue shall be developed for surface parking.

f)Vehicular Access:

i)parking and loading access shall be from the rear lanes or side streets to maintain the retail continuity and pedestrian flow along Jasper Avenue. Where this is not possible, parking and service access shall be consolidated and designed to minimize impacts on pedestrians.

g)Weather Protection:

i)weather protection in the form of a canopy of at least 2 m (6.56 ft.) wide, or any other method suitable to the architectural style of the building or street theme may be provided one storey above sidewalk level.

h)Amenity Area:

i)a minimum Amenity Area of 4% of the non-residential gross floor area shall be provided and such Amenity Area shall be exempted from floor area calculations to a maximum of 10% of the gross floor area of the development. Such Amenity Areas may include courtyards, interior landscaped open space, arcades, plazas, atriums and seating areas;

ii)non-residential buildings of less than 1 394 m<sup>2</sup> (15,000 sq. ft.) shall not provide the 4% Amenity Area; and

iii) Amenity Area for Apartment Housing shall not be provided.

## **5) Additional Regulations for Specific Uses**

a) Residential or Residential Use Classes shall not be developed in the lowest storey of any mixed-use building. Access to such uses in the same building shall be separate from other non-residential uses.

b) Non-accessory surface parking lots shall provide a minimum 2 m (6.6 ft.) landscaped Setback from any property line abutting a public roadway and lane in addition to the landscaping requirements as per Section 69 of the Land Use Bylaw to the satisfaction of the Development Officer.

c) The storage of materials and the piling of snow on non-accessory parking surface lots shall be in a location away from the public roadway to improve safety and visibility to the satisfaction of the Development Officer.

d) The lighting for the non-accessory surface parking lots shall be a minimum of 6 LUX.

e) Notwithstanding the requirements of subsection 910.10(4)(a), Residential Use Classes and Hotels shall be allowed an additional Floor Area Ratio of 4.0. In cases where additional density has been granted, the Development Officer shall ensure that new developments fit within the urban context of the area and that adverse environmental impacts (sun shadow and wind impacts) are minimized.

f) The following regulations shall apply to Automotive and Minor Recreational Vehicle Sales/Rentals and Convenience Vehicle Rentals developments:

i) there shall be no servicing and repair operations; and

ii) all sales, display and storage shall be contained within the building.

## **6) Development Guidelines**

The Development Officer shall encourage the application of the following development guidelines to all developments within this District.

a) Urban Character and Built Form:

i) Jasper Avenue (west) has an ambiance of small scale store fronts and a diversity of commercial uses housed in two to five storey buildings built to property lines. These aspects should be reinforced to create a pedestrian friendly, and lively shopping environment that reflects elements of a linear open mall and an outdoor gallery;

ii) infill development and public/private improvements should incorporate design elements which contribute to a dynamic shopping environment and an image of a diverse mix of small store fronts and businesses that will strengthen the economic activities along Downtown's Main Street;

iii) new and renovated developments should be similar in scale and form to the small scale retail-oriented buildings prevalent along this stretch of Jasper Avenue;

iv) buildings greater than six storeys will be allowed in the form of a podium plus tower composition or other configuration that ensures design treatments are compatible with the facades of adjacent, older or historic buildings in the immediate area, to maintain a human scale environment along Jasper Avenue. Development above the third storey should be setback at least 7.5 m (24.6 ft.) from Jasper Avenue to maintain human scaled buildings and allow for solar access at the sidewalk level; and

v) abrupt and excessive differences in scale of adjacent buildings should be minimized by transitional building treatments.

b) Street Level Architecture:

i) primary emphasis should be placed on design elements and facade improvements, particularly to the first and second levels of buildings, to create a pedestrian friendly environment. Buildings on corner sites should address both the street and the avenue; and

ii) new and renovated developments should incorporate the following architectural and urban design elements:

A) multiple and varied street entrances providing direct access to the sidewalk;

B) provide clear glazing along the lower portions of the facade to promote pedestrian interaction and safety;

C) compatibility with adjacent streetscape furniture elements, LRT entrances, bus stops/shelters and construction materials;

D) minimize differences in grade at street level to reduce street-wall impact; and

E) canopies, awnings and arcades, where practical.

Edmonton Land Use Bylaw 5996

920 Special Area Terwillegar Towne

*Bylaw No. 11318*

*August 12, 1996*

### **920.1 General Purpose**

To designate a portion of the Terwillegar Towne Neighbourhood, as shown on Appendix I to this Section, as a Special Area and to adopt appropriate land use regulations for this Special Area to achieve the objectives of the Terwillegar Towne Neighbourhood Area Structure Plan (NASP), as adopted under Bylaw No. 11056, as amended.

### **920.2 Application**

The designation, location and boundaries of each underlying Land Use District affected or created through this Section 920 shall apply as indicated on Appendix I to this Section.

### **920.3 Regulations of Conventional Land Use Districts Altered by Special Area Provisions**

The development regulations of Sections 920.4, 920.5 and 920.6 shall be applied in place of, or in addition to, the regulations of Sections 130, 150 and 370, in accordance with the provisions of Section 820 of this Bylaw.

[920.4 RPL\\* \(Terwillegar Towne\) Planned Lot Residential District](#)

[920.5 RF4\\* \(Terwillegar Towne\) Semi-detached Residential District](#)

[920.6 CMX\\* \(Terwillegar Towne Square\) Commercial Mixed Use District](#)

### **920.7 Land Use Districts Created by Special Area Provisions**

The Land Use Districts as contained in Sections 920.8 and 920.9 have been created in accordance with Section 900.2 and 900.5 of this Bylaw.

[920.8 TTSDR Terwillegar Towne Single Detached Residential](#)

[920.9 TTSLR Terwillegar Towne Small Lot Residential District](#)

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Special Area Terwillegar Towne

920.4 RPL\* (Terwillegar Towne) Planned Lot Residential District

**920.4RPL\* (Terwillegar Towne) Planned Lot Residential District**

1)The Uses listed as Permitted and Discretionary Uses in Section 130 of this Bylaw being the RPL (Planned Lot Residential) District shall be the Permitted and Discretionary Uses for this District.

2)Except as expressly modified in Section 920.4.(3) the development regulations specified in Section 130 of this Bylaw shall regulate development in this District.

3)The following development regulations shall apply to the development of those RPL\* Districts within the Terwillegar Towne Special Area and as identified on Appendix I to this Section:

a)the minimum Front Yard shall be 3.0 m (9.8 ft.), unless the Development Officer, having regard for the siting and appearance of adjoining residences and other residences within the block face, increases the Front Yard requirement to improve sunlight exposure, views, privacy and to add general interest to the streetscape;

b)the minimum Side Yard abutting a public roadway other than a lane shall be 20% of the site width or 2.4 m (7.9 ft.), whichever is greater. The minimum Side Yard abutting a lane shall be 1.2 m (3.94 ft.);

c)entryways shall not be placed on side walls to Dwellings to ensure privacy of adjacent properties except as follows:

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i)where the entryway is generally oriented toward the front or the rear of the building; or

ii)where the entryway is located on the Dwelling wall abutting a flanking public roadway or lane; and

d)the vehicle doors of a detached garage shall not face any flanking public roadway.

Edmonton Land Use Bylaw 5996

Special Area Terwillegar Towne

920.5 RF4\* (Terwillegar Towne) Semi-detached Residential District

**920.5RF4\* (Terwillegar Towne) Semi-detached Residential District**

1)The Uses listed as Permitted and Discretionary Uses in Section 150 of this Bylaw being the RF4 (Semi-detached Residential) District shall be the Permitted and Discretionary Uses for this District.

2)Except as expressly modified in Section 920.5.(3) the development regulations specified in Section 150 of this Bylaw shall regulate development in this District.

3)The following development regulations shall apply to the development of those RF4\* Districts within the Terwillegar Towne Special Area and as identified on Appendix I to this Section:

a)the minimum Front Yard shall be 3.0 m (9.8 ft.) for Single Detached, Semi-detached, and Duplex development, unless the Development Officer, having regard for the siting and appearance of adjoining residences and other residences within the block face increases the Front Yard requirement to improve sunlight exposure, views, privacy and to add general interest to the streetscape;

b)the minimum Front Yard shall be 1.5 m (4.9 ft.) for Linked Housing, unless the Development Officer, having regard for the siting and appearance of adjoining residences and other residences within the block face increases the Front Yard requirement to improve sunlight exposure, views, privacy and to add general interest to the streetscape;

c)Side Yards shall be established on the following basis:

i)Side Yards shall total at least 20% of the site width, with a minimum Side Yard of 1.2 m (3.9 ft.), except that the minimum Side Yard for buildings over 7.5 m (24.6 ft.) in Height shall be 2 m (6.6 ft.);

ii)on a corner site where the building fronts on the Front Yard the minimum Side Yard abutting the flanking public roadway other than a lane shall be 20% of the site width, to a maximum of 3.0 m (9.8 ft.); and

iii)on a corner site where the building fronts on a flanking public roadway other than a lane, the minimum Side Yard abutting the flanking public roadway shall be 3.0 m (9.8 ft.);

d)entryways shall not be placed on side walls to Dwellings to ensure privacy of adjacent properties except as follows:

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i)where the entryway is generally oriented toward the front or the rear of the building; or

ii)where the entryway is located on the Dwelling wall abutting a flanking public roadway or lane;

- e)the vehicle doors of a detached garage shall not face any flanking public roadway;
- f)notwithstanding Section 61.3, where the vehicle doors of a detached garage face a lane abutting the site, no portion of the garage shall be located less than 3.0 m (9.8 ft.) from the abutting property line;
- g)plans of subdivision for development in this District must ensure that each proposed lot is serviced by both a public roadway and a lane; and
- h)there shall be no vehicular access to a RF4\* site from a public roadway other than a lane.

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Special Area Terwillegar Towne

920.6 CMX\* (Terwillegar Towne Square) Commercial Mixed Use District

**920.6CMX\* (Terwillegar Towne Square) Commercial Mixed Use District**

1)Discretionary Uses listed in Section 370.4 of this Bylaw are deleted, except for the following:

a)Residential

i)Row Housing

ii)Stacked Row Housing

iii)Apartment Housing

b)Residential-Related

i)Residential Sales Centre

ii)Minor Home Occupations

iii)Major Home Occupations

c)Commercial

i)Automotive and Equipment Repair Shops

ii)Business Support Services

iii)Commercial Schools

iv)Convenience Retail Stores

v)Custom Manufacturing Establishments

vi)Equipment Rentals, provided that all equipment and goods for rent are contained within an enclosed building

vii)Gas Bars

viii)General Retail Stores

ix)Health Services

x)Household Repair Services

- xi)Major and Minor Eating and Drinking Establishments
- xii)Minor Alcohol Sales
- xiii)Minor Amusement Establishments
- xiv)Minor Second-hand Stores
- xv)Minor Service Stations
- xvi)Minor Veterinary Services
- xvii)Mobile Food Catering Services
- xviii)Personal Service Shops
- xix)Professional, Financial and Office Support Services
- xx)Recycling Depots
- xxi)Spectator Entertainment Establishments
- d)Basic Services
  - i)Extended Medical Treatment Services
  - ii)Government Services
  - iii)Minor Impact Utility Services
- e)Community, Educational, Recreational, and Cultural Services
  - i)Community Recreation Services
  - ii)Child Care Services
  - iii)Indoor Participant Recreation Services
  - iv)Private Clubs
  - v)Private Education Services
  - vi)Public Education Services
  - vii)Public Libraries and Cultural Exhibits
  - viii)Religious Assembly

2)Except as expressly modified in Section 920.6.(3) the development regulations specified in Section 370 of this Bylaw shall regulate development in this District.

3)The following development regulations shall apply to the development of those CMX\* Districts within the Terwillegar Towne Special Area and as identified on Appendix I to this Section:

- a)the maximum total Floor Area Ratio shall be 2.5;

- b) the maximum total residential density shall be 125 Dwellings per hectare (50.6 d.u./ac)
- c) the maximum Height shall not exceed 14 m (45.9 ft.) nor 4 storeys, The maximum Height for architectural features such as steeples, clock towers and facade details shall be 26 m (85.3 ft.);
- d) at-grade frontage abutting the roadways which form the Town Square intersection as shown in the Terwillegar Towne Neighbourhood Area Structure Plan shall be developed with non-residential uses except that on-site parking shall not be developed abutting these roadways;
- e) all at-grade commercial development shall be pedestrian oriented;
- f) all buildings fronting on public roadways shall include the following:
  - i) display windows and entryways fronting on the public sidewalk associated with the public roadway; and either:
    - A) a canopy a minimum of 2.0 m (6.6 ft.) in width being a minimum of 4.0 m (13.1 ft.) or one storey above grade; or
    - B) a continuous arcade a minimum of 4.0 m (13.1 ft.) in width being between 4.0 m (13.1 ft.) and 6.0 m (19.7 ft.) above grade;
  - g) there shall be no minimum Front Yard or front setback requirement for ground related non-residential development; however, any setbacks shall maintain an architectural presence at the front property line;
  - h) a minimum landscaped Yard 7.5 m (24.6 ft.) in depth shall be provided where the rear or side lot line of a non-residential use abuts a residential district;
  - i) the minimum landscaped Yard requirements for ground related residential uses shall be established on the following basis:
    - i) the minimum front landscaped Yard shall be 3.0 m (9.8 ft.) in depth;
    - ii) the minimum Side Yard shall be 2.0 m (6.6 ft.) in depth with an additional 1.0 m (3.3 ft.) for each storey or partial storey for developments above 2 storeys in Height;
    - iii) the minimum Side Yard shall be 4.5 m (14.8 ft.) in depth where abutting a flanking public roadway other than a lane;
    - iv) the minimum Rear Yard shall be 7.5 m (24.6 ft.) in depth;
  - j) a minimum Private Outdoor Amenity Area shall be provided in accordance with the following:
    - i) 30 m<sup>2</sup> (322.9 sq. ft.) per Family Oriented Dwelling, any part of which is contained in the lowest storey; and
    - ii) 15 m<sup>2</sup> (161.5 sq. ft.) per Family Oriented Dwelling, no part of which is contained in the lowest storey;
  - k) a minimum Amenity Area of 9.0 m<sup>2</sup> (96.9 sq. ft.) per Family Oriented Dwelling shall be provided and developed as childrens' play space and be aggregated into areas of not less than 50 m<sup>2</sup> (538 sq. ft.) for developments containing 20 or more Family Oriented Dwellings;
  - l) recreational facilities which require a user charge that are provided in addition to the minimum required Amenity Area shall be exempt from floor area ratio calculations;
  - m) Recycling Depots shall be developed as an accessory use only and shall be contained within an enclosed building; and
  - n) loading, storage and trash collection areas shall be located to the rear or sides of the principal building and shall be

screened from view from any adjacent sites or public roadways in accordance with Section 69.4.

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Special Area Terwillegar Towne

920.8 TTSDR Terwillegar Towne Single Detached Residential

## **920.8TTSDR Terwillegar Towne Single Detached Residential**

### **1)General Purpose**

To establish a District for street oriented Single Detached Housing, with opportunities for Garage Suite development under certain conditions.

### **2)Permitted Uses**

- a)[Single Detached Housing](#)
- b)[Limited Group Homes](#)
- c)[Minor Home Occupations](#)

### **3)Discretionary Uses**

- a)[Child Care Services](#)
- b)[Foster Homes](#)
- c)[Garage Suite](#)
- d)[Group Homes](#)
- e)[Major Home Occupations](#)
- f)[Religious Assembly](#)
- g)[Residential Sales Centre](#)
- h)[Secondary Suites](#)

i)[Semi-Detached Housing](#), and [Duplex Housing](#) where the side lot line abuts a lot in a Commercial, Row Housing, or Apartment District, or is not separated from it by a public roadway more than 10 m (32.8 ft.) wide.

### **4)Development Regulations for Permitted and Discretionary Uses**

The following development regulations shall apply to this District:

- a) the minimum site area shall be 360 m<sup>2</sup> (3,875.1 sq. ft.) per Dwelling;
- b) the minimum site width shall be 12 m (39.4 ft.);
- c) the minimum site depth shall be 30 m (98.4 ft.);
- d) the maximum Height shall not exceed 10 m (32.8 ft.) nor 2 1/2 storeys;
- e) the maximum total site coverage shall not exceed 40%, with a maximum of 28% for a principal building and a maximum of 12% for accessory buildings. Where a garage is attached to or designed as an integral part of the principal building, the maximum total site coverage for the principal building shall be 40%;
- f) the minimum Front Yard shall be 3.0 m (9.8 ft.);
- g) the minimum Rear Yard shall be 7.5 m (24.6 ft.) except in the case of a corner site it shall be 4.5 m (14.8 ft.);
- h) Side Yards shall be established on the following basis:
  - i) Side Yards shall total at least 20% of the site width, with a minimum Side Yard of 1.2 m (3.9 ft.), except that the minimum Side Yard for buildings over 7.5 m (24.6 ft.) in Height shall be 2 m (6.6 ft.);
  - ii) where there is no lane abutting the site, one Side Yard shall be at least 3 m (9.8 ft.) for vehicular access, unless there is an attached garage or a garage which is an integral part of a Dwelling;
  - iii) on a corner where the building fronts on the Front Yard the minimum site Side Yard abutting the flanking public roadway other than a lane shall be 20% of the site width, to a maximum of 3.0 m (9.8 ft.); and
  - iv) on a corner site where the building fronts on a flanking public roadway other than a lane, the minimum Side Yard abutting the flanking public roadway shall be 3.0 m (9.8 ft.);
- i) Separation Space shall be provided between two or more Dwellings on separate sites, or on portions of Dwellings on the same site, in accordance with [Section 58](#) of this Bylaw, except that the width of a front Privacy Zone shall not be required to exceed the width of the minimum Front Yard specified in this District;
- j) Minor Home Occupations shall be developed in accordance with [Section 84](#) of this Bylaw;
- k) entryways shall not be placed on side walls to Dwellings to ensure privacy of adjacent properties except as follows:

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- i) where the entryway is generally oriented toward the front or the rear of the building; or
- ii) where the entryway is located on the Dwelling wall abutting a flanking public roadway or lane;
- l) the minimum setback for a front attached garage from the front property line shall be 5.5 m (16.4 ft.);
- m) the vehicle doors of a detached garage shall not face any flanking public roadway; and
- n) notwithstanding Section 61.3, where the vehicle doors of a detached garage face a lane abutting the site, no portion of the garage shall be located less than 3.0 m (9.8 ft.) from the abutting property line.

## **5) Additional Development Regulations for Discretionary Uses**

The following development regulations shall apply to the Discretionary Uses listed in this District:

- a) notwithstanding Section 920.8(4)(a), the minimum site area shall be 300m<sup>2</sup> (3,229.2 sq. ft.) for each Semi-detached or Duplex Dwelling, and 100 m<sup>2</sup> (1,076.4 sq. ft.) for each Secondary Suite in this District;
- b) notwithstanding Section 920.8(4)(b) the minimum site width shall be 7.5 m (24.6 ft.) for each Semi-detached or Duplex Dwelling;
- c) Major Home Occupations shall be developed in accordance with [Section 85](#) of this Bylaw;
- d) Group Homes shall be developed in accordance with [Section 91](#) of this Bylaw;
- e) notwithstanding the minimum site area and minimum site width provisions of this District, Religious Assembly Uses shall be developed in accordance with [Section 81](#) of this Bylaw;
- f) Child Care Services shall be developed in accordance with [Section 93](#) of this Bylaw;
- g) Residential Sales Centres shall be developed in accordance with [Section 95](#) of this Bylaw;
- h) Secondary Suites shall be developed in accordance with [Section 99](#) of this Bylaw;
- i) Garage Suites shall be developed in accordance with the following:
  - i) Garage Suites shall only be developed above a rear detached garage;
  - ii) the minimum site area shall be 100 m<sup>2</sup> (1,076 sq. ft.) for a Garage Suite, this area shall be provided in addition to the minimum site area provided for the principal Dwelling;
  - iii) the maximum Height for a garage containing a Garage Suite shall be 7.5 m (24.6 ft.);
  - iv) the maximum site coverage for a garage containing a Garage Suite shall not exceed 12%;
  - v) the maximum floor area of a Garage Suite shall be 50m<sup>2</sup> (538.2 sq. ft.);
  - vi) the minimum Side Yard for a detached garage shall be 0.9 m (3.0 ft.) for structures 3.7 m (12 ft.) or less in Height, and 1.2m for structures greater than 3.7 m (12 ft.) in Height;
  - vii) on a corner site where a Garage Suite abuts a flanking public roadway other than a lane, the required Side Yard shall not be less than that provided for the principal structure;
  - viii) there shall be no more than one Garage Suite developed in conjunction with a Dwelling in the principal structure;
  - ix) one on-site parking space, not in tandem with any other required parking, shall be provided for a Garage Suite; and
  - x) notwithstanding Section 9.1(29) of this Bylaw, the number of unrelated persons occupying a Garage Suite shall not exceed three;
- j) Secondary Suites and Garage Suites shall not be developed on the same site; and
- k) The Development Officer may exercise discretion in considering Secondary Suite or Garage Suite development having regard to:
  - i) compatibility of the use with the siting, grade elevations, Height, building types and materials characteristic of surrounding Single Detached Housing and development; and
  - ii) the effect on the privacy of adjacent properties.

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Special Area Terwillegar Towne

920.9 TTSLR Terwillegar Towne Small Lot Residential District

## **920.9TTSLR Terwillegar Towne Small Lot Residential District**

### **1)General Purpose**

To establish a District for street oriented Single Detached Housing on small lots, as a more intensive form of development on small lots, with opportunity for Garage Suite development under certain conditions.

### **2)Permitted Uses**

- a)[Single Detached Houses](#)
- b)[Limited Group Homes](#)
- c)[Minor Home Occupations](#)

### **3)Discretionary Uses**

- a)[Child Care Services](#)
- b)[Foster Homes](#)
- c)[Garage Suites](#)
- d)[Group Homes](#)
- e)[Major Home Occupations](#)
- f)[Religious Assembly](#)
- g)[Residential Sales Centre](#)
- h)[Secondary Suites](#)
- i)[Semi-Detached Housing](#), and [Duplex Housing](#) where the side lot line abuts a lot in a Commercial, Row Housing, or Apartment District, or is not separated from it by a public roadway more than 10 m (32.8 ft.) wide.

### **4)Development Regulations for Permitted and Discretionary Uses**

The following development regulations shall apply to development in this District:

- a) the minimum site area shall be 312 m<sup>2</sup> (3,358.4 sq. ft.) per Dwelling;
- b) the minimum site width shall be 10.4 m (34.1 ft.);
- c) the minimum site depth shall be 30 m (98.4 ft.);
- d) the maximum Height shall not exceed 10 m (32.8 ft.) nor 2 1/2 storeys;
- e) the maximum total site coverage shall not exceed 45%, inclusive of an attached garage and any other accessory buildings;
- f) the minimum Front Yard shall be 3.0 m (9.8 ft.);
- g) the minimum Rear Yard shall be 7.5 m (24.6 ft.) except in the case of a corner site it shall be 4.5m (14.8 ft.);
- h) Side Yards shall be established on the following basis:
  - i) Side Yards shall total at least 20% of the site width, with a minimum Side Yard of 1.2 m (3.9 ft.), except that the minimum Side Yard for buildings over 7.5 m (24.6 ft.) in Height shall be 2 m (6.6 ft.);
  - ii) on a corner site where the building fronts on the Front Yard the minimum Side Yard abutting the flanking public roadway other than a lane shall be 20% of the site width, to a maximum of 3.0 m (9.8 ft.); and
  - iii) on a corner site where the building fronts on a flanking public roadway other than a lane, the minimum Side Yard abutting the flanking public roadway shall be 3.0 m (9.8 ft.);
- i) Single Detached Housing shall be developed in accordance with the following regulations:
  - i) all Dwellings on lots not abutting a lane shall include a front attached garage;
  - ii) identical floor plans with similar front elevations must be separated by a minimum of one lot unless finishing treatments are substantially different to the satisfaction of the Development Officer;
  - iii) the Development Officer may require a graduated transition between different housing styles which shall be accommodated by varied roof lines, architectural projections, and/or the interjection of bi-level or split level designs between bungalow and two-storey designs; and
  - iv) Dwellings on corner lots shall have flanking side treatments similar to the front elevation to the satisfaction of the Development Officer;
- j) Separation Space shall be provided between two or more Dwellings on separate sites or between portions of Dwellings on the same site, in accordance with [Section 58](#) of this Bylaw, except that the width of a front Privacy Zone shall not be required to exceed the width of the minimum Front Yard specified in this District;
- k) Minor Home Occupations shall be developed in accordance with [Section 84](#) of this Bylaw;
- l) entryways shall not be placed on side walls to Dwellings to ensure privacy of adjacent properties except as follows:  
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  - i) where the entryway is generally oriented toward the front or the rear of the building; or
  - ii) where the entryway is located on the Dwelling wall abutting a flanking public roadway or lane;

- m)the minimum setback for a front attached garage from the front property line shall be 5.5 m (16.4 ft.);
- n)the vehicle doors of a detached garage shall not face any flanking public roadway; and
- o)notwithstanding Section 61.3, where the vehicle doors of a detached garage face a lane abutting the site, no portion of the garage shall be located less than 3.0 m (9.8 ft.) from the abutting property line.

### **5)Additional Development Regulations for Discretionary Uses**

The following development regulations shall apply to the Discretionary Uses listed in this District:

- a)notwithstanding Section 920.9(4)(a), the minimum site area shall be 300m<sup>2</sup> (3,229.2 sq. ft.) for each Semi-detached or Duplex Dwelling, and 100 m<sup>2</sup> (1,076.4 sq. ft.) for each Secondary Suite in this District;
- b)notwithstanding Section 920.9(4)(b), the minimum site width shall be 7.5 m (24.6 ft.) for each Semi-detached or Duplex Dwelling;
- c)Major Home Occupations shall be developed in accordance with [Section 85](#) of this Bylaw;
- d)Group Homes shall be developed in accordance with [Section 91](#) of this Bylaw;
- e)notwithstanding the minimum site area and minimum site width provisions of this District, Religious Assembly Uses shall be developed in accordance with [Section 81](#) of this Bylaw;
- f)Child Care Services shall be developed in accordance with [Section 93](#) of this Bylaw;
- g)Residential Sales Centres shall be developed in accordance with [Section 95](#) of this Bylaw;
- h)Secondary Suites shall be developed in accordance with [Section 99](#) of this Bylaw;
- i)Garage Suites shall be developed in accordance with the following:
  - i)Garage Suites shall only be developed above a rear detached garage;
  - ii)the minimum site area shall be 100 m<sup>2</sup> (1,076 sq. ft.) for a Garage Suite, this area shall be provided in addition to the minimum site area provided for the principal Dwelling;
  - iii)the maximum Height for a garage containing a Garage Suite shall be 7.5 m (24.6 ft.);
  - iv)the maximum site coverage for a garage containing a Garage Suite shall not exceed be 12%;
  - v)the maximum floor area of a Garage Suite shall be 50m<sup>2</sup> (538.2 sq. ft.);
  - vi)the minimum Side Yard for a detached garage shall be 0.9 m (3.0 ft.) for structures 3.7 m (12 ft.) or less in Height, and 1.2m for structures greater than 3.7 m (12 ft.) in Height;
  - vii)on a corner site where a Garage Suite abuts a flanking public roadway other than a lane, the required Side Yard shall not be less than that provided for the principal structure;
  - viii)there shall be no more than one Garage Suite developed in conjunction with a Dwelling in the principal structure;
  - ix)one on-site parking space, not in tandem with any other required parking, shall be provided for a Garage Suite; and
  - x)notwithstanding Section 9.1(29) of this Bylaw, the number of unrelated persons occupying a Garage Suite shall not exceed three;

j)Secondary Suites and Garage Suites shall not be developed on the same site; and

k)The Development Officer may exercise discretion in considering Secondary Suite or Garage Suite development having regard to:

i)compatibility of the use with the siting, grade elevations, Height, building types and materials characteristic of surrounding Single Detached Housing and development; and

ii)the effect of privacy of adjacent properties.

## Additional Information - DC1 Areas

The DC1 districts listed here are not part of the main Land Use Bylaw text, but are excerpted from the relevant Area Redevelopment Plans. They are referenced here for convenience only. Please refer to the individual plans for policies and explanations.

### **Boyle Street/McCauley Area Redevelopment Plan (Bylaws 10703, 10704, 10705)**

[8.4.12 DC1 \(Area 1\) Chinatown South Direct Development Control District](#)

[8.4.13 DC1 \(Area 2\) Old Towne Market Direct Development Control District](#)

[8.4.14 DC1 \(Area 3\) 105 A Avenue South Direct Development Control District](#)

[8.4.15 DC1 \(Area 4\) 105 A Avenue North Direct Development Control District](#)

[8.4.16 DC1 \(Area 5\) Northwest McCauley Direct Development Control District](#)

[8.4.17 DC1 \(Area 6\) - McCauley Direct Development Control District](#)

[8.4.18 DC1 \(Area 7\) - Stadium East Direct Development Control District](#)

[8.4.19 DC1 \(Area 8\) - Stadium West Direct Development Control District](#)

[DC1 \(Area 9\) \(Direct Development Control\) District for the Goodridge Block \(Bylaw 10760\)](#)

### **Central McDougall Area Redevelopment Plan (Bylaw 6388)**

[DC1 \(Direct Development Control\) District for the Prince of Wales Armoury Site](#)

### **Cloverdale Area Redevelopment Plan (Bylaw 7972)**

[5.7 DC1 - Residential Direct Control District](#)

### **Coliseum Station Area Redevelopment Plan (Bylaw 6929)**

[DC1 \(Area 1\) - Coliseum Direct Development Control District](#)

### **Downtown Area Redevelopment Plan (Bylaw 11404)**

[Churchill Wire Centre DC1 \(Bylaw 11163\)](#)

[Hudson's Bay Department Store Site DC1 \(Bylaw 9993\)](#)

[Union Bank Building DC1 \(Bylaw 11229\)](#)

**Garneau Area Redevelopment Plan (Bylaws 6220, 6221)**

[DC1 - Garneau Direct Development Control District](#)

**Old Strathcona Area Redevelopment Plan (Bylaws 6380, 6382)**

[10.21 DC1 \(Area 1\) Residential Direct Control District](#)

[10.22 DC1 \(Area 2\) Commercial Direct Control District](#)

[10.23 DC1 \(Area 3\) Institutional Direct Control District](#)

**Oliver Area Redevelopment Plan (Bylaws 11618, 11619)**

[15.6 DC1 - Direct Development Control District \(Area 1\)](#)

[15.7 DC1 - Direct Development Control District \(Area 2\)](#)

[15.8 DC1 - Direct Development Control District \(Area 3\)](#)

[15.9 DC1 - Direct Development Control District \(Area 4\)](#)

[15.10 DC1 - Direct Development Control District \(Area 5\)](#)

[15.11 DC1 - Direct Development Control District \(Area 6\)](#)

[15.12 DC1 - Direct Development Control District \(Area 7\)](#)

**Riverdale Area Redevelopment Plan (Bylaw 10252)**

[5.2.6 DC1 Riverdale Direct Development Control District](#)

**Rossdale Area Redevelopment Plan (Bylaws 8138, 8139)**

[5.12 DC1 \(Area 1\) Rossdale Brewery Area Direct Control District](#)

**Stadium Station Area Redevelopment Plan (Bylaw 6931)**

[DC1 \(Area 3\) - Viewpoint Direct Development Control District](#)

**West-Ingle Area Redevelopment Plan (Bylaws 11420, 11421)**

[DC1 \(Direct Development Control\) District for the Westmount Architectural Heritage Area](#)

## Boyle Street/McCauley Area Redevelopment Plan

### 8.4.12 DC1 (Area 1) Chinatown South Direct Development Control District

#### **8.4.12DC1 (Area 1) Chinatown South Direct Development Control District (Section 710, Land Use Bylaw)**

##### 8.4.12.1 Area of Application

A portion of Sub-area 4, located between 95 and 97 Streets north of Jasper Avenue, designated DC1 (Area 1) in Bylaw 10705, amending the Land Use Bylaw.

##### 8.4.12.2 Rationale

To provide a district for an area of special cultural interest serving as an identifiable Chinatown Centre in order to achieve the intent of Section 7.2.6 of this Plan. This District is intended to function as the main commercial node for the Boyle Street Area.

##### 8.4.12.3 Uses

The following uses are prescribed for lands designated DC1 (Area 1) pursuant to Section 710.3 of the Land Use Bylaw:

###### 8.4.12.3.1 Apartment Housing

###### 8.4.12.3.2 Apartment Hotels

###### 8.4.12.3.3 Minor Home Occupations

###### 8.4.12.3.4 Major Home Occupations

###### 8.4.12.3.5 Major and Minor Amusement Establishments

###### 8.4.12.3.6 Business Support Services

###### 8.4.12.3.7 Convenience Retail Stores

###### 8.4.12.3.8 General Retail Stores

###### 8.4.12.3.9 Hotels

###### 8.4.12.3.10 Major and Minor Eating Establishments

###### 8.4.12.3.11 Non-accessory Parking

###### 8.4.12.3.12 Personal Service Shops

8.4.12.3.13 Professional, Financial and Office Support Services

8.4.12.3.14 Minor Alcohol Sales

8.4.12.3.15 Government Services

8.4.12.3.16 Community Recreational Services

8.4.12.3.17 Indoor Participant Recreation Services

8.4.12.3.18 Natural Science Exhibits

8.4.12.3.19 Private Clubs

8.4.12.3.20 Public Libraries and Cultural Exhibits

8.4.12.3.21 Public Park

8.4.12.3.22 Religious Assembly

8.4.12.3.23 Spectator Entertainment Establishments.

8.4.12.4 Development Criteria

The following development criteria shall apply to the prescribed uses pursuant to Section 710.4 of the Land Use Bylaw.

8.4.12.4.1 The maximum floor area ratio shall be 3.0, except that the Department Officer may, at its discretion, increase the floor area ratio to a maximum of 5.0 for comprehensive development on sites of 1,400 m<sup>2</sup> (15,070 sq. ft.) or greater which, in his opinion, meets the objectives of this Plan and provides the following:

- (i) effective and efficient local traffic management through the provision of a limited number of common parking and service access points to the site;
- (ii) parking which is below-grade and covered, or parking in a structure above-grade with an exterior which integrates with the overall design and character of the proposed development;
- (iii) continuity of pedestrian-oriented retail and service establishments with direct access to grade providing activity and interest for passers-by;
- (iv) amenity area, in excess of the requirements of this District, particularly those which promote the pedestrian-oriented nature of the development, through the provision of such features as atriums, plazas and seating areas;
- (v) design elements and landscaping features which add to the streetscape and promote the pedestrian-oriented nature of the development, such as:
  - (a) additional building setbacks used for sidewalk widening with colonnades, awnings, bus shelters, landscaping and other forms of weather and wind protection within the property line.
  - (b) exterior lighting and furniture, mature trees and other planting including means to facilitate natural growth, in excess of the requirements of the Land Use Bylaw.
- (vi) lighting and design elements such as openness to public view and a mixture of uses in addition to the expected retail and residential activity, such as restaurants, theatres, cabarets and nightclubs which ensure the attractiveness and safety of the development at night and encourage the active use of the site beyond normal office hours; and

(vii) architectural detailing, exterior finishing materials and building massing which are in harmony throughout the development and with features prevalent in existing adjacent development where these are consistent with the objectives of this Plan for this District.

The maximum total floor area ratio for mixed use buildings including Spectator Entertainment Establishments used for live theatre or motion pictures may be increased by an amount equal to the gross floor area of these uses. For Spectator Entertainment Establishments having a clear height of 6 m (19.6 ft.) or more, the increase in floor area ratio shall be doubled.

8.4.12.4.2 The maximum building height shall not exceed:

- (i) 14 m (45.93 ft.) nor 4 storeys for sites adjacent to 96 Street;
- (ii) 26 m (85.3 ft.) nor 8 storeys for sites not adjacent to 96 Street and 1,400 sq. m (15,070 sq. ft.); and
- (iii) 35 m (114.8 ft.) nor 10 storeys for sites not adjacent to 96 Street and greater than 1,400 sq. m (15,070 sq. ft.).

8.4.12.4.3 Ground floor development shall:

- (i) be used only for retail uses, personal service shops, eating and drinking establishments, spectator entertainment establishments, hotel lobbies and other uses consistent with the objectives and land use proposals of this Plan;
- (ii) front onto and have direct access to 102 Avenue, Jasper Avenue, 96 Street and the pedway areas, where developments abut these streets and pedways;
- (iii) have facades divided into modules based on 10.06 m (33 ft.) lot frontages or smaller modules for sites containing more than one lot; and
- (iv) have at least 75% of the frontage developed to a 1.5 m (5 ft.) setback from the front lot line.

8.4.12.4.4 Properties adjacent to 96 Street shall not be setback from the front lot line unless a particular design feature is being encouraged that would enhance the overall streetscape.

8.4.12.5 A minimum Amenity Area of 7.5 m<sup>2</sup> (80.76 sq. ft.) per dwelling shall be provided in accordance with Section 56 of the Land Use Bylaw.

8.4.12.6 Developments isolating another site within this District of less than 800 m<sup>2</sup> (8,611.4 sq. ft.) or less shall be discouraged. The Development Officer may exercise discretion in considering such proposals based on the scale of the development in comparison to the potential floor area ratio in the District, and the location, age, nature of use and potential for the site to be incorporated into a future comprehensive development and/or other factors regarding the site to be isolated.

8.4.12.7 The Development Officer shall ensure that new development in the Chinatown Area is generally in character and compliance with the proposals and guidelines of the Chinatown Special Cultural Features Streetscape and Pedway Designs, as contained in the Chinatown Implementation Plan. Specifically the following guidelines should be taken into consideration:

- (i) proposed buildings should display traditional or period Chinese architecture through elements or details of the building such as roof ridges, walls, illustrations, screens, ornamentation, calligraphy or signage and colour composition;
- (ii) on-site landscaping should reflect traditional Chinese patterns, form and colour in pedestrian circulation areas, plazas and on containers of landscaping materials;
- (iii) new development should reflect character and integrate with the special cultural features, such as the Chinese Entrance Gates, Ceremonial Square, Chinese Gardens and spaces with special sidewalk landscaping treatment; and

(iv) the Development Officer should review the plans submitted for new development in the Chinatown Area with a person or organization knowledgeable in Chinese culture to determine if the application sufficiently reflects aspects of the Chinese culture.

8.4.12.8 Notwithstanding other regulations of this District:

(i) Religious Assembly uses shall be developed in accordance with the provisions of Section 81 of the Land Use Bylaw;

(ii) Minor Home Occupations shall be developed in accordance with the provisions of Section 84 of the Land Use Bylaw;

(iii) Major Home Occupations shall be developed in accordance with the provisions of Section 85 of the Land Use Bylaw; and

(iv) Minor Alcohol Sales shall be developed in accordance with the provisions of Section 98 of the Land Use Bylaw.

8.4.12.9 Parking and loading shall, wherever possible, be located in the rear areas. Required off-street parking shall be provided in accordance with Section 66 of the Land Use Bylaw.

## Boyle Street/McCauley Area Redevelopment Plan

### 8.4.13 DC1 (Area 2) Old Towne Market Direct Development Control District

#### **8.4.13DC1 (Area 2) Old Towne Market Direct Development Control District (Section 710, Land Use Bylaw)**

##### 8.4.13.1 Area of Application

A portion of Sub-area 4, located between 96 and 97 Streets south of Harbin Road (102 Avenue), designated DC1 (Area 2) in Bylaw 10705, amending the Land Use Bylaw.

##### 8.4.13.2 Rationale

To provide a district to preserve a Special Urban Heritage Area and to create a pedestrian-oriented linkage between nearby major developments in the Downtown and the Chinatown areas in order to achieve the intent of Section 7.2.6 of this Plan.

##### 8.4.13.3 Uses

The following uses are prescribed for lands designated DC1 (Area 2) pursuant to Section 710.3 of the Land Use Bylaw.

###### 8.4.13.3.1 Apartment Housing

###### 8.4.13.3.2 Apartment Hotels

###### 8.4.13.3.3 Boarding and Lodging Houses

###### 8.4.13.3.4 Fraternity and Sorority Housing

###### 8.4.13.3.5 Minor Home Occupations

###### 8.4.13.3.6 Major Home Occupations

###### 8.4.13.3.7 Temporary Shelter Services

###### 8.4.13.3.8 Major and Minor Amusement Establishments

###### 8.4.13.3.9 Business Support Services

###### 8.4.13.3.10 Commercial Schools

###### 8.4.13.3.11 Custom Manufacturing Establishments

###### 8.4.13.3.12 Major and Minor Eating and Drinking Establishments

8.4.13.3.13 Equipment Rentals

8.4.13.3.14 Health Services

8.4.13.3.15 Hotels

8.4.13.3.16 Household Repair Services

8.4.13.3.17 Non-Accessory Parking

8.4.13.3.18 Personal Service Shops

8.4.13.3.19 Professional, Financial and Office Support Services

8.4.13.3.20 Convenience Retail Stores

8.4.13.3.21 General Retail Stores

8.3.13.3.22 Minor Alcohol Sales

8.4.13.3.22 Minor Veterinary Services

8.4.13.3.24 Government Services

8.4.13.3.25 Community Recreational Services

8.4.13.3.26 Daytime Child Care Services

8.4.13.3.27 Indoor Participant Recreation Services

8.4.13.3.28 Private Clubs

8.4.13.3.29 Private Educational Services

8.4.13.3.30 Public Educational Services

8.4.13.3.31 Public Libraries and Cultural Exhibits

8.4.13.3.32 Public Park

8.4.13.3.33 Religious Assembly

8.4.13.3.34 Spectator Entertainment Establishments.

8.4.13.4 Development Criteria

The following development criteria shall apply to the prescribed uses pursuant to Section 710.4 of the Land Use Bylaw.

8.4.13.4.1 The maximum floor area ratio shall be 6.0.

8.4.13.4.2 The maximum floor area ratio for mixed use buildings including Spectator Entertainment Establishments used for live theatre or motion pictures may be increased by an amount equal to the gross floor area of these uses. For Spectator Entertainment Establishments having a clear height of 6 m (19.6 ft.) or more, the increase in floor area ratio shall be doubled.

8.4.13.4.3 The maximum building height shall not exceed 26 m (85.3 ft.) nor 8 storeys.

8.4.13.4.4 Ground floor development shall be used for only Indoor Amusement Establishments, Custom Manufacturing Establishments, Minor Eating and Drinking Establishments, Equipment Rentals, Personal Service Shops, Convenience Retail Stores, General Retail Stores, Public Libraries and Cultural Exhibits, and uses consistent with the objectives and land use proposals for this Sub-area.

8.4.13.4.5 The first storey of buildings shall not be setback from the property line unless a particular design feature is being encouraged that would enhance the overall streetscape.

8.4.13.4.6 A minimum Amenity Area of 7.5 m<sup>2</sup> (80.7 sq. ft.) per dwelling shall be provided.

8.4.13.4.7 Developments isolating another site within this District of less than 800 m<sup>2</sup> (8,611.4 sq. ft.) or less shall be discouraged. The Development Officer may exercise discretion in considering such proposals based on the scale of the development in comparison to the potential floor area ratio in the District and the location, age, nature of use or uses on the site which would be isolated.

8.4.13.4.8 Notwithstanding the other regulations of this District:

(i) Religious Assembly uses shall be developed in accordance with the provisions of Section 81 of the Land Use Bylaw;

(ii) Major Home Occupations shall be developed in accordance with the provisions of Section 84 of the Land Use Bylaw;

(iii) Minor Home Occupations shall be developed in accordance with the provisions of Section 85 of the Land Use Bylaw; and

(iv) Minor Alcohol Sales shall be developed in accordance with the provisions.

(v) Daytime Child Care services shall be developed in accordance with Section 91 of the Land Use Bylaw.

8.4.13.4.9 Parking and loading shall be located, wherever possible, from the rear areas. Required off-street vehicular accessory parking shall be provided in accordance with Section 66 of the Land Use Bylaw.

8.4.13.4.10 The Development Officer shall ensure that all new developments in this area should relate to the 101 A Avenue Mall and its landscaping components. Listed Heritage Buildings, the functions of the City Market, and the surrounding Chinatown Area, Southeast Civic Centre and the larger pedestrian linkages. Specifically the following guidelines should be taken into consideration:

(i) 101 A Avenue Mall - The ground floor and first floor of the new buildings fronting onto the 101 A Avenue Mall should contain the following features:

(a) Seventy percent (70%) of lowest storey and first storey areas shall be used for no other purposes except specialized pedestrian-oriented retail commercial uses.

(b) If the building is set back from the property line, this space shall be landscaped in a manner which is complementary to the landscaping scheme for the 101 A Avenue Mall.

(ii) Relationship with the Listed Heritage Buildings - New development which incorporates or is adjacent to Listed Heritage Buildings should be designed in a complementary manner that enhances and reinforces the architectural composition of both new and old. Landscape elements should be extensively used to visually integrate a Listed Heritage Building and an adjacent newer structure. These elements include the varieties of plant materials used, structures such as retaining walls, plant containers and paving colours, textures, and materials.

The new buildings should relate to some of the following elements of the Listed Heritage Building:

(a) overall height;

(b) proportion of the facade or parts thereof;

(c) the rhythm of window openings, pilasters; or other vertical design elements on both the ground and upper storeys;

(d) building materials (type, colour and texture);

(e) architectural detailing;

(f) scale and massing; and

(g) directional expression of facades.

## Boyle Street/McCauley Area Redevelopment Plan

### 8.4.14 DC1 (Area 3) 105 A Avenue South Direct Development Control District

#### **8.4.14 DC1 (Area 3) 105 A Avenue South Direct Development Control District (Section 710, Land Use Bylaw)**

##### 8.4.14.1 Area of Application

A portion of Sub-area 6, located between 96 and 97 Streets, south of 105 A Avenue, designated DC1 (Area 3) in Bylaw 10705, amending the Land Use Bylaw.

##### 8.4.14.2 Rationale

To provide a district to permit a comprehensive mixed use commercial/residential development in order to achieve the intent of Section 7.2.8 of this Plan. A comprehensive development scheme, likely using a replot scheme, shall be required before development of the area proceeds. This approach will ensure that housing forms part of the redevelopment, that the area does not develop in a piecemeal fashion and that parts of the area are not isolated or compromised from a development perspective given the particular nature of the site.

##### 8.4.14.3 Uses

The following uses are prescribed for lands designated DC1 (Area 3) pursuant to Section 710.3 of the Land Use Bylaw.

###### 8.4.14.3.1 Apartment Housing

###### 8.4.14.3.2 Business Support Services

###### 8.4.14.3.3 Commercial Schools

###### 8.4.14.3.4 General Retail Stores

###### 8.4.14.3.5 Health Services

###### 8.4.14.3.6 Household Repair Services

###### 8.4.14.3.7 Minor Eating and Drinking Establishments

###### 8.4.14.3.8 Personal Service Shops

###### 8.4.14.3.9 Professional, Financial and Office Support Services

###### 8.4.14.3.10 Daytime Child Care Services

###### 8.4.14.3.11 Minor Veterinary Services

8.4.14.3.12 Private Clubs

8.4.14.3.13 Residential Sales Centres

8.4.14.3.14 Government Services

8.4.14.3.15 Minor Alcohol Sales

8.4.14.3.16 Major Alcohol Sales

8.4.14.3.17 Minor Home Occupations

8.4.14.3.18 Major Home Occupations.

8.4.14.4 Development Criteria

The following development criteria shall apply to the prescribed uses pursuant to Section 710.4 of the Land Use Bylaw:

8.4.14.4.1 The maximum floor area ratio shall be 3.0.

8.4.14.4.2 The maximum height shall not exceed 14 m (45.93 ft.) nor 4 storeys.

8.4.14.4.3 A minimum of 25% of the total floor area of the development shall be developed for apartment housing. Where the apartment housing is not developed as part of a mixed-use project, it should be developed under the provisions of the RA7 District.

8.4.14.4.4 The first storey buildings shall not be setback from the front lot line unless a particular design feature is being encouraged that would enhance the overall streetscape.

8.4.14.4.5 Parking and loading shall be located, wherever possible, at the rear areas. Required off-street vehicular accessory parking shall be provided in accordance with Section 66 of the Land Use Bylaw.

8.4.14.4.6 No parking, loading, storage, trash collection, outdoor service or display area shall be permitted within a required yard. Loading, storage and trash collection areas shall be located to the rear or sides of the principal buildings and shall be screened from view of any adjacent sites, public roadways or Light Rail transit lines in accordance with the provisions of Section 69.3 of the Land Use Bylaw.

8.4.14.4.7 The following regulations shall apply to Apartment Housing developments:

(i) where housing is developed above a non-residential use, the housing component shall have access at grade which is separate from the access for the non-residential premises; and

(ii) where a development contains two or more Dwelling Units a minimum of 7.5 m<sup>2</sup> (80.7 sq. ft.) of Amenity Area is required per unit, in accordance with the provisions of Section 56 of the Land Use Bylaw.

8.4.14.4.8 Apartment housing shall be developed in accordance with the provisions of the RA7 District.

8.4.14.4.9 An application for a Development Permit within this District shall be accompanied by an information report as outlined in Section 710.5(1) of the Land Use Bylaw. Specifically, this report shall include a site plan at a scale of 1:500 or greater, which illustrates the details of proposed construction, including siting of all structures, pedestrian paths, pedestrian and vehicular access points, landscaping and related information as required in Section 720.5(3) of the Land Use Bylaw. The report shall also provide detailed information on the phasing of construction (if any).

8.4.14.4.10 Notwithstanding other regulations of this District:

- (i) Minor Home Occupations shall be developed in accordance with the provisions of Section 84 of the Land Use Bylaw;
- (ii) Major Home Occupations shall be developed in accordance with the provisions of Section 85 of the Land Use Bylaw;
- (iii) Minor and Major Alcohol Sales shall be developed in accordance with the provisions of Section 98 of the Land Use Bylaw;
- (iv) Residential Sales Centres shall be developed in accordance with Section 95 of the Land Use Bylaw; and
- (v) Daytime Child Care Services shall be developed in accordance with Section 93 of the Land Use Bylaw.

## Boyle Street/McCauley Area Redevelopment Plan

### 8.4.15 DC1 (Area 4) 105 A Avenue North Direct Development Control District

#### **8.4.15DC1 (Area 4) 105 A Avenue North Direct Development Control District (Section 710, Land Use Bylaw)**

##### 8.4.15.1 Area of Application

A portion of Sub-area 6, located between 96 and 97 Streets, north of 105 A Avenue, designated DC1 (Area 4) in Bylaw 10705, amending the Land Use Bylaw.

##### 8.4.15.2 Rationale

To provide a district to permit a comprehensive mixed use commercial/residential development in order to achieve the policies of Section 7.2.8 of this Plan and to ensure that housing forms part of the redevelopment of this area.

##### 8.4.15.3 Uses

The following uses are prescribed for lands designated DC1 (Area 4) pursuant to Section 710.3 of the Land Use Bylaw:

###### 8.4.15.3.1 Apartment Housing

###### 8.4.15.3.2 Business Support Services

###### 8.4.15.3.3 Commercial Schools

###### 8.4.15.3.4 General Retail Stores

###### 8.4.15.3.5 Health Services

###### 8.4.15.3.6 Household Repair Services

###### 8.4.15.3.7 Minor Eating and Drinking Establishments

###### 8.4.15.3.8 Personal Service Shops

###### 8.4.15.3.9 Professional, Financial and Office Support Services

###### 8.4.15.3.10 Daytime Child Care Services

###### 8.4.15.3.11 Minor Veterinary Services

###### 8.4.15.3.12 Private Clubs

###### 8.4.15.3.13 Residential Sales Centres

8.4.15.3.14 Government Services

8.4.15.3.15 Minor Home Occupations

8.4.15.3.16 Major Home Occupations.

8.4.15.4 Development Criteria

The following development criteria shall apply to the prescribed uses pursuant to Section 710.4 of the Land Use Bylaw.

8.4.15.4.1 The maximum floor area ratio shall be 2.0.

8.4.15.4.2 The maximum height shall not exceed 12 m (39.4 ft.) nor 3 storeys.

8.4.15.4.3 Apartment housing shall be developed as part of the development with a minimum of 25% of the total floor area occupying this use class.

8.4.15.4.4 The first storey buildings shall not be setback from the front lot line unless a particular design feature is being encouraged that would enhance the overall streetscape.

8.4.15.4.5 Parking and loading shall be located, wherever possible, at the rear areas. Required off-street vehicular accessory parking shall be provided in accordance with Section 66 of the Land Use Bylaw.

8.4.15.4.6 No parking, loading, storage, trash collection, outdoor service or display area shall be permitted within a required yard. Loading, storage and trash collection areas shall be located to the rear or sides of the principal buildings and shall be screened from view of any adjacent sites, public roadways or Light Rail transit lines in accordance with the provisions of Section 69.3 of the Land Use Bylaw. If the rear or sides of a site are used for parking, an outdoor service or display area, or both, and abut a Residential District or a lane serving a Residential District, they shall be screened in accordance with the provisions of Section 69.3.

8.4.15.4.7 The following regulations shall apply to Apartment Housing developments:

- (i) Apartment Housing shall be permitted only in buildings where the first storey is used for commercial purposes;
- (ii) the housing component shall have access at grade which is separate from the access for the commercial premises;
- (iii) where a development contains two or more Dwelling units a minimum of 7.5 m<sup>2</sup> (80.7 sq. ft.) of Amenity Area is required per unit, in accordance with the provisions of Section 56 of this Bylaw; and
- (iv) the maximum floor area ratio of Apartment Housing shall be 1.3.

8.4.15.4.8 Notwithstanding other regulations of this district:

- (i) Minor Home Occupations shall be developed in accordance with the provisions of Section 84 of the Land Use Bylaw;
- (ii) Major Home Occupations shall be developed in accordance with provisions of Section 85 of the Land Use Bylaw; and
- (iii) Residential Sales Centres shall be developed in accordance with Section 95 of the Land Use Bylaw.

## Boyle Street/McCauley Area Redevelopment Plan

### 8.4.16 DC1 (Area 5) Northwest McCauley Direct Development Control District

#### 8.4.16DC1 (Area 5) Northwest McCauley Direct Development Control District (Section 710, Land Use Bylaw)

##### 8.4.16.1 Area of Application

Portions of Sub-area 1 located between 108 Avenue and 110 A Avenue east of 101 Street, designated as DC1 (Area 5) in Bylaw 10705, amending the Land Use Bylaw.

##### 8.4.16.2 Rationale

To provide for a District which will promote the conservation and rehabilitation of the existing housing stock until this area is redeveloped for low intensity business uses in order to achieve the intent of Section 7.2.3 of this Plan.

##### 8.4.16.3 Uses

###### 8.4.16.3.1 Business Support Services

###### 8.4.16.3.2 Commercial Schools

###### 8.4.16.3.3 General Retail Stores up to a maximum gross floor area of 1,000 m<sup>2</sup> (10,763 sq. ft.)

###### 8.4.16.3.4 Household Repair Services

###### 8.4.16.3.5 Minor Eating and Drinking Establishments

###### 8.4.16.3.6 Personal Service Shops

###### 8.4.16.3.7 Professional, Financial and Office Support Services

###### 8.4.16.3.8 Daytime Child Care Services

###### 8.4.16.3.9 Minor Secondhand Stores with a gross floor area less than 275 m<sup>2</sup> (2,960 sq. ft.)

###### 8.4.16.3.10 Single Detached and Duplex Housing where lawfully existing on a site in this District on the effective date of this Bylaw on the same site only

###### 8.4.16.3.11 Apartment Housing

###### 8.4.16.3.12 Residential Sales Centre.

##### 8.4.16.4 Development Criteria

The following criteria shall apply to the prescribed uses pursuant to Section 710.4 of the Land Use Bylaw.

8.4.16.4.1 The maximum floor area ratio shall be 2.0.

8.4.16.4.2 The maximum building height shall not exceed 12 m (39.4 ft.) nor 3 storeys.

8.4.16.4.3 The first storey of buildings shall not be setback from the front lot line unless a particular design feature is being encouraged that would enhance the overall streetscape.

8.4.16.4.4 Parking and loading shall, wherever possible, be located in the rear areas. Required off-street parking shall be in accordance with Section 66 of the Land Use Bylaw.

8.4.16.4.5 No parking, loading, storage, trash collection, outdoor service or display area shall be permitted within a required yard. Loading, storage and trash collection areas shall be located to the rear or sides of the principal building and shall be screened from view from adjacent sites and public roadways or Light Rail Transit lines in accordance with the provisions of Section 69.3 of the Land Use Bylaw. If the rear or sides of a site are used for parking, an outdoor service or display area, or both, and abut a Residential District or a lane serving a Residential District, they shall be screened in accordance with the provisions of Section 69.3 of the Land Use Bylaw.

8.4.16.4.6 The following regulations shall apply to Apartment Housing developments:

- (i) Apartment Housing shall be permitted only in buildings where the first storey is used for commercial purposes;
- (ii) the housing component shall have access at grade which is separate from the access for the commercial premises;
- (iii) where a development contains two or more Dwelling Units a minimum of 7.5 m<sup>2</sup> (80.7 sq. ft.) of Amenity Area is required per unit, in accordance with the provisions of Section 56 of the Land Use Bylaw; and
- (iv) the maximum floor area ratio of Apartment Housing shall be 1.3.

8.4.16.4.7 Notwithstanding other regulations of this District:

- (i) Residential Sales Centres shall be developed in accordance with Section 95 of the Land Use Bylaw; and
- (ii) Daytime Child Care Services shall be developed in accordance with Section 93 of the Land Use Bylaw.

8.4.16.4.8 Development in this district shall be evaluated with respect to compliance with the General Development Regulations of Sections 50 to 79 inclusive, of the Land Use Bylaw.

8.4.16.4.9 The Development Officer may grant relaxations to the regulations contained in Sections 50 through 79 of the Land Use Bylaw and the provisions of this District, if, in his opinion, such a variance would be in keeping with the general purpose of this District and would not adversely affect the amenities, use and enjoyment of neighbouring properties.

## Boyle Street/McCauley Area Redevelopment Plan

### 8.4.17 DC1 (Area 6) - McCauley Direct Development Control District

#### **8.4.17DC1 (Area 6) - McCauley Direct Development Control District (Section 710, Land Use Bylaw)**

##### 8.4.17.1 Area of Application

Large portions of Sub-Area 5, located between 90 and 97 Streets and 107 A Avenue and 111 Avenue, designated DC1 (Area 6) in Bylaw 10705, amending the Land Use Bylaw.

##### 8.4.17.2 Rationale

To provide a district which will accommodate affordable housing options designed to promote the family-oriented character within the McCauley neighbourhood in order to achieve the intent of Section 7.2.7 of this Plan. This District is intended to provide the bulk of low density housing opportunities in the Boyle Street/McCauley ARP area. In order to achieve these objectives, this range of housing options may include innovative forms of housing such as Semi-detached housing and Duplex housing on single lots. This may also include semi-detached housing where the dwellings are back-to-back and the two dwellings are joined in whole or in part at the rear only, and in which one dwelling faces the front yard of the lot and the other dwelling faces the rear yard of the lot.

##### 8.4.17.3 Uses

###### 8.4.17.3.1 Single Detached Housing

###### 8.4.17.3.2 Semi-detached Housing

###### 8.4.17.3.3 Duplex Housing

###### 8.4.17.3.4 Limited Group Homes

###### 8.4.17.3.5 Group Homes

###### 8.4.17.3.6 Minor Home Occupations

###### 8.4.17.3.7 Major Home Occupations

###### 8.4.17.3.8 Foster Homes

###### 8.4.17.3.9 Daytime Child Care Services

###### 8.4.17.3.10 Religious Assembly

###### 8.4.17.3.11 Residential Sales Centre.

##### 8.4.17.4 Development Criteria

The following development criteria shall apply to the prescribed uses pursuant to Section 710.4 of the Land Use Bylaw:

8.4.17.4.1 The minimum site area shall be:

- (i) 312 m<sup>2</sup> (3,358 sq. ft.) for each Single Detached Dwelling; and
- (ii) 180 m<sup>2</sup> (1,937 sq. ft.) for each Semi-detached or Duplex Dwelling.

8.4.17.4.2 The minimum site width shall be 10 m (32.8 ft.) for each Single Detached Dwelling and for both Duplex Dwellings and for both Semi-Detached Dwellings.

8.4.17.4.3 The maximum building height shall not exceed 10 m (32.8 ft.) nor 2 1/2 storeys.

8.4.17.4.4 The maximum total site coverage shall not exceed 40% for Single Detached Housing with a maximum of 28% for a principal building and a maximum of 12% for accessory buildings. Where a garage is attached to or designed as an integral part of a dwelling, the maximum for the principal building is 40%. The maximum total site coverage shall not exceed 50% for Semi-detached or Duplex Housing with a maximum of 38% for a principal building and a maximum of 12% for accessory buildings. The maximum total site coverage shall not exceed 50% for Semi-detached Housing where the Dwellings are back-to-back, inclusive of any other accessory buildings, with a maximum of 12% for accessory buildings.

8.4.17.4.5 The minimum Front Yard shall be 4.5 m (14.8 ft.) which may be varied by the Development Officer to reflect the existing building setbacks. For Semi-detached Housing where the Dwellings are back-to-back, all minimum yard requirements shall be calculated on the basis of the location of the entire building, notwithstanding the location of individual Dwellings within the structure.

8.4.17.4.6 The minimum Rear Yard shall be 7.5 m (24.6 ft.) except in the case of a corner site for all uses except Semi-detached Back-to-Back Housing, where the minimum rear yard shall be 4.5 m (14.8 ft.).

8.4.17.4.7 Side Yards shall be established on the following basis:

- (i) side yards shall total at least 20% of the site width, but the requirement shall not be more than 6.0 m (19.7 ft.) with a minimum side yard of 1.2 m (3.94 ft.); and,
- (ii) on a corner site, where the building fronts on a flanking public roadway other than a lane, the minimum side yard abutting the flanking public roadway shall be 4.5 m (14.8 ft.).

8.4.17.4.8 Semi-detached or Duplex Housing shall not be developed on any lot which does not have a rear or flanking lane.

8.4.17.4.9 Notwithstanding the other regulations of this District:

- (i) Religious Assembly uses shall be developed in accordance with Section 81 of the Land Use Bylaw;
- (ii) Minor Home Occupations be developed in accordance with Section 84 of the Land Use Bylaw.
- (iii) Major Home Occupations shall be developed in accordance with Section 85 of the Land Use Bylaw.
- (iv) Group Homes shall be developed in accordance with Section 91 of the Land Use Bylaw.
- (v) Daytime Child Care Services shall be developed in accordance with Section 93 of the Land Use Bylaw.
- (vi) Residential Sales Centres shall be developed in accordance with Section 95 of the Land Use Bylaw.

8.4.17.4.10 Notwithstanding the provisions of Section 61, where the Accessory Building is a detached garage and where the vehicle doors of the detached garage face a lane abutting the site, no portion of the garage shall be less than 0.6 m (2.0 feet) from the rear property line.

8.4.17.4.11 For the purposes of this District, notwithstanding the requirements of Section 66.A of the Land Use Bylaw, the on-site parking requirements for Semi-detached Housing shall be one (1) parking space per Dwelling. Access to all parking spaces shall be from a rear or flanking lane. All parking shall be located in the Rear Yard.

8.4.17.4.12 Development in this district shall be evaluated with respect to compliance with the General Development Regulations of Sections 50 to 79 inclusive, of the Land Use Bylaw.

8.4.17.4.13 The Development Officer may grant relaxations to the regulations contained in Sections 50 through 79 of the Land Use Bylaw and the provisions of this District, if, in his opinion, such a variance would be in keeping with the general purpose of this district and would not adversely affect the amenities, use and enjoyment of neighbouring properties.

## Boyle Street/McCauley Area Redevelopment Plan

### 8.4.18 DC1 (Area 7) - Stadium East Direct Development Control District

#### **8.4.18DC1 (Area 7) - Stadium East Direct Development Control District (Section 710, Land Use Bylaw)**

##### 8.4.18.1 Area of Application

A portion of Sub-area 7, between 84 Street and the LRT right-of-way, north of 85 Street, designated DC1 (Area 7) in Bylaw 10705, amending the Land Use Bylaw.

##### 8.4.18.2 Rationale

To provide a District for high density mixed use residential/commercial development consisting of one or more high-rise structures, which may incorporate medium or low-rise components. Office and commercial uses would occur only on the at grade and second floor levels.

The District is intended to permit development which incorporates direct access to the Stadium LRT Station site, and maximizes convenience of access to and integration of the structures with the Station site. The District is also to contain a small park site which shall be developed at the time of construction of mixed use development in the District. These land uses will serve to achieve the intent of Section 7.2.10 of this Plan.

##### 8.4.18.3 Uses

The following uses are prescribed for lands designated DC1 (Area 7), pursuant to Section 710.3 of the Land Use Bylaw:

###### 8.4.18.3.1 Apartment Housing

###### 8.4.18.3.2 Row Housing

###### 8.4.18.3.3 Stacked Row Housing

###### 8.4.18.3.4 Apartment Hotels

###### 8.4.18.3.5 Minor Home Occupations

###### 8.4.18.3.6 Major Home Occupations

###### 8.4.18.3.7 Minor Eating and Drinking Establishments

###### 8.4.18.3.8 Health Services

###### 8.4.18.3.9 Personal Services Shops

###### 8.4.18.3.10 Professional, Financial and Office Support Services

8.4.18.3.11 Convenience Retail Stores

8.4.18.3.12 Community Recreation Services

8.4.18.3.13 Daytime Child Care Services

8.4.18.3.14 Indoor Participant Recreation Services

8.4.18.3.15 Public Libraries and Cultural Exhibits

8.4.18.3.16 Public Park

8.4.18.3.17 Spectator Entertainment Establishments

8.4.18.3.18 Residential Sales Centre.

8.4.18.3.19 Minor Alcohol Sales

8.4.18.3.20 Major Alcohol Sales

The following uses are prescribed for within buildings that are existing on the site on the date of passage of this Bylaw:

8.4.18.3.21 General Retail Sales

8.4.18.3.22 Warehouse Sales

8.4.18.3.23 General Industrial Uses

8.4.18.3.24 Temporary Storage

8.4.18.3.25 Minor Eating and Drinking Establishments

8.4.18.3.26 Personal Service Shops

8.4.18.3.27 Professional, Financial and Office Support Services

8.4.18.3.28 Indoor Participant Recreation Services

8.4.18.3.29 Recycled Materials Drop-Off Centre.

The development criteria below shall apply to new development.

8.4.18.4 Development Criteria

8.4.18.4.1 The maximum total floor area ratio shall be 4.5.

8.4.18.4.2 Of the total maximum floor area ratio, a total floor area ratio of 0.75 may be used for non-residential use classes. Such non-residential uses shall be limited to the at-grade floor only.

8.4.18.4.3 The maximum building height shall be 45 m (147.6 ft.) or 15 storeys.

8.4.18.4.4 The maximum total residential density shall be 500 dwellings/ha (202.4 dwellings/acre).

8.4.18.4.5 The minimum yard requirements shall be as follows:

(i) minimum front yard - 6 m (19.7 ft.).

(ii) minimum rear yard - 7.5 m (24.6 ft.).

(iii) minimum side yard - 7.5 m (24.6 ft.).

(iv) in this district the front yard is deemed to be that yardage abutting 84 Street. The rear yard is deemed to be that yardage abutting the LRT right-of-way.

8.4.18.4.6A minimum Amenity Area of 7.5 m<sup>2</sup> (80.76 sq. ft.) per dwelling shall be provided in accordance with Section 56 of the Land Use Bylaw.

8.4.18.4.7 Required off-street parking shall be provided in accordance with Section 66 of the Land Use Bylaw.

8.4.18.4.8 Notwithstanding other regulations of this District:

(i) Minor Home Occupations shall be developed in accordance with Section 84 of the Land Use Bylaw.

(ii) Major Home Occupations shall be developed in accordance with Section 85 of the Land Use Bylaw.

(iii) Minor and Major Alcohol Sales shall be developed in accordance with the provisions of Section 98 of the Land Use Bylaw.

(iv) Residential Sales Centres shall be developed in accordance with Section 95 of the Land Use Bylaw.

8.4.18.4.9 Redevelopment within this District shall incorporate a direct pedestrian path which connects the development with the Stadium LRT Station. The path may be open or enclosed. If open, appropriate landscaping and vegetation shall be used to increase the visual amenity of these paths and provide some measure of weather protection.

8.4.18.4.10 Where residential development is located directly adjacent to industrial lands or to the CN/LRT right-of-way, appropriate landscaping and screening shall be provided within the required setback areas in order to enhance the visual amenities on-site. This regulations does not apply to parking structure components of residential development.

8.4.18.4.11 A small public park space shall be developed within the District as a component of the overall comprehensive development. This park shall not be considered to be part of the Amenity Area of residential development in the District, and shall be fully accessible to residents of adjacent blocks to the east. The specific size and location of the proposed park shall be determined through negotiations between the Parks and Recreation and Planning Departments and the affected property owners. Park features and design will be established by the Parks and Recreation Department with community input. The preferred location for this park would be on the southern portion of the District.

8.4.18.4.12 No parking, loading, storage, trash collection, outdoor service or display area shall be permitted within a required yard. Loading, storage and trash collection areas shall be located to the rear or sides of the principal buildings and shall be screened from view of any adjacent sites, public roadways or Light Rail transit lines in accordance with the provisions of Section 69.3 of the Land Use Bylaw.

8.4.18.4.13 Services access and loading requirements shall conform to the regulations of Section 65 of the Land Use Bylaw.

8.4.18.4.14 An application for a Development Permit within this District shall be accompanied by an information report as outlined in Section 710.5(1) of the Land Use Bylaw. Specifically, this report shall include a site plan at a scale of 1:500 or greater which illustrates the details of proposed construction, including siting of all structures, pedestrian paths, pedestrian and vehicular access points, landscaping and architectural information (i.e. cladding materials) and related information as required in Section 720.5(3) of the Land Use Bylaw. The report shall also provide detailed information on the phasing of construction (if any).

## Boyle Street/McCauley Area Redevelopment Plan

### 8.4.19 DC1 (Area 8) - Stadium West Direct Development Control District

#### **8.4.19DC1 (Area 8) - Stadium West Direct Development Control District (Section 710, Land Use Bylaw)**

##### 8.4.19.1Area of Application

Portions of Sub-area 8, between Stadium Road and the LRT right-of-way, south of 112 Avenue, designated DC1 (Area 8) in Bylaw 10705, amending the Land Use Bylaw.

##### 8.4.19.2Rationale

To provide a district for the sensitive integration of high density residential uses, Park'n'Ride facilities, major event parking and bus transfer facilities. The district is intended to take advantage of the area's close proximity to the Stadium Light Rail Transit Station, and to promote use of the Light Rail Transit system. The District also includes design criteria and features to promote a high quality residential environment.

##### 8.4.19.3Uses

The following uses are prescribed for lands designated DC1 (Area 8) pursuant to Section 710.3 of the Land Use Bylaw:

###### 8.4.19.3.1Apartment Housing

###### 8.4.19.3.2Minor Home Occupations

###### 8.4.19.3.3Major Home Occupations

###### 8.4.19.3.4Amusement Establishments, Indoor

###### 8.4.19.3.5Business Support Services

###### 8.4.19.3.6Community Recreational Services

###### 8.4.19.3.7Daytime Child Care Services

###### 8.4.19.3.8Major Eating and Drinking Establishments

###### 8.4.19.3.9Minor Eating and Drinking Establishments

###### 8.4.19.3.10Health Services

###### 8.4.19.3.11Indoor Participant Recreation Services

###### 8.4.19.3.12Non-accessory Parking

8.4.19.3.13 Personal Service Shops

8.4.19.3.14 Professional, Financial and Office Support Services

8.4.19.3.15 Public Park

8.4.19.3.16 Convenience Retail Stores

8.4.19.3.17 General Retail Stores

8.4.19.3.18 Minor Alcohol Sales

8.4.19.3.19 Major Alcohol Sales

8.4.19.3.20 Spectator Entertainment Establishments

8.4.19.3.21 Uses which conform to the intent of Section 7.2.10 of the Plan.

8.4.19.4 Development Criteria

The following development criteria shall apply to the prescribed uses pursuant to Section 710.4 of the Land Use Bylaw.

8.4.19.4.1 The maximum floor area ratio shall be 4.5.

8.4.19.4.2 Of the total maximum floor area ratio, a total floor area ratio of 1.5 may be used for non-residential use classes. Such uses shall be limited to the lowest two floors above grade, with those of a general retail or service nature located on the ground floor, and office space on the second floor. This does not preclude residential development from the lowest two floors above grade. This clause does not apply to Non-Accessory Parking.

8.4.19.4.3 The maximum building height shall not exceed 45 m (147.6 ft.) or 15 storeys, except as modified by 8.4.16.4.8.

8.4.19.4.4 The maximum residential density shall not exceed 500 dwellings/ha (202.4 dwellings/acre).

8.4.19.4.5 The minimum yard requirements shall be as follows:

(i) minimum front yard - 6 m (19.7 ft.).

(ii) minimum rear yard - 7.5 m (24.6 ft.).

(iii) minimum side yard - 7.5 m (24.6 ft.).

(iv) in this district, the front yard is deemed to be that yardage abutting 112 Avenue. The rear yard is deemed to be that yardage abutting the LRT right-of-way.

8.4.19.4.6 A minimum Amenity Area of 7.5 m<sup>2</sup> (80.76 sq. ft.) per dwelling shall be provided in accordance with Section 56 of the Land Use Bylaw.

8.4.19.4.7 Required off-street parking shall be provided in accordance with Section 66 of the Land Use Bylaw. Parking for off-site Spectator Sports Establishments and for Park'n'Ride facilities shall be provided within a parkade structure only. Surface parking for non-accessory uses shall not be permitted in this District.

8.4.19.4.8 Specific regulations applicable to the proposed Parkade are as follows:

(i) The Parkade shall be used for Park'n'Ride and for Spectator Sports Establishment parking only, except as stipulated

in 8.4.16.4.8(iii).

(ii)The Parkade shall be designed in a way which minimizes conflict with traffic turning movements at the Stadium Road/112 Avenue intersection. Access to the parkade shall not be from 112 Avenue, given the potential grade separation required for 112 Avenue at the CN/LRT line.

(iii)Parking which is accessory to residential or commercial uses in this District may be located in the Parkade, provided that access to those spaces is completely separated from the non-accessory parking function and those accessory spaces are not available to Park'n'Ride or major facility users. Parking which is accessory to uses in this District shall be underground if integrated with the Parkade.

(iv)The Parkade should be designed to contain non-accessory parking for approximately 600 cars. The number of full above-grade levels should be not less than two, nor greater than six, accommodating between 100 and 200 cars per level.

(v)The Parkade should be designed in a way which integrates its other uses on the site, such as the bus parking facility presently situated in the south portion of this District. Exterior walls of the parkade visible from adjacent streets should be clad in materials compatible with that used in other on-site development. Construction of the Parkade should not occur until a site plan for the entirety of this District has been approved by the Development Officer.

8.4.19.4.9No parking, loading, storage, trash collection, outdoor service or display area shall be permitted within a required yard. Loading, storage and trash collection areas shall be located to the rear or sides of the principal buildings and shall be screened from view of any adjacent sites, public roadways or Light Rail transit lines in accordance with the provisions of Section 69.3 of the Land Use Bylaw.

8.4.19.4.10Notwithstanding other regulations of this District:

(i)Minor Home Occupations shall be developed in accordance with the provisions of Section 84 of the Land Use Bylaw;

(ii)Major Home Occupations shall be developed in accordance with the provisions of Section 85 of the Land Use Bylaw;

(iii)Minor and Major Alcohol Sales shall be developed in accordance with the provisions of Section 98 of the Land Use Bylaw;

(iv)Daytime Child Care Services shall be developed in accordance with Section 93 of the Land Use Bylaw.

8.4.19.4.11Buildings within this District containing residential and commercial uses should be designed so that some commercial uses on the lower two levels above grade (if any) are oriented towards the Stadium Road frontage (front yard). Such buildings should be designed to have direct access from this frontage, as well as access from an interior mall if desired. Such buildings should also have direct weather-protected pedestrian access to the Stadium LRT Station.

8.4.19.4.12The present bus transfer facility should be maintained on the southern portion of the District, and may be integrated with the other development proposed for the site.

8.4.19.4.13Service access and loading requirements shall conform to the regulations of Section 65 of the Land Use Bylaw.

## DC1 (Area 9) (Direct Development Control) District for the Goodridge Block

### 1. General Purpose

To establish a Direct Development Control District to accommodate a limited range of uses such that by limiting the range of specific land uses and developing sensitive site development criteria the development will be compatible with the status of the Goodridge Block building as a Municipal Historic Resource and ensure compatibility with existing and future adjacent land uses. This site includes the three storey brick Goodridge Block building, together with the lands on which it is located and which has been designated a Municipal Historic Resource as per Bylaw No. 10469, approved by Council on September 14, 1993.

### 2. Area of Application

This DC1 District shall apply to Lot 29 and Lot 30, excluding the easterly six (6) feet of Lot 30, Block 2, Plan D located on the northeast corner of Jasper Avenue and 97 Street, Boyle Street.

### 3. Uses

The following uses are prescribed pursuant to Section 710.3 of the Land use Bylaw:

#### Residential

(a) Apartment Housing

#### Commercial

(a) Apartment Hotels

(b) Business Support Services

(c) Commercial Schools

(d) Convenience Retail Stores

(e) Custom Manufacturing

(f) General Retail Stores

(g) Health Services

(h) Hotels

(i) Major Eating and Drinking Establishments

(g) Minor Eating and Drinking Establishments

(k) Personal Service Shops

(l) Professional, Financial, and Office Support Services

(m) Professional Offices

(n) Private Clubs

#### 4. Development Criteria

The following development criteria shall apply to the Prescribed uses pursuant to Section 710.4 of the Land Use Bylaw.

(a) All development in this District shall meet the requirements set forth in this District and the regulations contained in Bylaw No. 5996, as amended, where not superseded by the development criteria of this District, to the satisfaction of the Development Officer. The Development Officer will consult with the Heritage Officer where appropriate.

(b) All development in this District shall comply with the objectives of the Boyle Street/McCauley Area Redevelopment Plan, to the satisfaction of the Development Officer in consultation with the Heritage Officer.

(c) The existing Goodridge Block Building must remain and any future development or alteration must conform to the requirements of Designation Bylaw No. 10469.

(d) No provision for off-street parking as per Section 66 of the land Use Bylaw shall be required for uses developed within the existing building.

(e) A maximum of two (2) loading and unloading spaces shall be provided in accordance with Section 65 of the Land Use Bylaw.

(f) Landscaping shall reflect the historic period and character of the building and property in accordance with Section 69 of the Land Use Bylaw, to the satisfaction of the Development Officer.

(g) Development in this District will be evaluated with respect to compliance with the General Development regulations of Sections 50 to 69 inclusive of the Land Use Bylaw.

(h) The Development Officer, in consultation with the Heritage Officer, may grant relaxations to Sections 50 - 79 of the Land Use Bylaw and the provisions of this District, if, in his opinion, such a variance would be in keeping with the Rational of this District and would not affect the amenities, use, enjoyment and value of neighbouring properties.

## Central McDougall Area Redevelopment Plan

DC1 (Direct Development Control) District for the Prince of Wales Armoury Site

DC1 (Direct Development Control) District for the Prince of Wales Armoury Site

### 1. Area of Application

This DC1 District shall apply to a portion (0.86 hectares) of Block 4D, Plan 4494 KS, located east of 105 Street and north of 108 Avenue, Hudson's Bay Reserve as per the map included an Appendix A.

### 2. Rationale

To provide a District to accommodate the development of the Prince of Wales Armoury building, including the development in it of the City Archives and various complementary commercial, recreational and other uses which may be of a community nature or are related to the historic nature of the building, to ensure that development complies with the objectives of the Central McDougall Area Redevelopment Plan. The District is also applied to the Armoury site as it is designated as an Historical Resource by the Province of Alberta under the Alberta Historical Resources Act.

### 3. Uses

The following uses are prescribed pursuant to Section 710.3 of the Land Use Bylaw:

- (a) Business Support Services
- (b) Community Recreation Services
- (c) Public and Private Education Services
- (d) Public Libraries and Cultural Exhibits
- (e) Government Services
- (f) Health Services
- (g) Indoor Participant Recreation Services
- (h) Minor Amusement Establishments
- (i) Minor Eating and Drinking Establishments
- (j) Outdoor Participant Recreation Services of a temporary nature only
- (k) Private Clubs
- (l) Professional, Financial and Office Support Services

(m) Natural Science Exhibits

(n) Convenience Retail Stores not to exceed 90 m<sup>2</sup>.

(o) Daytime Child Care Services

(p) Other uses consistent with the rationale of this District, to the satisfaction of the Development Officer, and consistent with the designation of the Prince of Wales as an historic resource under the Alberta Historical Resources Act.

#### 4. Development Criteria

The following development criteria shall apply to the prescribed uses pursuant to Section 710.4 of the Land Use Bylaw:

(a) Notwithstanding the approval of the Minister of Culture, all development in this District shall meet the requirements set forth in this District and the regulations contained in Bylaw No. 5996, as amended, where not superseded by the development criteria of this District, to the satisfaction of the Development Officer. The Development officer will consult with the Parks and Recreation Department, and the Heritage Officer, where appropriate.

(b) The development and general site layout shall be substantially in accordance with the site plan and building elevations illustrated in Appendix B.

(c) Off-street parking shall be provided in accordance with the parking layout as approved in Development Permit Application 91001792, as approved on August 15, 1991, and in accordance with Section 66 of the Land Use Bylaw for any further development.

(d) Notwithstanding the approval of the Minister of Culture, all developments in this District shall be of a community service nature or complementary to the historic nature of the Armoury of Archives, to the satisfaction of the Development Officer in consultation with the Parks and Recreation Department and the Heritage Officer.

(e) All uses, excepting Outdoor Participant Recreation Services, are to be developed in the interior of the Prince of Wales Armoury building only, to the satisfaction of the Development Officer in consultation with the Parks and Recreation Department and the Heritage Officer.

(f) Signs shall be allowed in this District, as provided for in Schedule 79 J and in accordance with the general provisions of Sections 79.1 to 79.9 inclusive of the Land Use Bylaw. Notwithstanding Section 710.4 of the Land Use Bylaw, prior to the issuance of any Development Permits for any new external signage on the site, the developer shall establish comprehensive signage criteria for the signs and shall submit these for the approval of the Development Officer, in consultation with the Heritage Officer. The design, placement and scale of the signs shall be to the satisfaction of the Development Officer, in consultation with the Heritage Officer, to ensure that signage does not detract from the overall appearance of the Armoury, is not obtrusive and does not conflict with the historic theme of the Armoury. In addition, individual business identification signs located on the facade shall be similar to each other as to proportion, construction materials and placement. Balloon signs and roof signs shall not be permitted.

(g) Notwithstanding the approval of the Minister of Culture, all development in this District shall comply with the objectives of Policy 4.5 of the Central McDougall Area Redevelopment Plan, to the satisfaction of the Development Officer in consultation with the Parks and Recreation Department and the Heritage Officer:

(i) the provision of adequate old site parking;

(ii) hours of operation;

(iii) noise created by the proposed function;

(iv) litter created by the use of the building; and

(v) traffic circulation.

(h) Daytime Child Care Services shall be developed in accordance with Section 93 of the Land Use Bylaw.

## Cloverdale Area Redevelopment Plan

### 5.7 DC1 - Residential Direct Control District

#### **5.7DC1 - Residential Direct Control District (Section 710. Land Use Bylaw)**

##### 5.7.1 Area of Application

Three areas - North Cloverdale, from 98 Avenue to 98A Avenue and from 95 to 96A Streets; East Cloverdale, south of 98 Avenue and east of 92 Street; and the area from 98 Avenue to the lane south of 98 Avenue from 92 to 96A Streets.

##### 5.7.2 Rationale

To provide a district for medium-density housing in the neighbourhood, which accommodates an increase in population and allows for a variety of housing forms in order to achieve the intent of Sections 2.3, 2.4, 3.2 and 3.6 of this Plan. These provisions are primarily concerned with developments being sensitive towards the existing scale and character of the neighbourhood, encouraging buildings to "front" public roadways and usable open spaces within the developments.

##### 5.7.3 Uses

5.7.3.1 Apartment Housing.

5.7.3.2 Stacked Row Housing including Row Housing and Linked Housing.

5.7.3.3 Single detached, Semi-detached, and Duplex Housing where lawfully existing on sites at the date of adoption of this Bylaw.

5.7.3.4 Homecrafts.

5.7.3.5 Offices-in-the-Home.

5.7.3.6 Group Homes.

5.7.3.7 Foster Homes.

5.7.3.8 Daytime Child Care Services.

5.7.3.9 Religious Assembly.

5.7.3.10 Limited Group Homes.

##### 5.7.4 Development Criteria

The following development criteria shall apply to the prescribed uses pursuant to Section 710.4 of the Land Use Bylaw.

5.7.4.1 The maximum density shall be 125 dwellings/ha (50.6 dwellings/acre).

5.7.4.2 The minimum site area shall be 735 m<sup>2</sup> (7,900 sq. ft.).

5.7.4.3 The minimum site width shall be 20 m (65.5 ft.)

5.7.4.4 The maximum floor area ratio shall be 1.5.

5.7.4.5 The maximum height shall not exceed 12 m (39.4 ft.) nor 3 storeys.

a) Adjacent to all public roadways, including lanes, the third storey shall be predominantly set back from the building face so as to not compromise the 2 storey appearance of the front. In addition, this appearance is to be enhanced by strong horizontal architectural features at the top of the second storey level, which can be accomplished by cornices, eaves, handrails or other similar features. Every effort shall be made to ensure these features are compatible with adjacent buildings.

5.7.4.6 The minimum required front yard shall be:

a) 8 m (26.2 ft.) along 98 Avenue, and

b) 4.5 m (14.8 ft.) along other frontages, except that in the area east of 92 Street, the Development Officer may reduce this requirement to 3.0m where the front lot line faces a public park.

The majority of building face on any site shall be constructed at this minimum front yard line.

5.7.4.7 The minimum required rear yard shall be 7.5 m (24.6 ft.).

5.7.4.8 Notwithstanding the provisions of Section 5.7.4.7, the minimum required rear yard may be reduced to 1m (3.3 ft.) if a courtyard with a depth of at least 7.5m (24.6 ft.) open to the rear of the site, is provided. The opening of this courtyard, open to the rear, must extend for a minimum of 50% of the site width.

5.7.4.9 The minimum required side yard shall be:

a) the same as if it were a front yard if adjacent to a public roadway, including a lane, and

b) in all other instances, nil.

5.7.4.10 In order to establish and reinforce a sense that people live along the public roadway, the design of the fronts of buildings should include such architectural features as porches, stoops, special front door articulation, bay windows, gateway trellises, and other similar devices.

5.7.4.11 Each development should have a continuity of front doors, which shall be residential entries either to individual dwellings or to groups of dwellings, in order to achieve an appearance similar to a low density dwelling area. Those dwellings on the first storey which are adjacent to a public roadway shall have entries directly oriented to that public roadway.

5.7.4.12 Buildings on corner sites should have dwellings facing both public roadways and front entries on both roadways.

5.7.4.13 For corner sites similar materials should be used on the facades along both the front and flanking side of the building. The building should extend along both site boundaries.

5.7.4.14 Buildings which are adjacent to one another at side property lines should to be designed to minimize the extent of blank adjacent walls. The profile of building walls and roof lines should be compatible with adjacent buildings and roof lines.

- 5.7.4.15 Open spaces within and around a site should be designed and landscaped so that they are attractive for use by the site's residents.
- 5.7.4.16 Larger projects should take into consideration the provision of pedestrian access through the project from the street to the lane.
- 5.7.4.17 Parking shall generally be provided in accordance with the requirements of Section 66 of the Land Use Bylaw; however, the Development Officer may vary those requirements pursuant to Clause (2) of Section 66.1 of the Land Use Bylaw.
- 5.7.4.18 On-site parking should not be visible from a public roadway other than a lane.
- 5.7.4.19 Access to on-site parking shall be from lanes. Where no lane is available, access may be from the public roadway. The number of accesses across a sidewalk is to be minimized.
- 5.7.4.20 Single Detached, Semi-detached, and Duplex Housing in this District shall be developed in accordance with the provisions of the RF3 District of the Land Use Bylaw.
- 5.7.4.21 Offices-in-the-Home shall be developed in accordance with Section 84 of the Land Use Bylaw.
- 5.7.4.22 Homecrafts shall be developed in accordance with Section 85 of the Land Use Bylaw.
- 5.7.4.23 Group Homes shall be developed in accordance with Section 91 of the Land Use Bylaw.
- 5.7.4.24 Notwithstanding the minimum site area and minimum site width provisions of this District, Religious Assembly uses shall be developed in accordance with Section 81 of the Land Use Bylaw.
- 5.7.4.25 Daytime Child Care Services shall be developed in accordance with Section 93 of the Land Use Bylaw.
- 5.7.4.26 Signs shall be allowed in this District as provided for in Schedule 79B and in accordance with the general conditions of Section 79.1 to 79.9 inclusive of the Land Use Bylaw.
- 5.7.4.27 The Development Officer may grant relaxations to the provisions of this District if, in his opinion, such a variance would be in keeping with the General Purpose of this District and would not affect the amenities, use, enjoyment and value of neighbouring properties.

## Coliseum Station Area Revedevelopment Plan

### DC1 (Area 1) - Coliseum Direct Development Control District

#### 11.13 DC1 (Area 1) - Coliseum Direct Development Control District (Section 710, Land Use Bylaw

##### 11.13.1 Area of Application

Portions of Sub-Area 3, between the LRT right-of-way and 78 Street, between 118 and 120 Avenues, designated DC1 (Area 1) in Bylaw 6928, amending the Land Use Bylaw.

##### 11.13.2 Rationale

To provide a district for the sensitive integration of high density residential uses, Park'n'Ride facilities, major event parking, park space and bus transfer facilities. The district is intended to take advantage of the area's close proximity to the Coliseum Light Rail Transit Station and to promote use of the Light Rail Transit system. The District also includes design criteria and features to promote a high quality residential environment and to achieve a transition of heights and density away from the station.

##### 11.13.3 Uses

The following uses are prescribed for lands designated DC1 (Area 1) pursuant to Section 710.3 of the Land Use Bylaw:

###### 11.13.3.1 Apartment Housing

###### 11.13.3.2 Row Housing

###### 11.13.3.3 Stacked Row Housing

###### 11.13.3.4 Homecrafts

###### 11.13.3.5 Offices-in-the-Home

###### 11.13.3.6 Amusement Establishments, Indoors

###### 11.13.3.7 Broadcasting and Motion Picture Studios

###### 11.13.3.8 Eating and Drinking Establishments, Minor

###### 11.13.3.9 Health Services

###### 11.13.3.10 Parking, Non-Accessory

###### 11.13.3.11 Personal Service Shops

11.13.3.12 Professional, Financial and Office Support Services

11.13.3.13 Retail Stores, Convenience

11.13.3.14 Retail Stores, General, up to a maximum gross floor area of 1000 sq. m (10,763.45 sq. ft.)

11.13.3.15 Community Recreational Services

11.13.3.16 Daytime Child Care Services

11.13.3.17 Indoor Participant Recreation Services

11.13.3.18 Minor Impact Utility Services, provided these uses are transit-related

11.13.3.19 Private Clubs

11.13.3.20 Public Libraries and Cultural Exhibits

11.13.3.21 Public Park

11.13.3.22 Spectator Entertainment Establishments

11.13.3.23 Uses which conform to the objectives of Section 3.4 of the Coliseum Station ARP and the rationale of this District.

11.13.4 Development Criteria

The following development criteria shall apply to the prescribed uses pursuant to Section 710.4 of the Land Use Bylaw.

11.13.4.1 The maximum floor area ration shall be 4.5.

11.13.4.2 Of the total maximum floor area ration of 4.5, a maximum floor area ratio of 1.5 may be used for non-residential use classes. Such uses shall be located on the lowest two floors of the development above grade, with those of a general retail or service nature on the ground floor and office development on the second floor. This does not preclude residential development from the lowest floors above grade. This clause does not apply to Non-Accessory Parking.

11.13.4.3 The maximum building height shall not exceed 45 m (147.6 ft) nor 15 storeys, except as modified by 11.13.4.7.

11.13.4.4 The maximum residential density shall not exceed 500 dwellings/ha (202.4 dwellings/acre.)

11.13.4.5 A minimum Amenity Area of 7.5 sq. m. (80.76 sq. ft.) per dwellings shall be provided in accordance with Section 56 of the Land Use Bylaw.

11.13.4.6 Required off-street parking shall be provided in accordance with Section 66 of the Land Use Bylaw. Parking for Spectator Sports Establishments and Park'n'Ride facilities shall be provided within a Parkade structure only. Surface parking for non-accessory uses shall not be permitted in this District.

11.13.4.7 Specific regulations applicable to the proposed Parkade are as follows:

(i) The Parkade must be constructed on Block 10, Plan 5840 HVI, between 76 Street and the CN/LRT right-of-way, south of 120 Avenue. Access to the Parkade shall be from 120 Avenue.

(ii) The Parkade shall be used for Park'n'Ride and for Spectator Sports Establishments parking only, except as

stipulated in 11.13.4.7.iii.

(iii) Parking which is accessory to residential or commercial uses in this District may be located in the Parkade, provided that access to those spaces is completely separated from the non-accessory parking function and those spaces are not available to Park'n'Ride or Coliseum users. Parking which is accessory to uses in this District should be underground if integrated with the Parkade.

(iv) The Parkade should be designed to contain non-accessory parking for approximately 600 cars. The number of full above-grade levels should be not less than three, nor greater than six, accommodating between 100 and 200 cars per level.

(v) The Parkade may be a free standing structure or include residential development. Should residential development be included in the design at the Parkade, the combined height of development will not exceed six storeys. The residential component should preferably form an envelope around the parking component to increase compatibility with surrounding redevelopment.

(vi) If development on Block 10, Plan 5840 HVI is in the form of a free-standing Parkade, such development shall be sited and finished to provide a buffer between the residential uses west of 76 Street and the parking function. This buffer may be accomplished by a combination of landscaping, setbacks, appropriate finishing materials and/or terracing. Bare pre-cast or poured concrete slabs shall not be acceptable for exterior Parkade surfaces. Buffering techniques may also include placement of the proposed park site for Sub-Area 3 on the western portion of this block.

(vii) Development applications for a Parkade must be accompanied by an urban design scheme for the entire District.

11.13.4.8 Offices-in-the-Home shall be developed in accordance with Section 84 of the Land Use Bylaw.

11.13.4.9 Homecrafts shall be developed in accordance with Section 85 of the Land Use Bylaw.

11.13.4.10 Buildings within this District should be designed to maximize compatibility with proposed adjacent medium rise apartment development, by providing similar yard and setbacks to those required for medium rise apartment development. Where feasible, the design of structures within this District should incorporate podium levels within the first three storeys, with upper floor setbacks of at least 3 m.

11.13.4.11 The present bus transfer loop in the District shall be maintained as is, or be incorporated into the mixed use development. Provision for enclosed waiting areas in such new development is encouraged.

11.13.4.12 The proposed Parkade shall incorporate a direct pedestrian path parallel and adjacent to the CN/LRT right-of-way, which connects the Parkade with the Coliseum LRT Station. This path shall be not less than 6 m in width. If construction is phased, then initially the connection may remain outdoors, but shall ultimately be fully enclosed. The path should be clearly marked and defined for the convenience of Park'n'Ride users. Pedestrian connection of the Parkade to the Coliseum may also be made. Other pedestrian connections shall connect non residential development within the District with the Coliseum LRT Station. These connections may be enclosed or open pathways. If open, appropriate landscaping and vegetation shall be used to increase the visual amenity of these paths and provide some measure of weather protection.

11.13.4.13 A small public park space shall be developed within the District as a component of the overall comprehensive development. This park shall not be considered to be part of the Amenity Area of residential development in the District, and shall be fully accessible to residents of adjacent blocks. The specific size, location and features of this proposed park shall be determined by the Development Officer in consultation with the Parks and Recreation Department. The preferred locations for this park would be at the western edge of the District, south of 119 Avenue or adjacent to and west of the parkade on Block 10, north of 119 Avenue, as shown on Schedule E of this plan.

11.13.4.14 Service access and loading requirements shall conform to the regulations of Section 65 of the Land Use Bylaw.

11.13.4.15 Daytime Child Care Services shall be developed in accordance with Section 93 of the Land Use Bylaw.

11.13.4.16 An application for Development Permit within this District shall be accompanied by an information report as outlined in Section 710.5(1) of the Land Use Bylaw. Specifically, this report shall include a site plan as a scale of 1:500 or greater which illustrates the details of proposed construction, including siting of all structures, pedestrian paths, pedestrian and vehicular access points, landscaping and architectural information (i.e. cladding materials) and related information as required in Section 720.5(d) of the Land Use Bylaw. The report shall provide detailed information on phasing of construction (if any) and the methods by which the development is to achieve a transition in order to minimize impact on adjacent lower density residential development.

## Churchill Wire Centre DC1

### Core Commercial Area DC1 Direct Development Control District

#### 1. General Purpose

To establish a Direct Development Control District to accommodate a limited range of uses such that by limiting the range of specific land uses and developing sensitive site development criteria, the development will be compatible with the future designation of the Churchill Wire Centre Building facades as a Municipal Historic Resource.

#### 2. Area of Application

This DC1 District shall apply to Lots 51 and 52, Plan F, located on the southwest corner of 101 Street and 102 Avenue, Hudson Bay Reserve.

#### 3. Uses

The following Discretionary Uses are allowed:

##### 3.1 Residential

- a) Apartment Housing
- b) Row Housing
- c) Stacked Row Housing

##### 3.2 Residential Related

- a) Apartment Hotels
- b) Boarding and Lodging Houses
- c) Minor Home Occupations
- d) Major Home Occupations

##### 3.3 Commercial

- a) Health Services
- b) Major and Minor Eating and Drinking Establishments
- c) Personal Services
- d) Professional Financial and Office Support Services

e)Residential Sales Centre

3.4Community, Educational, Recreational and Cultural Services

a)Private Education Services

4.Development Criteria

The Development Officer and the Heritage Officer shall have regard to the following guidelines when reviewing a development application for Discretionary Uses.

4.1Historic Integrity

It is anticipated that the east and north facades of the Churchill Wire Centre Building, and the land on which those facades are situated, will be designated a Municipal Historic Resource subsequent to the passage of this bylaw. Should redevelopment of the site occur prior to the passage of the designating bylaw, such redevelopment must respect the historic character of the east and north facades of the existing building. In order to do this further development of the site must conform with the requirements of Appendix 1 to this Bylaw. "General Guidelines for Rehabilitation".

4.2Design Guidelines

Any new development proposed for this site must conform to the enclosed 'Design Guidelines for New Development' (Appendix 2 of this Bylaw). These guidelines offer direction to architects and developers in the event of a redevelopment of the Churchill Wire Centre Building.

Any redevelopment shall maintain, to the satisfaction of the Development Officer and the Heritage Officer, the external appearance of the existing building as existing at the time of the adoption of the Bylaw.

4.3The maximum total floor area ratio for the entire site shall be 14.0.

4.4The maximum floor area ratio for all Residential Use Classes shall be 14.0.

4.5The maximum floor area ratio for all Use Classes other than residential shall be

10.0.

4.6The maximum total residential density shall be determined on the basis of the floor area ratio and other regulations of this district.

4.7The maximum height shall not exceed that established by the Municipal Airport Protection Overlay, Section 810 of the Land Use Bylaw.

4.8There shall be no minimum yard requirements.

4.9Separation Space shall be provided in accordance with Section 58 of the Land Use Bylaw.

4.10The floor area for Amenity Areas as defined in the Land Use Bylaw shall be

exempt from floor area calculations in accordance with:

a)A minimum Amenity Area of 4% of the non-residential gross floor area shall be provided and a maximum of 10% of the gross floor area shall be exempted from floor area calculations;

b)A minimum Amenity Area of 7.5m<sup>2</sup> (80.7 square feet) per dwelling of the residential gross floor area shall be provided and a maximum of 20% of the gross floor area shall be exempted from floor area ratio calculations.

## Appendix 1

### General Guidelines for Rehabilitation

These guidelines shall form part of the Bylaw designating Lots 51 and 52, Plan F as a

DC1 (Direct Control) District

#### 1. Compatible Uses

Whenever possible, the uses proposed for the site shall be compatible with the existing building such that only minimal changes are required to the building.

#### 2. Original Character

The original distinctive qualities and character of the building should be preserved. The removal or alteration of any historical materials or features shall be avoided whenever possible.

#### 3. The Historic Period

The Churchill Wire Centre Building should be recognized as a product of its own time. Alterations which are not based on historical fact or which create an earlier or later design idiom shall be discouraged.

#### 4. Witness to Change

Changes to the Churchill Wire Centre Building may have occurred over time. These alterations are evidence of the history and development of the building. Because this evolution may have acquired a significance in its own right, alterations to this original building should be recognized and respected where indicated.

#### 5. Style and Craftsmanship

Distinctive stylistic features and examples of skilled craftsmanship shall be preserved and treated sensitively.

#### 6. Repair and Replacement

Deteriorated architectural features shall be repaired rather than replaced whenever possible. Where replacement is necessary, the new material should match the original as to composition, colour, texture, design, etc. The repair or replacement of architectural features shall be based on a sound knowledge of the original characteristics of the feature. Such knowledge shall be based on historical or pictorial evidence and not upon conjecture.

#### 7. Cleaning

In all cases, surface cleaning shall be undertaken with the gentlest means available. Sandblasting in particular, but also other cleaning methods, damage historic buildings and should be not undertaken without thorough testing prior to use on a building. Sandblasting is NOT recommended on brick, stone or wood. In all instances, it should be ascertained that a building exterior is really in need of cleaning prior to undertaking the work.

#### 8. Reversibility of improvements

When the introduction of new elements or materials are necessary to stabilize or preserve Churchill Wire Centre Building, alterations shall be undertaken such that the new materials, should they fail, may be removed at a later date without damage to the original fabric of the building. Where this is not possible (i.e., use of epoxy) only those methods and materials which have been thoroughly tested and found satisfactory . in situ, shall be used.

#### 9. Recording

Prior to undertaking any alterations, particularly in cases where alterations may threaten the building fabric (underpinning, moving structures), the applicant shall compile a complete record of the architectural features of the Churchill Wire Centre Building. Measured drawings and photographs of details may prove invaluable if major features are damaged or lost during the subsequent repair work.

#### 10.Original Construction

In some historic structures, poor construction details or inappropriate materials result in rapid deterioration of certain building elements. In these instances, accurate reconstruction of the original detail will inevitably result in the failure of the element. Therefore, reconstruction should be undertaken in such a fashion as to duplicate the original appearance as closely as possible while using details based on sound construction practice.

#### 11.Codes

At no time should the life and safety of occupants of the Churchill Wire Centre Building be deemed of lesser importance than the preservation of the original fabric of the building. The required life and safety standards are those required by the Alberta Building Code. However, notwithstanding these Code requirements, where the essential character of the structure is threatened by changes for Code reasons, every effort shall be made to achieve an equivalent safety standard by alternate means so as to minimize the impact on the historic fabric.

#### 12.Improvements

Prior to undertaking any improvements, a schedule of alterations should be prepared. This schedule should include phasing of alterations where necessary due to program or budget restrictions. The type and timing of both short and long term maintenance work shall also be included.

#### 13.Signs

As a general rule, signs should be limited to signs which were originally present on the building. In instances where new ones or interpretative function dictate the use of signs, these new elements should be integrated into the general design of the project. Avoid installing new signs that the repair, replacement or removal of the signs damages the original fabric of the structure.

#### Appendix 2

##### Design Guidelines for New Development

##### Design Guidelines for Redevelopment of the Churchill Wire Centre Building Site

The design guidelines, listed below, shall be used by architects, developers and the City in the event of a redevelopment of the Churchill Wire Centre Building site. Two facades of the 1945 corner building have been identified as historically and architecturally significant and merit designation as a Municipal Historic Resource. The allowable F.A.R. on the site means that at some time in the future, the owner may wish to redevelop the site to achieve a higher F.A.R..

The intent of these guidelines is to foster the design of a contemporary building which preserves and is sympathetic to the historic facades of the Churchill Wire Centre Building. Since the historic facades are designed in a particular style, it is desirable to design a modern structure which does not attempt to compete with the older structure by means of its own design features. It may be desirable for the new structure to serve as a backdrop or foil for the older building or to exhibit similar, or compatible design features.

1.Any new construction above the height of the designated facades, must be set back from the designated facades and use the facades as a podium in a podium-plus-tower composition. The tower portion of a new development must be set back from the line of the designated facades to allow the designated facades to appear free-standing and must not dominate when viewed from pedestrian level to the greatest extent possible.

A minimum setback of one structural bay for each tower facade facing a street or avenue is required (5 m (16.5 ft.) from each facade).

The design of new construction should consider and be sympathetic to the following design features of the historic facades of the Churchill Wire Centre Building:

(i)Modem Style - the Churchill Wire Centre is one of the best examples of this style of building in Edmonton. Typical modem style features of the Churchill Wire Centre include: a hard-edged and machine-like appearance, glass block windows, low relief geometrical designs, chevron motif relief"s decorating the window spandrels, parallel horizontal window mullions, smooth faced exterior materials including white terrazzo, polished black granite and stainless steel.

(ii)"Classical" decorative motifs: - the decorative scheme of the Churchill Wire Centre uses stylized classical motifs including: dentils above the second floor windows, columns suggested by vertical emphasis between windows and flutes in the cast terrazzo panels flanking the main corner entry, the polished black granite on the lower facades suggest a stylobase or base to the structure above and the decorative bas-relief sculpture above the corner entry.

(iii)Proportions of the facades - the building exhibits a distinctly geometric appearance in which the wall expanses are broken up by the vertical piers, horizontal elements, windows, chevron motif spandrels and decoration.

(iv)Building Materials - while new construction does not necessarily have to use the same materials, any new material should be compatible with the existing white terrazzo, polished black granite, stainless steel and glass block.

(iv)Architectural Detailing - The building displays features such as geometric decorative motifs, smoothly finished materials and custom designed fixtures. New development on this site could use these details in order to achieve a sympathetic or compatible design.

(v)Roof treatment - while the building has a flat roof, it may be desirable that any tower on the site be designed with a distinct roofline in keeping with the Modem style of the historic building.

2.Prior to the is of any sign permits for any new development on this site, the developer shall establish sign criteria for exterior signs, and shall submit these for the approval of the Development Officer and Heritage Officer.

3.In order to implement these guidelines to the satisfaction of all parties, it is important that the owner and architect consult with the City of Edmonton Heritage Officer at the preliminary stage and throughout the design process.

## Hudson's Bay Department Store Site DC1

### Core Commercial Area DC1 Direct Development Control District

#### 1. General Purpose

To establish a Direct Development Control District to accommodate a limited range of uses such that by limiting the range of specific land uses and developing sensitive site development criteria the development will be compatible with the status of the Hudson's Bay Department Store building facades as a Municipal Historic Resource.

#### 2. Area of Application

This DC1 District shall apply to Lot B, Block 2, Plan 9023489, located on the north side of Jasper Avenue between 102 and 103 Streets, Hudson Bay Reserve.

#### 3. Uses

The following Discretionary Uses are allowed:

##### 3.1 Residential

- a) Apartment Housing
- b) Row Housing
- c) Stacked Row Housing

##### 3.2 Residential Related

- a) Apartment Hotels
- b) Boarding and Lodging Houses
- c) Foster Homes
- d) Group Homes
- e) Homecrafts
- f) Offices-in-the-Home

##### 3.3 Commercial

- a) Auctioneering Establishments
- b) Broadcasting and Motion Picture Studios

- c)Business Support Services
- d)Commercial Schools
- e)Convenience Retail Stores
- f)Custom Manufacturing Establishments
- g)General Retail Stores
- h)Health Services
- i)Hotels
- j)Household Repair Services
- k)Indoor Amusement Establishments
- l)Limited Contractor Services
- m)Major and Minor Eating and-Drinking Establishments
- n)Minor Veterinary Services
- o)Mobile Food Catering Services
- p)Personal Service Shops
- q)Professional, Financial, and Office Support Services
- r)Secondhand Stores
- s)Spectator Entertainment Establishments

### 3.4Basic Services

- a)Extended Medical Treatment Services
- b)Government Services
- c)Minor Impact Utility Services
- d)Protective and Emergency Services

### 3.5Community, Educational, Recreational, and Cultural Services

- a)Community Recreation Services
- b)Daytime Child Care Services
- c)Indoor Participant Recreation Services
- d)Private Clubs
- e)Private Education Services
- f)Public Education Services

g)Public Libraries and Cultural Exhibits

h)Public Park

i)Religious Assembly

#### 4.0Development Criteria

The Development Officer shall have regard to the following guidelines when reviewing development applications for Discretionary Uses.

a)This site includes three facades of the Hudson's Bay Department Store which, together with the lands on which those facades are located, are designated a Municipal Historic Resource as per Bylaw 9122, approved by Council on September 26, 1989.

Any future development must conform to the requirements of the Designation Bylaw No. 9122, the Maintenance Agreement Concerning Bylaw No. 9122 and the Compensation Agreement approved by Council on September 26., 1989.

b)According to Article 3.3 of the Compensation Agreement, the owner "shall have the right from time to time and at any time to redevelop the unregulated portions of the building on the Lands, provided that the redevelopment does not in any way physically damage or impair the exterior facades and facade lands."

The Maintenance and Compensation Agreements noted in Article 2.1(a)above, shall guide the means by which this is undertaken.

#### 4.1Design Guidelines

Any new development proposed for this site must conform to the enclosed design guidelines (Schedule B of this Bylaw) These guidelines offer direction to architects and developers in the event of a redevelopment of the Hudson's Bay Department Store, as contemplated in the Compensation Agreement, Article 3.3.

4.2The maximum total floor area ratio for the entire site shall be 14.0, except that the floor area for Spectator Entertainment Establishments, Public Libraries, Cultural Exhibits and Daytime Child Care ' Centres shall be exempt from floor area ratio calculations.

4.3The maximum floor area ratio for Residential Use Classes and Hotels shall be 14.0.

4.4The maximum floor area ratio for all Use Classes other than residential shall be 10.0.

4.5The maximum total residential density shall be determined on the basis of the floor area ratio and other regulations of this district.

4.6The maximum height shall not exceed that established by the Municipal Airport Protection Overlay, Section 810A of the Land Use Bylaw.

4.7There shall be no minimum yard requirements.

4.8Separation Space shall be provided in accordance with Section 58 of the Land Use Bylaw.

4.9a)Not more than 50% of at-grade street frontage on 101 (Jasper) Avenue, 102 and 103 Streets designated on Schedule C of the Downtown Area Redevelopment Plan Bylaw - "Retail Continuity in the Downtown Plan", shall be developed for offices of professional, financial, office support and health services, or entrance lobbies.

Notwithstanding the above restriction on non-retail use frontage when:

- i) the use frontage does not comply with the performance standard;
- ii) the applicant can clearly demonstrate the need for variance because of a physical constraint to development;
- iii) the variance does not, in the opinion of the Development officer prejudice the objectives of retail continuity for the street on which the development is proposed;
- iv) considering Bylaw # 9122, (being a bylaw to designate three facades of the Hudson's Bay Department Store as a Municipal Historic Resource), and those features which cannot be altered as a result, in calculating the at-grade street frontage requirement;

the Development officer may vary this regulation in accordance with Sections 11.5 and 11.6 of the Land Use Bylaw; or alternatively:

- b) a maximum of 50% of the main floor gross floor area, exclusive of horizontal and vertical circulation areas (i.e. aisles between C.R.U.'s, elevators, escalators) may be developed for non-retail uses (aisles for circulation within C.R.U.'s will not be excluded from this calculation).

4.10 The floor area for Amenity Areas as defined in the Land Use Bylaw shall be exempt from floor area calculations in accordance with:

- a) A minimum Amenity Area of 4% of the non-residential gross floor area shall be provided and a maximum of 10% of the gross floor area shall be exempted from floor area calculations;
- b) A minimum Amenity Area of 7.5m<sup>2</sup> (80.7 square feet) per dwelling of the residential gross floor area shall be provided and a maximum of 20% of the gross floor area shall be exempted from floor area ratio calculations.
- c) Recreation Facilities that require a user charge and are provided in excess of the minimum Amenity Area standard, as defined in a and b, shall be exempt from floor area ratio calculations.
- d) Calculation of the Amenity Area requirements are to apply only to the gross floor area of the redeveloped portions of the building.

## Appendix "A" - Design Guidelines for Redevelopment of the Hudson's Bay Department Store Site

### Design Guidelines for New Development

The design guidelines, listed below, shall be used by architects, developers and the City in the event of a redevelopment of the Hudson's Bay Department Store Site, as contemplated in the Compensation Agreement.

The intent of these guidelines is to foster the design of a contemporary building which is sympathetic to the facades of the Hudson's Bay Company Department Store. Since the designated facades are designed in a particular style, it is desirable to design a modern structure which does not attempt to compete with the older structure by means of its own design features. It may be desirable for the new structure to serve as a backdrop for the older building or to exhibit similar, or compatible design features.

- a) Any new construction above the height of the designated facades, must be set back from the designated facades and use the facades as a podium in a podium-plus-tower composition. The tower portion of a new development must be set back from the line of the designated facades to allow the designated facades to appear freestanding and must not dominate when viewed from pedestrian level to the greatest extent possible.

A minimum setback of 8 metres for two-thirds (2/3's) of each tower facade facing a street or avenue is required with no portion of the remaining one-third (1/3) to be closer than 5 metres to the designated facades.

The design of new construction should consider and be sympathetic to the following design features of the designated

facades of the Hudson's Bay Company Department Store:

- (i)The horizontal emphasis of the historic facades - the building has a horizontal emphasis to its facades which is accented by the black granite vertical elements flanking the entries.
  - (ii)Proportions of the facades - the building exhibits a distinctly geometric appearance in which the large wall expanses are broken up by the horizontal string courses, glass block windows and regular mortar joints.
  - (iii)Building materials - while new construction does not necessarily have to use the same materials, any new materials should be compatible with the existing limestone, black granite, stainless steel and glass block.
  - (iv)Architectural detailing - the building displays features such as rounded corners with small curved projecting string coursing, contrasting mortar between the granite cladding, simple geometric motifs between the upper storey glass block windows, projecting string courses and slightly projecting parapet capping. New development on this site could use these details in order to achieve a sympathetic or compatible design.
  - (v)Roof treatment - while the building has a flat roof, it may be desirable that any tower on the site be designed with a distinct roofline in keeping with the Moderne style of the historic building.
- b)Prior to the issuance of any sign permits for any new development on this site, the developer shall establish sign criteria for exterior signs, and shall submit these for the approval of the Development Officer and Heritage Officer.
- c)In order to implement these guidelines to the satisfaction of all parties, it is important that the owner and architect consult with the City of Edmonton Heritage Officer at the preliminary stage and throughout the design process.

## Union Bank Building DC1

### Core Commercial Area DC1 Direct Development Control District

#### 1. General Purpose

To establish a Direct Development Control District to accommodate a limited range of uses such that by limiting the range of specific land uses and developing sensitive site development criteria, the development will be compatible with the future designation of the Union Bank Building as a Municipal Historic Resource.

#### 2. Area of Application

This DC1 District shall apply to Lot 6 , Plan F, located on the south side of Jasper Avenue and west of 100 Street, Hudson's Bay Reserve,

#### 3. Uses

The following Discretionary Uses are allowed:

##### 3.1 Residential Related

a) Apartment Hotels

##### 3.2 Commercial

a) General Retail Uses

b) Hotel

c) Minor Eating and Drinking Establishment

d) Personal Service Shops

e) Professional, Financial and Office Support Services

f) Professional Offices

##### 3.3 Community, Educational, Recreational and Cultural Service

a) Indoor Participant Recreation Services

b) Private Clubs

#### 4. Development Criteria

The Redevelopment Officer and the Heritage Officer shall have the regard to the Following guidelines when reviewing

a development permit application for Discretionary Uses.

#### 4.1 Historic Integrity

It is anticipated that the Union Bank Building, and the land on which it is situated, will be designated a Municipal Historic Resource subsequent to the passage of this bylaw. Should redevelopment of the site occur prior to the passage of the designation bylaw, such redevelopment must respect the historic character of the existing building. To do this, further development of the site must conform with the requirements of Appendix I to this Bylaw, "General Guidelines for Rehabilitation."

#### 4.2 Design Guidelines

Any new development proposed for this site must conform to the enclosed "Design Guidelines for New Development" (Appendix 2 of this Bylaw). These guidelines offer direction to architects and developers in the event of a redevelopment of the Union Bank Building.

Any redevelopment shall maintain, to the satisfaction of the Development Officer and the Heritage Officer, the external appearance of the existing building as existing at the time of the adoption of the Bylaw.

4.3 The maximum total floor area ratio for the entire site shall be 4.0.

4.4 No new construction is to occur above the existing historic building envelope. Any future addition must be at the rear of the existing Union Bank Building

4.5 There shall be no minimum yard requirements.

4.6 A Comprehensive Sign Design Plan schedule with the overall intent of Section 79 of the Edmonton Land Use Bylaw shall be submitted prior to the issuance of any sign permits for the existing development and any new development on this site, for the approval of the Development Officer and Heritage Officer.

#### Appendix "2" - Design Guidelines For Redevelopment Of The Union Bank Building Site

##### Design Guidelines for New Development

The design guidelines below, shall be used by architects, developers and the City in the event of a redevelopment of the Union Bank Building site. Two facades of the 1911 building have been identified as historically and architecturally significant and are to be regulated under a Municipal Historic Resource designation bylaw. The allowable F.A.R. on the site means that the owner may wish to redevelop the site to achieve a higher F.A.R. than presently exists.

The intent of these guidelines is to foster the design of an addition which preserves and is sympathetic to the historic facades of the Union Bank Building. Since the historic facades are designed in a particular style, it is desirable to design an addition which does not attempt to compete with the older structure by means of its own design features. It may be desirable for the new structure to serve as a backdrop or foil for the older building or to exhibit similar, or compatible design features.

a) In order to implement these guidelines to the satisfaction of all parties, it is important that the owner and architect consult with the City of Edmonton Heritage Officer at the preliminary stage and throughout the design process.

b) No new construction is to occur above the existing historic building envelope. Any future addition must be at the rear of the existing Union Bank Building.

The design of new construction should consider and be sympathetic to the following design features of the Historic facades of the Union Bank Building:

(i) Renaissance Revival/Edwardian Classical Style - the Union Bank is one of the best examples of this style of building in Edmonton. Typical Renaissance style features of the Union Bank include: use of red brick with contrasting

lintels and stonework, a symmetrical facade and classically inspired decorative features.

(ii)"Classical" decorative motifs - the decorative scheme of the Union Bank uses classical motifs including: Ionic pilasters; entablature with cornice, dentils, frieze and architrave and broken pediment style window mouldings.

(iii)Proportions of the facades - the building exhibits a regular, geometric appearance in which the wall expanses are broken up by the vertical piers, horizontal elements, windows and mouldings and decoration.

(iv)Building Materials - while new construction does not necessarily have to use the same materials, any new material should be compatible with the existing the existing red brick, limestone and painted wood.

(v)Architectural Detailing - The building displays features such as classically inspired decorative details, traditional materials such a brick, limestone and wooden double-hung windows. New development on this site could use these details in order to achieve a sympathetic or compatible design.

(v)Roof treatment - the building has a flat roof and it may be desirable that any addition on the site be designed with a flat roofline in keeping with the original style of the historic building.

(vi)Colour - the colours used on any addition to the Union Bank Building should be complementary to the colours of the original structure.

c)Prior to the issuance of any sign permits for any new development on this site, the developer shall establish sign criteria for exterior signs, and shall submit these for the approval of the Development Officer and Heritage Officer.

## Garneau Area Redevelopment Plan

DC1 - Garneau Direct Development Control District

### **DC1 - Direct Development Control District (Section 710, Land Use Bylaw)**

**Area of Application:** Portions of Sub Area 1 north of 83 Avenue between 111 Street and 109 Street, designated DC1 in Bylaw 6220 amending the Land Use Bylaw.

**Rationale:** The Garneau Plan in Policy 1.1 identifies the subject area as a "Special Character Residential Area" contributing to the city as a whole precinct of older detached housing having interesting architectural detailing and variety in built form. This District is intended to encourage the retention of rehabilitation of existing structures while allowing for infill redevelopment. The regulations associated with this District are intended to ensure that all rehabilitation and redevelopment activities are sensitive to the existing character of both the built form and its relationship to existing streetscapes.

### **Uses**

The following uses will be considered in this area:

- (1) Single detached Housing.
- (2) Semi-detached Housing.
- (3) Duplex Housing where the side lot line of the site abuts a site in an Industrial, Commercial, Row Housing, or Apartment District, or is not separated from it by a public roadway more than 10m (32.8 ft.) wide.
- (4) Duplex Housing, other than those which are permitted.
- (5) Row Housing, except Semi-detached housing, in buildings up to 4 dwellings, each dwelling having frontage on a public roadway other than a lane.
- (6) Apartment Housing, containing not more than 4 dwellings.
- (7) Homecrafts.
- (8) Offices-in-the-Home.
- (9) Group Homes.
- (10) Foster Homes.
- (11) Daytime Child Care Services.
- (12) Boarding and Lodging Houses.

(13)Fraternity and Sorority Housing where lawfully existing on a site in this district at the effective date of the Garneau Area Redevelopment Plan Bylaw.

## **Development Criteria:**

The following development criteria shall apply to developments within this District pursuant to Section 710.4 of the Land Use Bylaw.

- 1.The General Regulations and Special Land Use Provisions of the Land Use Bylaw.
- 2.The development regulations of the RF3 (Low Density Redevelopment) District, provided that the Development Officer may relax these regulations for individual applications, where such relaxations would assist in the achievement of the development criteria in Clauses 3, 4 and 5 below.
- 3.New developments or additions to existing buildings shall be compatible with the scale, massing and siting of adjacent buildings, along the same street frontage.
- 4.The rehabilitation and renovation of existing buildings shall retain the original details of roof lines, doors and windows, trim, exterior finishing materials and similar architectural features to the greatest extent practical.
- 5.The design and appearances of new development shall incorporate building details and finishing materials which are common to the domestic architecture of the turn of the century and early 1920"s detached housing in the area.
- 6.Existing trees and vegetation shall be retained wherever possible and where removal for new construction is required, mature trees shall be planted to maintain the appearance of the streetscape.

## **Additional Information Requirements:**

In addition to the information normally required for a development application under the Land Use Bylaw the Development Officer may also require such information required to explain how the proposed development meets the development criteria set out in (3) above and may include the following.

- 1.A narrative which includes a description of the architectural characteristics common in the immediate vicinity and how the application responds to these characteristics.
- 2.Streetscape elevations including adjacent properties.

## Old Strathcona Area Redevelopment Plan

### 10.21 DC1 (Area 1) Residential Direct Control District

#### **10.21 DC1 (area 1) Residential Direct Control District (Section 710, Land Use Bylaw)**

##### 10.21.1 Area of Application

Portion of Sub-Area 1 located generally between 104 and 106 Streets south of Saskatchewan Drive, designated DC1 (Area 1) in Bylaw 6380, amending the Land Use Bylaw.

##### 10.21.2 Rationale

To provide a district for a low density, predominantly single detached environment, with sensitivity towards maintaining the existing scale and character of older single detached dwellings in the Plan Area. The district is also applied to any residential structure designated as an historical resource under the Alberta Historical Resources Act.

##### 10.21.3 Uses

The following uses are prescribed for lands designated DC1-1 pursuant to Section 710.3 of the Land Use Bylaw:

###### 10.21.3.1 Single Detached Housing

###### 10.21.3.2 Semi-detached Housing

###### 10.21.3.3 Duplex Housing

###### 10.21.3.4 Conversion of Single Detached Housing containing not more than 4 dwelling units.

###### 10.21.3.5 Homecrafts

###### 10.21.3.6 Offices-in-the-Home

###### 10.21.3.7 Conversion of Single Detached dwellings to Professional Offices

###### 10.21.3.8 Daytime Child Care Services

10.21.3.9 Uses consistent with the rationale of this District and, where applicable, with designation as an historic resource under the Alberta Historical Resources Act.

##### 10.21.4 Development Criteria

The following development criteria shall apply to the prescribed uses pursuant to Section 710.4 of the Land Use Bylaw:

###### 10.21.4.1 The minimum site area shall be as follows:

(i) 360 sq. m (3875.0 sq. ft.) for each Single-Detached Dwelling;

(ii) 300 sq. m (3229.2 sq. ft.) for each Semi-Detached or Duplex Dwelling.

10.21.4.2 The maximum density shall be 37 dwellings/ha (15 dwellings/ac).

10.21.4.3 The maximum building height shall not exceed 10.0m (32.8 ft.) nor 2 1/2 storeys.

10.21.4.4 The minimum yard requirements shall be in accordance with the provisions of Section 140.4 Clauses (6) to (8) of the Land Use Bylaw. Notwithstanding this, the Development Officer at his discretion, may reduce the minimum requirements where one or more adjacent properties exhibit similar variations from the RF3 regulations.

10.21.4.5 The maximum total site coverage shall be 50%.

10.21.4.6 Separation space shall be provided in accordance with the provisions of Section 58 of the Land Use Bylaw.

10.21.4.7 Off-street parking shall be provided in accordance with the provisions of Section 66 of the Land Use Bylaw.

10.21.4.8 Offices-in-the-Home shall be developed in accordance with Section 84 of the Land Use Bylaw.

10.21.4.9 Homecrafts shall be developed in accordance with Section 85 of the Land Use Bylaw.

10.21.4.10 Conversion of Single Detached Dwellings to professional offices shall be in accordance with Section 88 of the Land Use Bylaw.

10.21.4.11 Architectural treatment of developments shall:

(i) ensure the individuality of the dwelling through design and location of entrance, facade design and floor plan layout.

(ii) ensure that elements common to the residential architecture of this area are emphasized through the inclusion of features such as the following:

- dormers and bay windows

- pitch and gambrel roofs and gables

- porches and verandas

- details of cornices and lintels

- wood shingles

- brick, clap board or stucco as prominent exterior finishes.

10.21.4.12 Renovation of, or additions to, existing development shall retain the original architectural elements and proportions of the existing structure, including such elements as itemized in Section 10.21.4.11(ii).

10.21.4.13 In addition to the requirements of Section 10.21.4.10, the Development Officer shall use the following guidelines when reviewing an application for conversion of a Single Detached Dwelling to a non-residential use.

(i) the use of the structures for residential purposes has been examined and determined inappropriate due to size, renovation cost, undesirable site characteristics, or similar rationale.

(ii) site adjacent to districts permitting high density residential uses are preferred, allowing the conversion to act as a transitional use between high and low density.

(iii) the scale of the operation shall be small and employ less than 10 persons.

(iv) the nature of the operations shall minimize the need for personal contact.

(v) a report prepared by the applicant containing the information required under Sections 10.21.4.10 and 10.21.4/13 shall be submitted to the Development Officer in addition to the requirements of Section 15 of the Land Use Bylaw.

10.21.4.14 No new development for non-residential use classes shall be permitted.

## Old Strathcona Area Redevelopment Plan

### 10.22 DC1 (Area 2) Direct Development Control District

**Please note that the original of this document has illustrations which are not reproduced here.**

*Bylaw No. 11634, Schedule "I"*

*January 20, 1998*

## DC1 (AREA 2) DIRECT DEVELOPMENT CONTROL DISTRICT

### 1. Introduction:

This zone comprises the original, core commercial area of the town of Strathcona. This District is required in order to preserve the 19 buildings which are on the Register of Historic Resources in Edmonton (6 of which are designated by the Province) as they have significant architectural and historic value, and to ensure that future renovations and redevelopments of surrounding buildings result in developments which are compatible in architectural and built form with the historic buildings of the area.

### 2. Area of Application:

Those lots, listed in Appendix I of this DC1 District being a portion of SubArea 4, located generally between 103 and 105 Streets between 81 and 83 Avenues, designated DC1 (Area 2) in Bylaw 11635, amending the Land Use Bylaw.

### 3. Rationale:

This district is intended to:

- i) apply detailed and sensitive control of development and redevelopment within the core historic commercial area of Strathcona;
- ii) encourage a highly pedestrian, retail commercial environment with offices and others uses on the upper floors
- iii) emphasize and retain the original, historic architectural and urban design characteristics of this area in future renovations and redevelopments
- iv) provide detailed control over specific sites, which are or may be in future designated as historic resources under the Alberta Historical Resources Act, and an area which is used for primarily commercial purposes, pursuant to Section 3.5 of the Old Strathcona Area Redevelopment Plan.

### 4. Uses:

The following uses are prescribed pursuant to Section 710.3 of the Land Use Bylaw, not to exceed 464.5 m<sup>2</sup> (5,000 sq. ft.) per floor nor a total of 929 m<sup>2</sup> (10,000 sq. ft.) per building, except as otherwise stated below:

- a)Animal Hospital
- b)Apartment Housing (above the ground floor only)
- c)Broadcasting and Motion Picture Studios
- d)Business Support Services
- e)Child Care Services
- f)Commercial Schools
- g)Custom Manufacturing
- h)General Retail Store up to a maximum gross floor area of 929 m<sup>2</sup> (10,000 sq. ft.)
- i)Government Services
- j)Health Services
- k)Hotels
- l)Household Repair Services
- m)Indoor Participant Recreation Services
- n)Limited Contractor Services
- o)Major and Minor Alcohol Sales,
- p)Major and Minor Amusement Establishments
- q)Major and Minor Home Occupations
- r)Major and Minor Secondhand Stores
- s)Major and Minor Eating and Drinking Establishments not to exceed an occupant load of 200 nor 240 m<sup>2</sup> (2,583.4 sq. ft.) in public space
- t)Minor Veterinary Services
- u)Personal Service Shops
- v)Private Clubs
- w)Professional, Financial and Office Support Services
- x)Public Libraries and Cultural Exhibits
- y)Residential Sales Centre
- z)Spectator Entertainment Establishments
- aa)Uses consistent with the rationale of this District and where applicable, with designation as a historic resource under the Alberta Historical Resources Act

#### 5.Development Criteria:

a) For the purposes of this District, the following definitions shall apply:

i) "occupant load" will mean the maximum number of people that may occupy a space; and

ii) "public space" will mean space within an establishment which is open to the public and not restricted to employees only; for example, public space does not include kitchens, administrative offices, food or drink preparation areas.

b) All development in this District shall meet the requirements set forth in this District and the regulations contained in the Land Use Bylaw No. 5966, as amended, where not superseded by the development criteria and sign regulations of this District, to the satisfaction of the Development Officer. The Development Officer will consult with the Heritage Officer where appropriate;

c) Maximum F.A.R. shall be 2.5;

d) Maximum building height shall not exceed four storeys nor 15 m (49.2 ft.);

e) The minimum number of offstreet parking spaces required shall be in accordance with the provisions of Schedule 66A of the Land Use Bylaw, except that:

i) for Professional, Financial and Office Support Services, no parking spaces shall be required;

ii) for commercial Use Classes included in Schedule 66A Clause (9) of the Bylaw, no parking spaces shall be required;

iii) for Major and Minor Eating and Drinking Establishments, spaces shall be provided on the basis of 1 space per 4 occupants or per 4.8 m<sup>2</sup> (1 per 51.7 sq. ft.) of gross floor area, whichever is less;

iv) accessory parking shall be located at the rear of the building. Access to the parking shall be restricted to the rear lane; and

v) Notwithstanding the above requirements, Restoration or Renovation projects for property designated by bylaw as a Municipal Historic Resource will only be required to maintain existing parking onsite;

f) Offstreet vehicular loading and unloading spaces shall be provided in accordance with Schedule 65A of the Land Use Bylaw. However, property designated by bylaw as a Municipal Historic Resource will only be required to maintain existing offstreet loading and unloading facilities;

g) All Development Permits relating to exterior alterations, signs, renovation to existing buildings or new construction within this area will be reviewed by the Development Officer in consultation with the Heritage Officer, and the following Architectural Guidelines shall apply:

i) Renovation Or Restoration Of Buildings Included On The Register Of Historic Resources In Edmonton

· Architectural treatment of properties included on the Register of Historic Resources in Edmonton shall follow the "General Guidelines for Rehabilitation" from City Policy C450A, "A Policy to Encourage the Designation and Rehabilitation of Municipal Historic Resources in Edmonton";

ii) New Construction Or Renovation Of Properties Not Included On The Register Of Historic Resources In Edmonton

· The visual continuity of the historic Strathcona streetscapes is characterized by buildings which are similar in scale, alignment and setbacks;

A) Architectural treatment shall adhere to the following guidelines:

1) construction to the front and side property lines;

2)shop entrances at approximately 33 foot intervals;

3)general alignment of horizontal elements (cornices, signbands, windows, awnings);

#### B)Setbacks

1)New structures shall be built to the front and side property lines. Setbacks are strongly discouraged. The Development Officer, in consultation with the Heritage Officer, may allow building setbacks up to 2.5 m (8.2 ft.) to accommodate street related activities such as sidewalk cafes, architectural features and landscaping that contribute to the historical and pedestrian oriented shopping character of the area;

#### C)Horizontal Elements:

1)New construction should respect and enhance horizontal alignments where feasible;

2)Decorative details and facade articulations should respect or make continuous, the horizontal features of neighbouring buildings;

3)Signbands, windows, canopies and awnings should be aligned with similar features on neighbouring buildings;

#### D)Vertical Elements

1)Major vertical elements should be introduced into the facade design of new buildings at approximately 33 foot intervals to maintain the traditional vertical pattern of building facade design;

2)Upper windows should reflect the repetitive, vertical pattern along the street and maintain a width to height ration of 2:3;

#### E)Building Materials

1)The traditional, historic building materials in Strathcona were quite limited. They included: brick, wood, pressed metal and cast stone. New construction should emphasize the use of these traditional materials. Reflective glass windows are NOT permitted;

#### F)Building Facades

1)The historic building facades in Strathcona had similar features: recessed entrys, large display windows, "punched" design upper window openings, transom glazing, fascia sign bands, and strong cornices;

2)Storefronts and Entrances should incorporate the historic pattern of recessed entrys, transom glazing and large display windows with minimum partitioning at eye level. Window sills shall be between 45 cm. (1.5 ft.) and 75 cm (2.5 ft.) above the level of the sidewalk and allow for a bulkhead panel below;

3)Upper Storey Window openings shall be of "punched" design, vertically proportioned (2:3 width:height). Horizontal strip windows are prohibited;

#### G)Colours

1)Colour schemes appropriate to the era of Strathcona's historic building's are recommended. Exterior finishes should primarily emphasize subdued colours;

#### H)Awnings

1)The original, traditional awnings found in Strathcona were 3 or 4 point retractable awnings with a skirt or valance;

2)New awnings shall have the traditional profile and may be fixed or retractable with a skirt (valance) utilizing canvas

or material similar in appearance;

3) New awnings shall provide weather protection for pedestrians with a minimum projection of 1.5 m ( 5.0 ft) from the building face;

4) Backlit or bubble awnings and awnings less than 5 feet deep, whose primary function is signage, are not permitted;

5) New awnings shall be mounted between the wood or masonry piers which frame the storefront and shall align horizontally (where structurally possible) with neighbouring awnings;

#### 6. Sign Regulations:

Section 79 of the Land Use Bylaw shall apply to the installation of signs in the DC I area, unless altered as follows:

a) As a general rule, for buildings listed on the Register of Historic Resources in Edmonton, signs should be limited to those which were originally present on the building. In instances where new uses or interpretive functions dictate the use of additional signs, these new elements should be integrated into the general design of the building and follow the traditional pattern of locating signs. The size, typeface, graphics, and materials should be chosen to suit the period of the original building wherever possible. Avoid installing new signs such that the repair, replacement or removal of the signs damages the original fabric of the structure. Signs should be designed with a clear emphasis on pedestrians rather than automobile oriented signs;

b) For nonhistoric, existing structures and for new buildings, signs should follow, as much as is practicable, the traditional pattern of locating signs;

c) A sign may be backlit provided the lettering is translucent, so that only the lettering is backlit with the remainder of the sign being opaque;

d) Permitted Signs shall include:

i) Awning Signs

ii) Facia Signs

iii) Painted Wall Signs

iv) Projecting Signs

v) Window Signs

vi) Other types of signs may be permitted at the discretion of the Development Officer in consultation with the Heritage Officer;

e) Permitted Sign Content is regulated by the Edmonton Land Use Bylaw 5996;

f) Awning Signs:

i) Awning Sign means a nonilluminated sign painted or stencilled on the fabric surface of an awning;

ii) Awnings are generally located on the main floor of a building to provide pedestrian protection and to shade display windows but may also be located above upper floor windows;

iii) Awning Signs shall be painted on, or directly affixed to, the awning covering. No Sign shall be suspended from an awning covering or support structure;

iv) Copy on the sloping portion of awning signs shall be restricted to the name or Logogram of the business conducted

within the premises, and shall not include local advertising;

v)Local advertising copy on awning signs shall be limited to the valance or end panels of the awning;

g)Painted Wall Signs:

i)Painted Wall Sign means a sign painted directly onto the exterior wall of a building or onto a plywoodtype (solid) material which is affixed directly to the exterior wall of a building;

ii)The total Sign area per location shall not exceed 65 m<sup>2</sup> (699.4 sq. ft.). The Development Officer may increase the Sign area at his discretion, in consultation with the Heritage Officer,

iii)Painted Wall Signs are NOT permitted on the front facade of a building and are limited to the side or rear facades of buildings;

h)Facia Signs:

i)Facia Sign means any sign painted on or attached to an exterior building wall so that the sign does not extend more than 14.5 cm (6 in.) out from the wall nor beyond the horizontal limits of the wall;

ii)If illuminated, fascia signs shall be lit from an external source. Backlit or internally illuminated fascia signs are prohibited, except where only the lettering is backlit;

iii)If feasible, fascia signs shall be located in the traditional locations as follows:

A)sign band above the display or transom windows;

B)sign band below upper cornice;

C)sign band immediately above an awning;

iv)A Facia Sign shall not extend more than 14.5 cm (6 in.) beyond a building wall;

v)Facia Signs which consist only of a company Logogram, or an Identification Sign formed of individual letters, shall be allowed. Not more than one such Sign per business shall be allowed per building face and the Sign shall only be used to identify the tenants of the building;

i)Projecting Signs:

i)Projecting Sign means any sign, except a Canopy Sign, which is supported by an exterior building wall and projects outward from the building wall by more than 14.5 cm (6 in.);

ii)Speciality projecting signs are encouraged. These are signs where the shape and details of the sign are reflective of the nature of the business referred to on the sign. Examples are optometrist signs in the shape of eyeglasses, shoe repair signs in the shape of shoes, etc.;

iii)No projecting sign shall be located such that, in the opinion of the

Development Officer, it significantly obstructs existing, approved signs;

iv)A projecting Sign shall have a vertical clearance of at least 2.4 m (7.9 ft.)

v)The top of a projecting sign on a onestorey building shall not extend more than 30 cm (13 in.) above the building roof or parapet wall;

vi)The top of a Projecting Sign on a building two storeys or higher shall not extend more than 75 cm (2.5 ft.) above

the floor of the third storey nor higher than the window sill level of the third floor;

vii)The horizontal separation distance between a Projecting Sign and the curb line of a public roadway shall be not less than 0.6 m (1.97 ft.);

viii)The maximum projection from the building face shall not exceed 2.5 m (8.2 ft.);

ix)The maximum projection for a comer Projecting Sign shall not exceed 2.5m (8.2 ft.);

x)Comer projecting signs shall be placed at equal angles to the two frontages at the comer of the building;

xi)Except in the case of comer Signs, a Projecting sign shall be placed at right angles to the building face to which it is attached;

xii)If illuminated, projecting signs shall be lit from an external source. Internally lit, or backlit projecting signs are not permitted, except where only the lettering is backlit;

xiii)The maximum permitted size of a projecting sign is 7.5m<sup>2</sup> (80.7 sq. ft.) in area;

#### j)Window Signs

i)Window Sign means any sign painted on, or affixed to, the inside or outside of a window, or installed inside a window and intended to be viewed from outside the premises. Window Signs do not include merchandise on display;

ii)The area of the Window Sign shall not exceed twentyfive percent (25%) of the window on the ground floor in which it is located;

iii)A business may display permanent Window Signs in any or all windows;

#### k)Sign Permit Submission Requirements

A Comprehensive Sign Design Plan, Schedule and coloured rendering showing the sign and the complete facade of the building on which the sign shall be located, consistent with the overall intent of Section 79.6 of the Land Use Bylaw, shall be prepared for the development and submitted with the development or sign permit application to be approved by the Development Officer in consultation with the Heritage Officer.

## Old Strathcona Area Redevelopment Plan

### 10.23 DC1 (Area 3) Institutional Direct Control District

#### **10.23DC1 (Area 3) Institutional Direct Control District (Section 710, Land Use Bylaw)**

##### 10.23.1 Area of Application

Portions of Sub-Areas 1, 2, and 3, located on 102 Street south of Saskatchewan Drive, on 85 Avenue west of 103 Street, on 104 Street north of 84 Avenue, and on 83 Avenue between 103 and 104 Streets, designated DC1 (Area 3) in Bylaw 6380, amending the Land Use Bylaw.

##### 10.23.2 Rationale

This district is intended to:

10.23.2.1 Provide a district for direct control and sensitive restoration and rehabilitation of some historic resources within the Plan Area.

10.23.2.2 Apply to designated historic structures which were originally and/or are presently, used for a use other than residential or commercial. This includes churches, schools, libraries, government offices/facilities, or railroad uses. Those historic resources which come under this district at the date of passage of this Bylaw are:

- (a) the No. 6 Fire Hall - 10322 - 83 Avenue
- (b) the Knox Presbyterian Church - 8403 - 104 Street
- (c) the Strathcona Library - 8331 - 104 Street
- (d) the Connaught Armoury - 10310 - 85 Avenue
- (e) the Ritchie Mill - Saskatchewan Drive at 103 Street

##### 10.23.3 Uses

The following uses are prescribed for lands designated DC1-3 pursuant to Section 730.4 of the Land Use Bylaw:

10.23.3.1 Minor Eating and Drinking Establishments

10.23.3.2 Spectator Entertainment Establishments

10.23.3.3 Indoor Participant Recreation Services

10.23.3.4 Private Clubs

10.23.3.5 Private Education Services

10.23.3.6 Public Education Services

10.23.3.7 Public Libraries and Cultural Exhibits

10.23.3.8 Public Park

10.23.3.9 Religious Assembly

10.23.3.10 Uses consistent with the rationale of this District and, where applicable, with designation as an historic resource under the Alberta Historical Resources Act.

10.23.4 Development Criteria

The following development criteria shall apply to the prescribed uses pursuant to Section 730.4 of the Land Use Bylaw:

10.23.4.1 Parking shall be provided in accordance with the provisions of Section 66 of the Land Use Bylaw, with the following exception:

(i) any requirement of Section 66 may be relaxed, at the discretion of the Development Officer, if meeting the regulations would jeopardize the integrity of a site as an historic resource.

10.23.4.2 Development shall be accommodated within existing structures.

10.23.4.3 Modifications to interiors/exterior of existing structures shall only be made in the event of necessary structural reinforcement or repairs. Cosmetic alterations shall maintain the architectural theme and components of the existing structure.

## Oliver Area Redevelopment Plan

### 15.6 DC1 - Direct Development Control District (Area 1)

# SCHEDULE "D"

## DC1 - Direct Development Control District (Area 1)

### 1. General Purpose

To provide a District for a mixed use area that encourages the retention of existing older residential structures by providing opportunity for the conversion of these older structures to small scale, low impact commercial uses. New development and conversions will be of a scale and design that is complementary to the existing low density residential dwellings in the area.

### 2. Area of Application

Those lots, listed in Appendix 1 of this DC1 District being a portion of Sub Area 1, located between Stony Plain Road and Jasper Avenue from 123 Street to 121 Street; and a portion of Sub Area 2, located at 121 Street and 102 Avenue, designated DC1 (Area 1) in Bylaw 11619, amending the Land Use Bylaw.

### 3. Uses

The following uses are prescribed for lands designated DC1 (Area 1) pursuant to Section 710.3 of the Land Use Bylaw.

- (a) Business Support Services\*
- (b) Child Care Services\*
- (c) Commercial Schools\*
- (d) Community Recreation Services
- (e) Convenience Retail Stores\*
- (f) Custom Manufacturing Establishments\*
- (g) Duplex Housing
- (h) Essential Utility Services
- (i) Foster Homes

- (j) Group Homes
- (k) Health Services\*
- (l) Limited Group Homes
- (m) Major Home Occupations
- (n) Minor Eating and Drinking Establishments\*
- (o) Minor Home Occupations
- (p) Minor Impact Utility Services
- (q) Personal Service Shops\*
- (r) Private Education Services\*
- (s) Professional Offices\*
- (t) Professional, Financial and Office Support Services\*
- (u) Row Housing
- (v) Secondary Suites
- (w) Semi-detached Housing
- (x) Single Detached Housing

*(Note: Commercial uses identified by an asterisk shall only be allowed if located in a converted older residential structure, and shall not be allowed within a new development.)*

#### 4. Development Criteria

The following development criteria shall apply to the prescribed uses pursuant to Section 710.4 of the Land Use Bylaw:

- (a) The maximum Floor Area Ratio shall be 1.0.
- (b) The maximum Height shall not exceed 10 m (32.8 ft.) nor 2.5 storeys.
- (c) The maximum density for Residential Uses shall be as follows:
  - (i) 42 dwellings/ha (17.0 dwellings/acre).
  - (d) The maximum site area shall be 2,787 m<sup>2</sup> (30,000 sq. ft).
  - (e) The minimum Front Yard shall be the average depth of the Front Yards of the two adjacent lots. Where an adjacent site is vacant, it shall be deemed to have a Front Yard depth of 6 m (19.7 ft.) for the purposes of this subsection. On a corner site where the building fronts on a flanking public roadway other than a lane, the minimum Side Yard abutting the flanking public roadway shall be 4.5 m (14.8 ft.). Notwithstanding this, at the discretion of the Development Officer, the area of a porch or verandah or portion thereof which does not have a principal building above may be allowed to be developed up to a maximum of 2 m (6.6 ft.) into a required Front Yard.
  - (f) A minimum Side Yard of 1 m (3.3 ft.) shall be provided, except where a Side Yard abuts a flanking public roadway

other than a lane, not less than 3 m (9.8 ft.) shall be provided.

(g)The minimum Rear Yard shall be 7.5 m (24.6 ft.).

(h)Notwithstanding the above, no minimum yard requirements shall apply to conversions of old single detached residential housing stock, except to the extent where an addition to such a structure is to occupy additional area within the site.

(i)Vehicular access to a garage or parking area shall be from an abutting lane, where a lane abuts a site.

(j)Architectural treatment of new developments shall ensure that elements common to the residential architecture of the area are emphasized through the inclusion of features such as the following:

(i)porches and verandahs;

(ii)brick, clapboard or stucco as prominent exterior finishes;

(iii)gambrel, pyramidal, gable or hip roofs; or

(iv)dormers and bay windows.

(k)The Development Officer shall use the following guidelines when reviewing an application for conversion of a Single Detached Dwelling to a commercial use:

(i)activities will be confined to a small-scale of operation with a staff of not greater than 5 persons;

(ii)Minor Eating and Drinking Establishments shall be limited to a maximum of 70 seats; and

(iii)the design shall maintain the appearance of a Single Detached Dwelling.

(l)Single Detached, Semi-detached, Duplex Housing and Secondary Suites in this District shall be developed in accordance with the provisions of the RF4 District.

(m)All exterior trash collection areas shall be screened from view in accordance with Section 69.4(4) of the Land Use Bylaw.

(n)Notwithstanding other regulations in this District:

Minor Home Occupations shall be developed in accordance with Section 84 of the Land Use Bylaw.

Major Home Occupations shall be developed in accordance with Section 85 of the Land Use Bylaw.

Professional Offices shall be developed in accordance with Section 88 of the Land Use Bylaw.

Essential Utility Services shall be developed in accordance with Section 90 of the Land Use Bylaw.

Group Homes shall be developed in accordance with Section 91 of the Land Use Bylaw.

Child Care Services shall be developed in accordance with Section 93 of the Land Use Bylaw.

Secondary Suites shall be developed in accordance with Section 99 of the Land Use Bylaw.

## Oliver Area Redevelopment Plan

### 15.7 DC1 - Direct Development Control District (Area 2)

#### SCHEDULE "E"

### **DC1 - Direct Development Control District (Area 2)**

#### 1. General Purpose

To provide a District that encourages the retention and reuse of existing older residential structures, where such structures are isolated on one or two lots between apartment buildings or non-residential uses. The regulations of this District are intended to provide opportunity for conversion to low intensity commercial uses and to limit the Height of new residential development in order to maximize sunlight penetration and existing sight lines of the river valley.

2. Area of Application Those lots, listed in Appendix 1 of this DC1 District located in Sub Area 6, designated DC1 (Area 2) in Bylaw 11619, amending the Land Use Bylaw.

#### 3. Uses

The following uses are prescribed for lands designated DC1 (Area 2) pursuant to Section 710.3 of the Land Use Bylaw.

(a) Apartment Housing (east of 112 Street only)

(b) Business Support Services\*

(c) Child Care Services\*

(d) Commercial Schools\*

(e) Duplex Housing

(f) Essential Utility Services

(g) Foster Homes

(h) Group Homes

(i) Health Services\*

(j) Limited Group Homes

(k) Major Home Occupations

(l) Minor Eating and Drinking Establishments\*

- (m) Minor Home Occupations
- (n) Minor Impact Utility Services
- (o) Personal Service Shops\*
- (p) Private Education Services\*
- (q) Professional Offices\*
- (r) Professional, Financial and Office Support Services\*
- (s) Row Housing
- (t) Secondary Suites
- (u) Semi-detached Housing
- (v) Single Detached Housing
- (w) Stacked Row Housing

*(Note: Commercial uses identified by an asterisk shall only be allowed if located in a converted older residential structure, and shall not be allowed within a new development.)*

#### 4. Development Criteria

The following development criteria shall apply to the prescribed uses pursuant to Section 710.4 of the Land Use Bylaw:

- (a) East of 112 Street, the maximum Floor Area Ratio shall be 1.3.
- (b) The maximum Height shall not exceed 14 m (45.9 ft.) nor 4 storeys.
- (c) East of 112 Street, the maximum density shall be 124 dwellings/ha (50.6 dwellings/acre).
- (d) West of 112 Street, the maximum density shall be 80 dwellings/ha (32.4 dwellings/acre).
- (e) The minimum Front Yard shall be the average depth of the Front Yards of the two adjacent lots. Where an adjacent site is vacant, it shall be deemed to have a Front Yard depth of 6 m (19.7 ft.) for the purposes of this subsection. On a corner site where the building fronts on a flanking public roadway other than a lane, the minimum Side Yard abutting the flanking public roadway shall be 4.5 m (14.8 ft.). Notwithstanding this, at the discretion of the Development Officer, the area of a porch or verandah or portion thereof which does not have a principal building above may be allowed to be developed up to a maximum of 2 m (6.6 ft.) into a required Front Yard.
- (f) For Apartment Housing the minimum Front Yard shall be 6 m (19.7 ft.).
- (g) Minimum Side Yards of 1 m (3.3 ft.) for each storey or partial story shall be provided, except that a total of at least 2 m (6.6 ft.) shall be provided in all cases. A Side Yard shall be not less than 4.5 m (14.8 ft.) where it abuts a flanking public roadway other than a lane.
- (h) The minimum Rear Yard shall be 7.5 m (24.6 ft.).
- (i) Notwithstanding the above, no minimum yard requirements shall apply to conversions of old single detached residential housing stock, except to the extent where an addition to such a structure is to occupy additional area within the site.

(j) Vehicular access to a garage or parking area shall be from an abutting lane, where a lane abuts a site.

(k) Single Detached, Semi-detached, Duplex Housing and Secondary Suites in this District shall be developed in accordance with the provisions of the RF4 District.

(l) All exterior trash collection areas shall be screened from view in accordance with Section 69.4(4) of the Land Use Bylaw.

(m) Notwithstanding other regulations in this District:

Minor Home Occupations shall be developed in accordance with Section 84 of the Land Use Bylaw.

Major Home Occupations shall be developed in accordance with Section 85 of the Land Use Bylaw.

Professional Offices shall be developed in accordance with Section 88 of the Land Use Bylaw.

Essential Utility Services shall be developed in accordance with Section 90 of the Land Use Bylaw

Group Homes shall be developed in accordance with Section 91 of the Land Use Bylaw.

Child Care Services shall be developed in accordance with Section 93 of the Land Use Bylaw.

Secondary Suites shall be developed in accordance with Section 99 of the Land Use Bylaw.

## Oliver Area Redevelopment Plan

### 15.8 DC1 - Direct Development Control District (Area 3)

#### SCHEDULE "F"

### **DC1 - Direct Development Control District (Area 3)**

#### 1. General Purpose

To provide a District for a mix of uses in structures which are compatible with the existing architectural character of the area; and to encourage the retention of the remaining older housing stock located along, and in proximity to 100 Avenue by providing opportunity for conversion to commercial uses.

#### 2. Area of Application

Those lots, listed in Appendix 1 of this DC1 District being portions of Sub Areas 4 and 6, located along 100 Avenue, between 112 Street and 115 Street, designated DC1 (Area 3) in Bylaw 11619, amending the Land Use Bylaw.

#### 3. Uses

The following uses are prescribed for lands designated DC1 (Area 3) pursuant to Section 710.3 of the Land Use Bylaw.

- (a) Business Support Services\*
- (b) Child Care Services\*
- (c) Commercial Schools\*
- (d) Community Recreation Services
- (e) Custom Manufacturing Establishments\*
- (f) Duplex Housing
- (g) Essential Utility Services
- (h) Foster Homes
- (i) General Retail Stores\*
- (j) Government Services\*
- (k) Group Homes

- (l)Health Services\*
- (m)Limited Group Homes
- (n)Major Home Occupations
- (o)Minor Eating and Drinking Establishment\*
- (p)Minor Home Occupations
- (q)Minor Impact Utility Services
- (r)Personal Service Shops\*
- (s)Private Education Services\*
- (t)Professional Offices\*
- (u)Professional, Financial and Office Support Services\*
- (v)Row Housing
- (w)Secondary Suites
- (x)Semi-detached Housing
- (y)Single Detached Housing

*(Note: Commercial uses identified by an asterisk shall only be allowed if located in a converted older residential structure, and shall not be allowed within a new development.)*

#### 4.Development Criteria

The following development criteria shall apply to the prescribed uses pursuant to Section 710.4 of the Land Use Bylaw:

- (a)The maximum Floor Area Ratio shall be 1.0.
- (b)The maximum Height shall not exceed 10 m (32.8 ft.) nor 2.5 storeys.
- (c)The maximum density for Residential Uses shall be 42 dwellings/ha (17.0 dwellings/acre).
- (d)The minimum Front Yard shall be the average depth of the Front Yards of the two adjacent lots. Where an adjacent site is vacant, it shall be deemed to have a Front Yard depth of 6 m (19.7 ft.) for the purposes of this subsection. On a corner site where the building fronts on a flanking public roadway other than a lane, the minimum Side Yard abutting the flanking public roadway shall be 4.5 m (14.8 ft.). Notwithstanding this, at the discretion of the Development Officer, the area of a porch or verandah or portion thereof which does not have a principal building above may be allowed to be developed up to a maximum of 2 m (6.6 ft.) into a required Front Yard.
- (e)A minimum Side Yard of 1 m (3.3 ft.) for each storey or partial story shall be provided, except that at least 2 m (6.6 ft.) shall be provided in all cases. A Side Yard shall be not be less than 3.0 m (9.8 ft.) where it abuts a flanking public roadway other than a lane.
- (f)The minimum Rear Yard shall be 7.5 m (24.6 ft.).
- (g)Notwithstanding the above, no minimum yard requirements shall apply to conversions of old single detached

residential housing stock, except to the extent where an addition to such a structure is to occupy additional area within the site.

(h) Vehicular access to a garage or parking area shall be from an abutting lane, where a lane abuts a site.

(i) Off-street parking shall be provided in accordance with the provisions of Section 66 of the Land Use Bylaw where redevelopment occurs, unless it can be demonstrated to the satisfaction of the Development Officer that less parking is required. Renovation or restoration projects will only be required to maintain existing parking on-site.

(j) Architectural treatment of developments shall ensure that elements common to the residential architecture of the area are emphasized through the inclusion of features such as the following:

(i) porches and verandahs;

(ii) pyramidal, gambrel or gable roofs;

(iii) dormers;

(iv) brick, clapboard or stucco exterior finish; and

(v) a front door oriented to the street.

(k) Renovations of, or additions to, the existing older housing stock shall retain original architectural elements and proportions of the existing structure, including the elements itemized in the above clause.

(l) Single Detached, Semi-detached, Duplex and Secondary Suites in this District shall be developed in accordance with the provisions of the RF4 District.

(m) All exterior trash collection areas shall be screened from view in accordance with Section 69.4(4) of the Land Use Bylaw.

(n) Notwithstanding other regulations in this District:

Minor Home Occupations shall be developed in accordance with Section 84 of the Land Use Bylaw.

Major Home Occupations shall be developed in accordance with Section 85 of the Land Use Bylaw.

Professional Offices shall be developed in accordance with Section 88 of the Land use Bylaw.

Essential Utility Services shall be developed in accordance with Section 90 of the Land Use Bylaw.

Group Homes Essential Utility Services shall be developed in accordance with Section 91 of the Land Use Bylaw.

Child Care Services shall be developed in accordance with Section 93 of the Land Use Bylaw.

Secondary Suites shall be developed in accordance with Section 99 of the Land Use Bylaw.

## Oliver Area Redevelopment Plan

### 15.9 DC1 - Direct Development Control District (Area 4)

#### SCHEDULE "G"

### **DC1 - Direct Development Control District (Area 4)**

#### 1. General Purpose

To provide a District to encourage the development of an entertainment oriented precinct that will provide entertainment opportunities for the nearby Grant MacEwan Community College market, Downtown employees and shoppers, and eventually for the emerging residential development on the former CP Rail lands and CN Lands.

#### 2. Area of Application

A portion of Sub Area 3; Plan B4, Block 11, Lots 113 to 115 and 126 to 132, inclusive, and portions of 116 and 117, Plan 1282 RS, Block 11, Lot 125A and a portion of 118A, located north of 103 Avenue and east of 112 Street, designated DC1 (Area 4) in Bylaw 11619, amending the Land Use Bylaw.

#### 3. Uses

The following uses are prescribed for lands designated DC1 (Area 4) pursuant to Section 710.3 of the Land Use Bylaw:

- (a) Alcohol Sales, Minor
- (b) Apartment Housing
- (c) Boarding and Lodging Houses
- (d) Business Support Services
- (e) Child Care Services
- (f) Commercial Schools
- (g) Community Recreation Services
- (h) Convenience Retail Stores
- (i) Custom Manufacturing Establishments
- (j) Duplex Housing
- (k) Essential Utility Services

- (l)Foster Homes
- (m)General Retail Stores
- (n)Government Services
- (o)Group Homes
- (p)Health Services
- (q)Household Repair Services
- (r)Limited Group Homes
- (s)Major Amusement Establishments
- (t)Major Eating and Drinking Establishments
- (u)Major Home Occupations
- (v)Minor Amusement Establishments
- (w)Minor Eating and Drinking Establishments
- (x)Minor Home Occupations
- (y)Minor Impact Utility Services
- (z)Minor Secondhand Stores
- (aa)Personal Service Shops
- (bb)Private Clubs
- (cc)Professional Offices
- (dd)Professional, Financial and Office Support Services
- (ee)Public Libraries and Cultural Exhibits
- (ff)Row Housing
- (gg)Secondary Suites
- (hh)Semi-detached Housing
- (ii)Single Detached Housing
- (jj)Spectator Entertainment Establishments
- (kk)Stacked Row Housing

#### 4.Development Criteria

The following development criteria shall apply to the prescribed uses pursuant to Section 710.4 of the Land Use Bylaw:

- (a) The maximum Floor Area Ratio shall be 4.0, except for wholly commercial developments the maximum Floor Area Ratio shall be 2.0.
- (b) The maximum Height shall not exceed 23 m (75.5 ft.) nor 6 storeys.
- (c) The maximum density for Residential Uses shall be 325 dwellings/ha (131.5 dwellings/acre).
- (d) The minimum Front Yard shall be 3 m (9.84 ft.), except where adjacent commercial buildings abut the front property line to form a pedestrian-oriented street, no Front Yard shall be required.
- (e) The minimum Rear Yard shall be 7.5 m (24.6 ft.).
- (f) Residential uses shall have a minimum Side Yard of 1 m (3.3 ft.) for each storey or partial storey, up to a maximum of 3 m (9.84 ft.). A Side Yard shall not be less than 3.0 m (9.8 ft.) where it abuts a flanking public roadway other than a lane.
- (g) Developments within the Major Eating and Drinking Establishments Use Class shall be limited to a maximum of 200 seats.
- (h) Single Detached, Semi-detached, Duplex and Secondary Suites in this District shall be developed in accordance with the provisions of the RF4 District.
- (i) All exterior trash collection areas shall be screened from view in accordance with Section 69.4(4) of the Land Use Bylaw.
- (j) Notwithstanding other regulations in this District:
  - Minor Home Occupations shall be developed in accordance with Section 84 of the Land Use Bylaw.
  - Major Home Occupations shall be developed in accordance with Section 85 of the Land Use Bylaw.
  - Boarding and Lodging Houses shall be developed in accordance with Section 86 of the Land Use Bylaw.
  - Professional Offices shall be developed in accordance with Section 88 of the Land Use Bylaw.
  - Essential Utility Services shall be developed in accordance with Section 90 of the Land Use Bylaw.
  - Group Homes shall be developed in accordance with Section 91 of the Land Use Bylaw.
  - Child Care Services shall be developed in accordance with Section 93 of the Land Use Bylaw.
  - Minor Alcohol Sales shall be developed in accordance with Section 98 of the Land Use Bylaw.
  - Secondary Suites shall be developed in accordance with Section 99 of the Land Use Bylaw.

## Oliver Area Redevelopment Plan

### 15.10 DC1 - Direct Development Control District (Area 5)

#### SCHEDULE "H"

#### **DC1 - Direct Development Control District (Area 5)**

##### 1.General Purpose

To provide a District for a mix of residential and low intensity commercial uses, intended to buffer the predominantly residential areas fronting onto 113 Street, from the higher intensity commercial lands located on the east side of 112 Street.

##### 2.Area of Application

A portion of Sub Area 3; Plan B4, Block 12, Lots 140 to 156 inclusive, located on the west side of 112 Street between Jasper Avenue and 103A Avenue, designated DC1 (Area 5) in Bylaw 11619, amending the Land Use Bylaw.

##### 3.Uses

The following uses are prescribed for lands designated DC1 (Area 5) pursuant to Section 710.3 of the Land Use Bylaw:

- (a)Apartment Housing
- (b)Boarding and Lodging Houses
- (c)Business Support Services
- (d)Child Care Services
- (e)Commercial Schools
- (f)Community Recreation Services
- (g)Convenience Retail Stores
- (h)Custom Manufacturing Establishments
- (i)Duplex Housing
- (j)Essential Utility Services
- (k)Foster Homes

- (l)General Retail Stores
- (m)Government Services
- (n)Group Homes
- (o)Health Services
- (p)Household Repair Services
- (q)Limited Group Homes
- (r)Major Home Occupations
- (s)Minor Amusement Establishments
- (t)Minor Home Occupations
- (u)Minor Impact Utility Services
- (v)Minor Secondhand Stores
- (w)Personal Service Shops
- (x)Private Clubs
- (y)Professional Offices
- (z)Professional, Financial and Office Support Services
- (aa)Public Libraries and Cultural Exhibits
- (bb)Row Housing
- (cc)Secondary Suites
- (dd)Semi-detached Housing
- (ee)Single Detached Housing
- (ff)Stacked Row Housing

#### 4.Development Criteria

The following development criteria shall apply to the prescribed uses pursuant to Section 710.4 of the Land Use Bylaw:

- (a)The maximum Floor Area Ratio shall be 2.0.
- (b)The maximum Height shall not exceed 14 m (45.9 ft.) nor 4 storeys.
- (c)The maximum density for Residential Uses shall be 125 dwellings/ha (50.6 dwellings/acre).
- (d)A minimum Yard of 3 m (9.84 ft.) shall be required where a site abuts a public roadway other than a lane except:
  - (i)where adjacent commercial buildings abut the property line to form a pedestrian-oriented shopping street, no Yard shall be required; and

(ii) where there is no vehicular access to the site from the public roadway the minimum Yard shall be not less than 1.5 m (4.93 ft.).

(e) For Residential Uses, vehicular access to required off-street parking shall be from an abutting lane, where a lane abuts a site.

(f) The minimum Side Yard shall be 1 m (3.3 ft.) for each storey or partial storey, except that a total of at least 2 m (6.6 ft.) shall be provided in all cases. A Side Yard shall not be less than 4.5 m (14.8 ft.) when it abuts a flanking roadway other than a lane.

(g) Commercial uses shall provide a minimum Yard of 3 m (9.84 ft.) where the rear or side lot line abuts the lot line of a site in Residential use.

(h) Single Detached, Semi-detached, Duplex and Secondary Suites in this District shall be developed in accordance with the provisions of the RF4 District.

(i) All exterior trash collection areas shall be screened from view in accordance with Section 69.4(4) of the Land Use Bylaw.

(j) Notwithstanding other regulations in this District:

Minor Home Occupations shall be developed in accordance with Section 84 of the Land Use Bylaw.

Major Home Occupations shall be developed in accordance with Section 85 of the Land Use Bylaw.

Boarding and Lodging Houses shall be developed in accordance with Section 86 of the Land Use Bylaw.

Professional Offices shall be developed in accordance with Section 88 of the Land Use Bylaw.

Essential Utility Services shall be developed in accordance with Section 90 of the Land Use Bylaw.

Group Homes shall be developed in accordance with Section 91 of the Land Use Bylaw.

Child Care Services shall be developed in accordance with Section 93 of the Land Use Bylaw.

Secondary Suites shall be developed in accordance with Section 99 of the Land Use Bylaw.

## Oliver Area Redevelopment Plan

### 15.11 DC1 - Direct Development Control District (Area 6)

#### SCHEDULE "I"

#### **DC1 - Direct Development Control District (Area 6)**

##### 1.General Purpose

To provide a District for a mix of uses including a wide range of office and business support commercial uses and residential uses.

##### 2.Area of Application

A portion of Sub Area 3; Plan B4, Block 11, Lots 103 to 112 inclusive and Lots 133 to 142 inclusive, located on the blocks bounded by 103 Avenue and 102 Avenue, and 111 Street and 112 Street, designated DC1 (Area 6) in Bylaw 11619, amending the Land Use Bylaw.

##### 3.Uses

The following uses are prescribed for lands designated DC1 (Area 6) pursuant to Section 710.3 of the Land Use Bylaw:

- (a)Alcohol Sales, Major
- (b)Alcohol Sales, Minor
- (c)Apartment Housing
- (d)Boarding and Lodging Houses
- (e)Business Support Services
- (f)Child Care Services
- (g)Commercial Schools
- (h)Community Recreation Services
- (i)Convenience Retail Stores
- (j)Custom Manufacturing Establishments
- (k)Duplex Housing

- (l)Essential Utility Services
- (m)Foster Homes
- (n)General Retail Stores
- (o)Government Services
- (p)Group Homes
- (q)Health Services
- (r)Household Repair Services
- (s)Limited Group Homes
- (t)Major Home Occupations
- (u)Minor Eating and Drinking Establishments
- (v)Minor Home Occupations
- (w)Minor Impact Utility Services
- (x)Minor Secondhand Stores
- (y)Personal Service Shops
- (z)Private Clubs
- (aa)Professional Offices
- (bb)Professional, Financial and Office Support Services
- (cc)Public Libraries and Cultural Exhibits
- (dd)Row Housing
- (ee)Secondary Suites
- (ff)Semi-detached Housing
- (gg)Single Detached Housing
- (hh)Stacked Row Housing

#### 4.Development Criteria

The following development criteria shall apply to the prescribed uses pursuant to Section 710.4 of the Land Use Bylaw:

- (a)The maximum Floor Area Ratio shall be 4.0.
- (b)The maximum Height shall not exceed 23 m (75.5 ft.) nor 6 storeys.
- (c)A minimum Front Yard of 4.5 m (14.76 ft.) shall be required where a site abuts a public roadway other than a lane except:

(i) where adjacent commercial buildings abut the property line to form a pedestrian-oriented shopping street, no Yard shall be required; and

(ii) where there is no vehicular access to the site from the public roadway the minimum Yard shall be not less than 3.0 m (9.84 ft.).

(d) A minimum Yard of 3.0 m (9.84 ft.) shall be required where the rear or side lot line of a site abuts the lot line of a site in Residential use.

(e) Single Detached, Semi-detached, Duplex and Secondary Suites in this District shall be developed in accordance with the provisions of the RF4 District.

(f) All exterior trash collection areas shall be screened from view in accordance with Section 69.4(4) of the Land Use Bylaw.

(g) Notwithstanding other regulations in this District:

Minor Home Occupations shall be developed in accordance with Section 84 of the Land Use Bylaw.

Major Home Occupations shall be developed in accordance with Section 85 of the Land Use Bylaw.

Boarding and Lodging Houses shall be developed in accordance with Section 86 of the Land Use Bylaw.

Professional Offices shall be developed in accordance with Section 88 of the Land Use Bylaw.

Essential Utility Services shall be developed in accordance with Section 90 of the Land Use Bylaw.

Group Homes shall be developed in accordance with Section 91 of the Land Use Bylaw.

Child Care Services shall be developed in accordance with Section 93 of the Land Use Bylaw.

Secondary Suites shall be developed in accordance with Section 99 of the Land Use Bylaw.

## Oliver Area Redevelopment Plan

### 15.12 DC1 - Direct Development Control District (Area 7)

#### SCHEDULE "J"

#### **DC1 - Direct Development Control District (Area 7)**

##### 1.General Purpose

To provide a District for high rise residential uses with design requirements to ensure that the siting and design of buildings does not unduly interfere with adjacent properties' views of the River Valley; and to provide opportunity for the conversion of existing low density residences to small scale, low impact commercial uses.

##### 2.Area of Application

Those lots, listed in Appendix 1 of this DC1 District being a portion of Sub Area 5 located between Jasper Avenue and the River Valley, from 124 Street to 116 Street, designated DC1 (Area 7) in Bylaw 11619, amending the Land Use Bylaw.

##### 3.Uses

The following uses are prescribed for lands designated DC1 (Area 7) pursuant to Section 710.3 of the Land Use Bylaw.

- (a)Apartment Housing
- (b)Business Support Services
- (c)Child Care Services
- (d)Convenience Retail Stores
- (e)Essential Utility Services
- (f)Foster Homes
- (g)Group Homes
- (h)Health Services
- (i)Limited Group Homes
- (j)Major Home Occupations
- (k)Minor Home Occupations

- (l) Minor Impact Utility Services
- (m) Personal Service Shops
- (n) Professional Offices
- (o) Professional, Financial and Office Support Services
- (p) Secondary Suites
- (q) Single Detached Housing
- (r) Stacked Row Housing

#### 4. Development Criteria

The following development criteria shall apply to the prescribed uses pursuant to Section 710.4 of the Land Use Bylaw:

- (a) The maximum Floor Area Ratio shall be 3.0.
- (b) The maximum Height shall not exceed 45 m (147.6 ft.) nor 15 storeys.
- (c) Vehicular access to a garage or parking area shall be from an abutting lane, where a lane abuts a site.
- (d) Commercial uses shall not be in any freestanding structure separate from a structure containing residential uses, and shall not be developed above the lowest storey, except in the case of the conversion of the area's existing older residential structures.
- (e) All other standards for siting, setbacks, landscaping, amenity areas and building design will be determined for individual applications on the basis of an evaluation of the following development criteria by the Development Officer. Specifically, individual developments shall:
  - (i) prevent, as much as possible, the blocking of views of the River Valley for the surrounding existing developments; a view impact study shall be submitted with the application;
  - (ii) indicate the shadowing impact of the proposed buildings on sunlight penetration for surrounding existing developments in accordance with Section 16.3 of the Land Use Bylaw;
  - (iii) ensure articulation of design elements, especially on the lower floors in keeping with an environment that is more closely related to pedestrian protection and pedestrian scale;
  - (iv) be physically compatible with adjacent developments with respect to finish, texture and building design treatment; and
  - (v) indicate the impact of the proposal on soil stability and drainage where development is adjacent to the River Valley.
- (f) All exterior trash collection areas shall be screened from view in accordance with Section 69.4(4) of the Land Use Bylaw.
- (g) Notwithstanding other regulations in this District:

Minor Home Occupations shall be developed in accordance with Section 84 of the Land Use Bylaw.

Major Home Occupations shall be developed in accordance with Section 85 of the Land Use Bylaw.

Professional Offices shall be developed in accordance with Section 88 of the Land Use Bylaw.

Essential Utility Services shall be developed in accordance with Section 90 of the Land Use Bylaw.

Group Homes shall be developed in accordance with Section 91 of the Land Use Bylaw.

Child Care Services shall be developed in accordance with Section 93 of the Land Use Bylaw.

Secondary Suites shall be developed in accordance with Section 99 of the Land Use Bylaw.

## Riverdale Area Redevelopment Plan

### 5.2.6 DC1 Riverdale Direct Development Control District

#### 5.2.6 DC1 Direct Development Control District

#### **Area of Application**

The "J. B. Little site," located south of 101 Avenue and Riverdale Elementary School to

the North Saskatchewan River, east of 92 Street, and west of those properties fronting onto 87 Street (south of 101 Avenue), as shown on Map 8.

## **Rationale**

To provide for a low to medium density residential district that will integrate well with the unique character of the surrounding residential community by being sensitive to uses, siting, design, development mix and distribution, and those aspects of the existing developed community that provide Riverdale with a special sense of place and identity; the natural environment, small town atmosphere, and strong sense of community history, which would include the J. B. Little "brick house" and its retention, in order to achieve the objectives of Sections 3.3 and 3.4 of this Plan.

#### **Uses**

The following uses are prescribed for lands designated DC1 pursuant to Section 710.3 of the Land Use Bylaw:

- Single Detached Housing
- Semi-detached Housing
- Duplex Housing
- Row Housing
- Stacked Row Housing
- Low Rise Apartments (up to 4 stories)
- Homecrafts
- Offices-in-the-Home

Uses consistent with the rationale of this District and, where applicable, with designation as a Municipal Historic Resource under the Alberta Historical Resources Act.

### **Uses for the "Little brick house"**

The following discretionary uses may only be applied to the "Little brick house" and its surrounding yard provided the house and yard are maintained, pursuant to Policies 3.3.2, and 3.4.1 of the Riverdale Area Redevelopment Plan:

Single Family Detached Housing

Convenience Retail Stores

Professional Offices

Minor Eating and Drinking Establishments

Community Recreation Services

Daytime Child Care Services (in accordance with Section 93 of the Land Use Bylaw)

Private Clubs

Public Education Services

Public Libraries and Cultural Exhibits

### **Development Criteria**

The following development criteria shall apply to the subdivision design and the prescribed permitted and discretionary uses pursuant to Section 710.4 of the Land Use Bylaw.

1. The use of a street grid system with access points extending from existing community roadways.
2. A top-of-the-bank roadway to be provided for a majority of the J.B. Little site's frontage along the river, such that there is no possibility of an uninterrupted roadway link between 87 Street and an extension of Cameron Avenue. A top-of-bank road shall be constructed south of the Community League site to connect the Little Site with Cameron Avenue.
3. At least two north-south streets to intersect the top-of-the-bank roadway on the site.
4. All roadways developed on the site will be public.
5. Pedestrian circulation and access linking the Riverdale Elementary School the Community League, the "Little brick house" and the river.
6. Pedestrian friendly streetscapes with treed boulevards similar to those of the existing community, and no front drive access to onsite parking for all developments on the site.
7. Local residential street widths can be reduced with permission of the City's Transportation Department if it can be demonstrated that such reductions will not be a detriment to parking and traffic flow and that the subsequent streetscape will be in abeyance of plan policies.
8. The retention, where possible, of existing stands of mature vegetation on the site and their incorporation into a plan of subdivision.
9. The preservation and retention of the "Little brick house" and yard, if possible, within the plan of subdivision.
10. Single family lots not to exceed 15.24 m (50 ft.) in width, and 45.72 m (150 ft.) in length and 696.75 m<sup>2</sup> (7500 ft.<sup>2</sup>) in area.

11. A housing mix, based on total number of dwellings, of: not less than 15% and not more than 40% single family dwellings; not less than 25% and not more than 50% semi, duplex, and row housing; and up to 40% stacked row housing and low rise apartment dwellings; to a maximum total of 300 dwellings of all types on the site.

12. Single detached, duplex, and semidetached housing conform to development regulations under the RF2 Low Density Infill District, except where superseded by the guidelines of this DCI District.

13. Row housing conform to development regulations as listed under the RF5 Row Housing District, except where superseded by the guidelines of this DC1 District.

14. Stacked row housing conform to development regulations as listed under the RF6 Medium Density Multiple Family District, except where superseded by the guidelines of this DCI District.

15. Low rise apartments conform to development regulations as listed under the RA7 Low Rise Apartment District, except where superseded by the guidelines of this DC1 District.

16. The minimum front yard requirement for all dwelling types will be 4.5 m (14.76 ft.). For single family, semi-detached and duplex dwellings, this may be further reduced to 3 m (9.84 ft.) at the discretion of the Development Officer, along with relevant reductions to the Separation Space, provided that:

a) the windows and Private Amenity Areas of the first storey front wall have been located, designed or screened so as to proven, overlooking by pedestrians into the dwelling;

b) structures over 1 story incorporate features to reduce the scale of development at the front (e.g. the second storey is set back, overhangs or front porches are provided).

17. Multifamily housing shall be located such that:

a) the various types of multifamily housing are dispersed throughout the site and not concentrated in any one location or area of the site;

b) no block face of 76.2 m (250 ft.) or more shall consist entirely of one type of multifamily housing;

c) multifamily housing is located close to and, where possible, facing or backing onto public spaces such as parks, playgrounds and the school ground;

d) the maximum number of row housing units in any one row housing complex shall be 6;

e) row housing complexes of 6 dwellings shall not be located adjacent to each other in the same block face;

f) the maximum number of stacked row housing dwellings in any one stacked row housing complex shall be 12;

g) stacked row housing complexes of 12 dwellings shall not be located adjacent to each other in the same block face;

h) the maximum number of apartment dwellings in any one low rise apartment complex shall be 36;

i) no more than one apartment building shall be located in the same block face; and

j) there shall be no more than two apartment buildings along any exterior edge of the site.

18. Architectural treatment of all residential developments shall:

a) include efforts to lessen the perception of mass and scale which may include such means as, a further setback of the second storey, and/or provision of dormers, porches or verandas to break up the front facade;

b) demonstrate sufficient individuality by ensuring that adjacent developments are not identical in exterior design; and

c) maintain visual access to pedestrian walkways and Capital City Recreation Park Trail . The maximum height of any fence which borders a walkway or trail will be 1.25 m (4.1 ft.).

19. Structures located on sites, where yards abut two public roadways (not a laneway), or a public road and a public walkway, will include architectural features such as windows, verandas, roofline features and entrances for those portions of the structures facing the roadways and public walkway.

20. Architectural treatment of duplexes shall:

a) have at least one dwelling with a front entranceway oriented to the street.

21. Architectural treatment of semidetached developments shall:

a) provide for a separate roofline or roof feature to be applied to each dwelling rather than contain both dwellings under one unbroken Aline roof;

b) include separate defined entranceways oriented to the street; and

c) include separate front walkways leading to the public sidewalk.

22. Architectural treatment of row houses shall:

a) ensure that each dwelling has its own roofline or roofline features;

b) provide for a continuous frontage of dwellings onto the street with each dwelling having a street oriented entranceway and individual sidewalk going to the public sidewalk; and

c) allow for row houses to be set back from each other to lessen the perception of mass and scale.

23. Architectural treatment of stacked row housing and apartments shall ensure:

a) clear distinctions between private, semiprivate, and public open space, especially along the street frontage;

b) stacked row housing dwellings at the ground and second storey are accessed directly by entrances from the street;

c) apartment buildings have one or more street oriented entrances to be distinguished by some architectural detail;

d) a minimum of 25% of all apartment dwellings are Family Oriented in accordance with the requirements of Section 9, Clause (20) of the Land Use Bylaw;

e) minimum Private Outdoor Amenity Space of 30 m<sup>2</sup> (322.93 ft.<sup>2</sup>) per Family Oriented Dwelling any part of which is contained in the lowest storey and 15 m<sup>2</sup> (161.46 ft.<sup>2</sup>) per Family Oriented Dwelling no part of which is contained in the lowest storey;

f) the appearance of mass and height will be reduced where there is frontage along a public roadway or pedestrian walkway through:

i) the use of features which vertically break up the facade of the building and help define individual dwellings;

ii) a 3 metre setback above the second story for buildings over 2 stories in height,

iii) a building grade level that is not significantly higher than the street level; and

iv) the avoidance of roof features which tend to accentuate height (such as steeply pitched roofs, dormers, gables and turrets) above the second storey.

g) the width of any apartment building shall not exceed 45 m (147.64 ft.) on any frontage where there is a road or pedestrian access; and

h) all resident parking for apartment buildings shall be underground or located in the building footprint.

24. Any development for reuse of the "Little brick house" shall:

a) preserve the original structure of the house and existing mature landscaping;

b) if there are exterior renovations, they shall be made in an attempt to restore the structure to its original form (e.g., the recent addition could be removed);

c) ensure that any additional development of structures on site don't detract from the appearance of the original structure and mature landscaping, are of a scale that will not negatively impact on adjacent residential properties, and are subject to review by the City Heritage Officer; and

d) allow parking associated with discretionary uses to be provided on-site without necessarily meeting the requirements of the Land Use Bylaw. The siting and development of parking not detract from the original structure and mature landscaping on site, and will be subject to review by the City Heritage Officer.

## Rossdale Area Redevelopment Plan

### 5.12 DC1 (Area 1) Rossdale Brewery Area Direct Control District

### 5.12 DC1 (Area 1) Rossdale Brewery Area Direct Control District

#### 5.12.1 Area of Application

Portion of North Rossdale located generally east of 101 Street, north of the James MacDonald Bridge, designated DC1 (Area 1) in Bylaw 8138, amending the Land Use Bylaw.

#### 5.12.2 Rationale

- To provide a district for a special activities area with a mix of residential, parks, commercial, entertainment, cultural and educational uses appropriate to its relationship to the downtown and the river edge and to the Capital City Recreation Park.
- Development will be sensitive to the existing scale and historic character of the Rossdale Brewery, incorporating it as the predominant structure and forming the nucleus of new development.
- Commercial uses will be concentrated in the Rossdale Brewery building and on lands immediately adjacent to it on the west side of 100 Street. It is important that these commercial uses be physically integrated in order to form a continuous commercial node.
- Parks uses can be diverse ranging from the neighbourhood level to City-wide special events uses.
- City-wide parks uses, including facilities for special events, may be located throughout the site, complementing the Capital City Recreation Park and the commercial node. Neighbourhood parks facilities, if developed, will be located west of 100 Street on lands outside the Capital City Recreation Park boundary.
- Parking, because of its intrusive nature, must be located and buffered extremely sensitively from other uses.
- The percentage of designated open space within the DC1 area will remain the same or will be greater than the existing situation.

#### 5.12.3 Uses

The following uses are prescribed for lands designated DC1 (Area 1) pursuant to Section 710.3 of the Land Use Bylaw.

##### (a) Commercial

##### (i) Major Eating and Drinking Establishments

##### (ii) Minor Eating and Drinking Establishments

(iii) General Retail Stores which do not exceed 150 m<sup>2</sup> (1,614 sq. ft.)

(iv) Hotels

(v) Custom Manufacturing Establishments

(vi) Professional, Financial and Office Support Services

(b) Residential

(i) Apartment Housing

(ii) Duplex Housing

(iii) Linked Housing

(iv) Row Housing

(v) Semi-Detached Housing

(vi) Single Detached Housing

(vii) Stacked Row Housing

(c) Community Services

(i) Public Libraries and Cultural Exhibits

(ii) Public Parks

#### 5.12.4 Development Criteria

The following development criteria shall apply to the uses prescribed pursuant to Section 710.4 of the Land Use Bylaw.

1. The maximum building height shall not exceed 15m (49.21 ft.) nor 3 ½ storeys.
2. Uses on all lands within the 1:25 year floodplain will be governed by Policy 2, Section 3.10(b) of this Bylaw.
3. Commercial development will be concentrated generally in the Rosssdale Brewery building and on lands immediately surrounding the Brewery on the west side of 100 Street.
4. Commercial or community service uses with the exception of those located within the Rosssdale Brewery building will be limited to small scale operations no larger than 500 m<sup>2</sup> (5,882 sq. ft.) gross floor area for each business.
5. Architectural styles in the commercial area should complement the architectural style and scale of the Rosssdale Brewery by incorporating such features as dormers and brick or similar style exterior finish.
6. Canopies or awnings shall be provided at the ground floor level of buildings fronting on 100 Street.
7. Community service uses will be generally located between the North Saskatchewan River and 100 Street within the Capital City Recreation Park with consideration for additional space west of 100 Street.
8. Residential uses will be generally located in the south and west portions of the DC1 area with the possibility of locating on the second and higher levels of the commercial buildings associated with the Rosssdale Brewery.

9. For residential only buildings:

a. Single-detached housing, duplex housing and semi-detached housing shall comply with the Redevelopment Regulations of the RF3\* District.

b. For all other housing types in residential only buildings:

(i) The minimum front yard shall be 2.5m (8.2 ft.)

(ii) The minimum rear yard shall be 3m (9.8 ft.)

(iii) The Minimum Private Outdoor Amenity Area shall be 12 m<sup>2</sup> (129.2 sq. ft.) per dwelling for dwellings any part of which is contained in the lowest storey and 6m<sup>2</sup> (64.6 sq. ft.) per dwelling for dwellings no part of which is contained in the lowest storey. Private outdoor amenity space at ground level shall not be provided in the front yard.

(iv) The maximum residential density shall be 155 dwellings/ha (62.8 dwellings/acre).

10. Entries to dwellings at the first and second floor shall be directly accessible to the street.

11. Parking requirements for off-street vehicular accessory parking for all uses will be provided in accordance with the downtown parking requirements of Section 66A of the Land Use Bylaw.

12. Parking must be provided in a manner such that it is screened from adjacent streets.

13. Access to parking and loading areas should be via the lane but, where not feasible, established with minimum disruption to pedestrian use of the streets.

14. Roof tops shall be designed and oriented such that mechanical equipment is screened from view.

15. New housing in the form of apartment, row, linked and stacked row housing is the preferred housing form and will be encouraged over single-detached, semi-detached and duplex housing.

## Stadium Station Area Redevelopment Plan

### DC1 (Area 3) - Viewpoint Direct Development Control District

#### **11.17 DC1 (Area 3) - Viewpoint Direct Development Control District (Section 710, Land Use Bylaw)**

##### 11.17.1 Area of Application

All of Sub-Area 3, east of 82 Street between 111 and Jasper Avenue, designated DC1 (Area 3) in Bylaw 6930, amending the Land Use Bylaw.

##### 11.17.2 Rationale

It is the intent of this Plan to provide a district to preserve and protect the low density family-oriented housing function the area services, and to recognize and protect the heritage resources and low density family-oriented residential functions which exist in this Sub-Area, to recognize the unique geography of the Viewpoint community, and to provide guidelines to stabilize and protect the character of this neighbourhood, in order to achieve the intent of Section 3.4 of this Plan. To accomplish this last objective, guidelines are set forward in this District which will control the design of new development and additions to existing development in a manner that ensure common design of new development and additions to existing development in a manner that ensures common design elements and building materials are utilized throughout the area.

##### 11.17.3 Uses

The following uses are prescribed for lands designated DC1 (Area 3) pursuant to Section 710.3 of the Land Use Bylaw:

11.17.3.1 Single detached housing.

11.17.3.2 Duplex Housing where existing on the date of passage of this Bylaw.

11.17.3.3 Semi-detached Housing where existing on the date of passage of this Bylaw.

11.17.3.4 Conversions of Single-detached housing to not more that four dwelling units, where existing on the date of passage of this Bylaw.

11.17.3.5 Homecrafts

11.17.3.6 Offices-in-the-Home

##### 11.17.4 Development Criteria

The following development criteria shall apply to the prescribed uses pursuant to Section 710.4 of the Land Use Bylaw:

11.17.4.1 The maximum total site coverage shall not exceed 50%, with a maximum of 35% for a principal building

and a maximum of 15% for accessory buildings. Where a garage is attached to or designed as an integral part of a dwelling, the maximum for the principal building shall be 50%.

11.17.4.2 Separation space shall be provided in accordance with Section 58 of the Land Use Bylaw.

11.17.4.3 Off-street parking shall be provided in accordance with Section 66 of the Land Use Bylaw.

11.17.4.4 Offices-in-the-Home shall be developed in accordance with Section 84 of the Land Use Bylaw.

11.17.4.5 Homecrafts shall be developed in accordance with Section 85 of the Land Use Bylaw.

11.17.4.6 Architectural treatment of new construction and additions to existing development shall reflect the character and proportions of existing pre-1940 structures in the District, which may be achieved by:

(i) ensuring the individuality of the dwelling or structure through design, location and proportions of entrances and windows, such that the building's exterior is reminiscent of existing pre-1940 structures in the district. Examples of such treatment would include double-hung windows constructed of wood rather than sliding aluminium windows, and the front entrance door being centrally located on the facade. The ratio of height to width for windows other than bay or living room windows should be between 2:1 and 3:1.

(ii) ensuring that floor plan layouts are reminiscent of pre-1940 structures in the area through the inclusion of central entrance hallways, separate living and dining rooms and two-storey designs. Split level and ranch layouts are discouraged.

(iii) ensuring that elements common to the residential architecture of the district are emphasized through the inclusion of features such as:

- dormers and bay windows
- pitch and gambrel roofs and gables
- porches and verandas
- details of cornices and lintels
- wood shingles
- brick or narrow horizontal clapboards as prominent exterior finishes.

11.17.4.7 Renovation of existing structures shall retain the original architectural elements and proportions of the structure, including the elements outlined in Section 11.17.4.6 of this Plan.

11.17.4.10 When reviewing development applications, the Development Officer shall have regard for the requirements of Sections 11.17.4.6 and 11.17.4.7 in particular, and he shall review such applications with the City's Heritage Officer.

11.17.4.11 The minimum site and yard requirements shall be in accordance with the provisions of Section 140.4, Clauses (6) to (8), of the Land Use Bylaw. Notwithstanding this, the Development Officer may, at his discretion, reduce the minimum yard requirements further where one or more adjacent properties exhibit similar variations from the RF3 District regulations (Section 140, Land Use Bylaw), providing this creates no adverse impact on these properties, in accordance with Section 51.2 of the Land Use Bylaw.

Section 11.18 deleted by Bylaw No. 9257.

DC1 (Direct Development Control) District for the Westmount Architectural Heritage Area

## **DC1 (Direct Development Control) District**

### **For The Westmount Architectural Heritage Area**

#### **A Westmount Architectural Heritage Area Community Initiative**

##### 1. General Purpose

To establish a Direct Control District for single detached residential development and associated uses, as found under the RF1 (Single Detached Residential) District, in the Westmount Architectural Heritage Area so as to continue the tradition of heritage and community as originally conceived in the subdivision and architecture of the Area. The District is based on the RF1 Regulations but with additional Development Criteria and accompanying voluntary Architectural Guidelines, as written and developed by residents of the Area, that are intended to preserve the Area's unique historical streetscape and architectural features, reflecting the character, location and proportions of existing structures from the early 1900s in the Area, including: boulevards with mature trees; continuous sidewalks; rear lane access to on-site parking; verandahs; and other features as originally conceived in subdivision plans and architectural designs of the early 1900s.

##### 2. Area of Application

The lands legally described in Schedule "B" to Bylaw 11420, being the portion of Westmount between 107 Avenue and 111 Avenue, the lane west of 124 Street and the lane east of 127 Street, known as the Westmount Architectural Heritage Area as contained within the boundaries of the West-Ingle Area Redevelopment Plan.

##### 3. Uses

The following uses are prescribed for lands designated DC1 pursuant to Section 710.3 of the Land Use Bylaw.

(a) Single Detached Housing

(b) Minor Home Occupations

(c) Religious Assembly, where lawfully existing on a site in the District at the effective date of this Bylaw, on the same site only.

(d) Limited Group Homes

(e) Group Homes

(f) Foster Homes

(g) Child Care Services

(h) Major Home Occupations

#### 4. Development Criteria

The following development criteria shall apply to the prescribed uses pursuant to Section 710.4 of the Land Use Bylaw:

- (a) The regulations of the RF1 District shall apply, except where superseded by the development criteria contained herein.
- (b) Vehicular access to on-site parking shall be as follows:
  - (i) where a lane abuts a lot, vehicular access to on-site parking shall only be from an abutting lane; and,
  - (ii) where corner or interior lots do not abut lanes, vehicular access to on-site parking shall only be from the avenue, as opposed to the street.
- (c) Front Yards shall be a minimum of 6.0 m (19.7 ft.) except that the Development Officer may reduce the minimum Front Yard requirements, where one or more adjacent properties exhibit similar variations from the RF1 regulations, to a minimum of 3.0 m (9.8 ft.). Any development located between 3.0 m (9.8 ft.) and 6.0 m (19.7 ft.) of the front lot line shall have a maximum Height of one storey or 3.3 m (10.8 ft.).
- (d) Garages shall be built as follows:
  - (i) where the garage is a detached, and the vehicle doors of the detached garage face a lane abutting the lot, no portion of the garage shall be located less than 4.88 m (16.0 ft.) from the rear property line, except that the distance may be less if, in the opinion of the Development Officer, it is consistent with the location of other garages in the same block face; and,
  - (ii) no part of a garage shall be located between the front facade of a principal Dwelling and an abutting avenue or street.
- (e) Each Dwelling shall have an entranceway incorporated into the front facade of the Dwelling facing onto a street or avenue.
- (f) Where the lot width is 15.25 m (50 ft.) or more and the length 45.72 m (150 ft.) or more, the minimum Rear Yard shall be 10.0 m (32.8 ft.).
- (g) For those development applications involving the architectural treatment of new construction and additions to existing development, the Development Officer shall make the development applicants aware of the voluntary Architectural Guidelines as developed and written by the Westmount Architectural Heritage Area Residents Association, outlined in Section 5.

#### 5. Architectural Guidelines

The following Architectural Guidelines, as developed and written by the Westmount Architectural Heritage Area Residents Association, are intended to assist development applicants with the architectural treatment of new construction and additions to existing developments proposed in the Area. Adherence to these Guidelines on the part of the applicants is voluntary. The Guidelines are in keeping with Policy 1 of the West-Ingle Area Redevelopment Plan, which states in part that: "Property-owners in this area are encouraged to renovate or rebuild in the architectural styles which characterized West-Ingle between 1912 and 1925". The Guidelines are as follows:

- (i) double hung or multi-pane windows should not be wider than 0.9 m (3.0 ft.) and not taller than 1.8 m (6.0 ft.) with transparent glazing as opposed to translucent or glass block;
- (ii) consistent exterior finishes, cladding materials and architectural treatments are used on all sides of the building;

- (iii) exterior cladding is wood-type or shingle-type siding or a combination of the two and is horizontally oriented with a maximum exposed board height of 13.0 cm. (5.0 inches);
- (iv) the principal roof of the house has a slope of 38 degrees or greater. Gables or dormers on the front elevation are encouraged;
- (v) roofed but not enclosed front verandahs with flooring, columns, guard rails of wood construction, and piers of wood, brick or stone construction are included;
- (vi) if the front porch is two stories in height there should be an eave at the single story level;
- (vii) front entry lighting and front yard lighting is sufficient to light the front yard at night; and,
- (viii) any further Guidelines as prepared by the Westmount Architectural Heritage Area Residents Association and submitted to the Development Officer for the information of development applicants in the Area.

## Edmonton Land Use Bylaw 5996

### Part V Bylaws

The following bylaws listed here are not part of the main Land Use Bylaw text, but are excerpted from the relevant annexed Bylaws. They are referenced here for convenience only and may not contain all sections. Please refer to the individual Bylaws for policies and explanations.

Part V, comprising the following bylaws, in effect on January 1, 1982:

- i) [Land Use Bylaw No. 388/81, Municipal District of Sturgeon](#);
- ii) Land Use Bylaw No. 32/79, City of St. Albert;
- iii) [Land Use Bylaw 19 - 79, County of Parkland No. 31](#); and
- iv) [Land Use Bylaw No. 44 - 80, County of Strathcona](#).

Each Land Use Bylaw shall apply to those lands which were annexed by the City of Edmonton from the respective municipality under Alberta Planning Board Order No. 14000 until such time as the annexed lands are districted under Part III of this bylaw. Only the land uses and development regulations of these bylaws shall apply to the annexed lands; however, the administration of these regulations shall be carried out in accordance with the relevant operative, interpretive and administrative sections of the City of Edmonton Land Use Bylaw No. 5996, as amended.

## Municipal District of Sturgeon Land Use Bylaw 388/81

Being a by-law of the Municipal District of Sturgeon in the Province of Alberta.

WHEREAS the Planning Act, 1977, Chapter 89, Statutes of Alberta, authorizes the Council of a municipality to enact a by-law to regulate the use and development of land and buildings.

THEREFORE the Municipal Council repeals all prior Zoning, Development Control and Land Use By-laws and, on the date of the final passing of this by-law, enacts as follows:

[Section 1 Title](#)

[Section 2 Meanings](#)

[Section 5 Where a Permit is Required](#)

[Section 6 Application for Development Permit](#)

[Section 7 Notice of Decision](#)

[Section 8 Effective Date of Permit](#)

[Section 9 Issuance of Development Permit](#)

[Section 10 Conditions of Development Permit](#)

[Section 11 On-Site Inspection](#)

[Section 14 Non-Conforming Uses and Non-Conforming Buildings](#)

[Section 15 Unauthorized Development, By-Law Enforcement And Permit Validity](#)

[Section 16 Right of Entry](#)

[Section 17 Airport Vicinity Protection Area](#)

[Section 18 Hazardous Materials](#)

[Section 19 Site Conditions](#)

[Section 20 Public Roadways](#)

[Section 21 Intensive Livestock Operation](#)

[Section 22 Extractive Resources](#)

[Section 23 Sign Regulations](#)

[Section 24 Land Use Districts](#)

[Section 25 Land Use District Map](#)

[Section 26 Agricultural - AG](#)

[Section 27 Potential Wildlife and Recreation - PWR](#)

[Section 28 Country Residential - CR](#)

[Section 29 Public and Institutional - PI](#)

[Section 30 Potential Heavy Industrial - PHI](#)

[Section 31 Heavy Industrial - HI](#)

[Section 32 General Industrial - GI](#)

[Section 33 Direct Control District - DC](#)

[Mobile Home Park Regulations](#)

## Municipal District of Sturgeon Land Use Bylaw 388/81 Section 1

### Title

This by-law may be referred to as **THE LAND USE BY-LAW** of the Municipal District of Sturgeon 90 in the Province of Alberta

Throughout this by-law, measurements are specified in metric units. The approximate Imperial equivalents are given in parentheses, for information purposes only.

## Municipal District of Sturgeon Land Use Bylaw 388/81 Section 10

### Conditions of Development Permit

- 1) A person to whom a development permit has been issued shall obtain, where applicable, from the appropriate authority permits relating to building, grades, sewers, water mains, electricity and highways, and all other permits required in connection with the proposed development.
- 2) The person to whom a development permit has been issued shall notify the Development Officer
  - a) following the preliminary layout of the site, but prior to the commencement of actual development thereon, and
  - b) upon completion of the development for which approval has been given and which has been authorized by the issuance of the development permit.
- 3) The development Officer may require that further to Subsection 2a), the applicant arrange with the Development Officer for an on-site inspection before commencing construction.
- 4) The applicant shall be financially responsible during construction for any damage by the applicant, his servants, his suppliers, agents or contractors to any public or private property.
- 5) The applicant shall prevent excess soil or debris from being spilled on public streets, lanes, and sidewalks, and shall not place soil or any other materials on adjacent properties without permission in writing from adjacent property owners.
- 6) Subsections (4) and (5) may be enforced pursuant to Section 15. Any costs incurred as a result of neglect to public property may be collected where a letter of credit has been required pursuant to Section 6(3).
- 7) The Development Officer may require a surveyor's certificate relating to the building for which a permit is applied for.
- 8) No building or use shall be used or occupied and no Change in the existing occupancy classification of a building shall be effected until substantial completion as determined by the Development Officer has been undertaken.

## Municipal District of Sturgeon Land Use Bylaw 388/81 Section 11

### On-Site Inspection

A person to whom a development permit is issued shall, during development, keep

- 1) posted in a conspicuous place on the site for which the permit was issued, a copy of the development permit or placard in lieu thereof, and
- 2) at all times of development activity, a copy of the approved drawings and specifications to which the permit pertains.

## Municipal District of Sturgeon Land Use Bylaw 388/81 Section 14

### Non-Conforming Uses and Non-Conforming Buildings

1)With the approval of the Development Officer development may be permitted in any zone on a lot which is substandard as regards to width, depth or area, provided that such lot was legally approved and registered at the time of final passage of this By-law.

2)On the approval of the Development Officer a development may be permitted in any district on lot which does not meet the requirements of this By-law provided that such lot was legally approved and registered at the time of final passage of this By-law.

## Municipal District of Sturgeon Land Use Bylaw 388/81 Section 15

### Unauthorized Development, By-Law Enforcement And Permit Validity

- 1) A development permit shall lapse after one year from the date of issuance unless development has commenced on the site.
- 2) A development once commenced it not to be discontinued or suspended for a period or periods totalling more than six months unless the Development Officer has notified the developer in writing that such discontinuance or suspension may be continued. If the notification of extension has not been obtained the development permit shall be considered to have lapsed.
- 3) If, at any time while this By-law is in effect, it appears expedient the Council (upon finding that a permit has been approved by fraud or misrepresentation) the Council by resolution may suspend or revoke the original approval.
- 4) In the case of suspension pursuant to subsection (3) if and when the development has been modified to comply with the original and intended approval, the Council may by resolution authorize the resumption of development.
- 5) The Act, and specifically Sections 79 and 80 of the Act, apply in case of contravention of this By-law.
- 6) The Act, and specifically Sections 148 and 149 of the Act apply in the case of fines, penalties and orders of compliance.

## Municipal District of Sturgeon Land Use Bylaw 388/81 Section 16

### Right of Entry

An authorized person may enter into or upon any land or building within the municipal boundary, pursuant to The Planning Act or the Municipal Government Act for the purpose of ensuring compliance with the law.

## Municipal District of Sturgeon Land Use Bylaw 388/81 Section 17

### Airport Vicinity Protection Area

The Development Officer shall not approve an application for a development permit for any use of land in-an established Airport Vicinity Protection area where the use of the land is not permitted in the regulations appended to the Protection Area.

## Municipal District of Sturgeon Land Use Bylaw 388/81 Section 18

### Hazardous Materials

Any development involving the storage or transmission of Hazardous Materials shall be sited to comply with all relevant federal and provincial legislation. Setbacks from pipelines and other utility corridors shall be in accordance with the appropriate Provincial Regulations or Acts.

## Municipal District of Sturgeon Land Use Bylaw 388/81 Section 19

### Site Conditions

- 1)The Development Officer may prescribe or approve screening for uses which involve the outdoor storage of goods, machinery, vehicles, building materials, waste materials, and other similar uses.
- 2)The Development Officer in considering an application may impose conditions requiring the retention of trees, or additional planting of such a type and extent that is considered necessary on any permission for development.

## Municipal District of Sturgeon Land Use Bylaw 388/81 Section 2

### Meanings

1) In this by-law;

**ACCESSORY BUILDING** - means a building which is separate from the principal building on the site where both are located and which the Development Officer decides is normally subordinate to, and the use of which is incidental to that of the principal building;

**ACCESSORY USE** - means a use of a building or land which the Development Officer decides is normally incidental to and subordinate to the principal use of the site on which it is located;

**ACT** - means THE PLANNING ACT, 1977 as amended, and the regulations pursuant thereto;

**ANIMAL UNIT** - means the definition found in the Confinement Livestock Facilities Waste Management Code of Practice produced by Alberta environment and Alberta Agriculture, September 1973;

**AREA REDEVELOPMENT PLAN** - means a plan accepted or adopted by Council as an area redevelopment plan pursuant to The Planning Act, 1977;

**AREA STRUCTURE PLAN** - means a plan accepted or adopted by Council as an area structure plan pursuant to The Planning Act, 1977;

**BOARD** - see DEVELOPMENT APPEAL BOARD

**BOARDING FACILITIES** - means a use consisting of sleeping facilities which may be in addition to the family accommodation and where cooking and/or sanitary facilities are not developed in addition to those which are in the dwelling unit containing the boarding facilities;

**BUILDING** - includes any structure, erection, sign or fixture that may be built or placed on land;

**BUILDING HEIGHT** - means the vertical distance between grade and the highest point of a building; excluding an elevator housing, a mechanical housing, a roof stairway entrance, a ventilating fan, a sky light, a steeple, a chimney, a smoke stack, a fire wall, a parapet wall, a flagpole or similar device not structurally essential to the building;

**COUNCIL** - means the Council of the Municipal District of Sturgeon No. 90;

**DEVELOPABLE AREA** - means an area where the groundwater table under the surface of the land is greater than seven feet below surface land;

**DEVELOPER** - means an owner, agent or any person, firm or company required to obtain or having obtained a development permit;

**DEVELOPMENT** - means development as defined in the Act, and includes the following:

- a) the carrying out of any construction or excavation, or other operations in, on, over or under land, or the making of any change in the use or the intensity of use of any land, buildings or premises, and, without restricting the generality of the foregoing, includes the removal of topsoil. For the purposes of this by-law development also means the demolition of a building;
- b) in a building or on a site used for dwelling purposes, any increase in the number of families occupying and living in the building or on the site, and any alteration or additions which provide for an increase in the number of dwelling units within the building or on the site;
- c) the placing of refuse or waste material on any land;
- d) the resumption of the use to which land or buildings have been previously put;
- e) the use of the land for the storage or repair of motor vehicles or other machinery or equipment;
- f) the continued use of land or of a building for any purpose for which it is being used unlawfully when this by-law comes into effect;
- g) the more frequent or intensive use of land for the parking of trailers, bunk houses, portable dwellings, skid shacks or any other type of portable building whatsoever whether or not the same has been placed or affixed to the land in any way;
- h) and includes the erection of signs;

**DEVELOPMENT APPEAL BOARD** - means the development appeal board appointed pursuant to Section 33 of the Planning Act, 1977, or Council where it is the Development Appeal Board pursuant to Section 33(2);

**DEVELOPMENT OFFICER** - means the official or officials of the municipality with the responsibility of receiving, considering and deciding on applications for development under this Land Use By-law;

**DEVELOPMENT PERMIT** - means a certificate or document permitting a specified development and includes, where applicable, a plan or drawing or a set of plans or drawings, specifications or other documents.

**DEVELOPMENT (BUILDING) PERMIT** - means a certificate or document permitting a specified development and permitting the construction or alteration of a building or structure which constitutes part or all of the specified development.

**DISCONTINUED** - means the time at which, in the opinion of the Development Officer, substantial construction activity or a nonconforming use, or a conforming use which has ceased;

**DISCRETIONARY USE** - means a use of land or buildings provided for in the District Schedules of this by-law, for which a development permit may be issued with or without conditions;

**DWELLING** - means any building used principally for human habitation and which is supported on a permanent foundation extending below ground level and includes multiple dwellings, apartments, horizontal multiple dwellings, but does not include mobile homes;

**DWELLING UNIT** - means a self-contained living premises with cooking, eating, living, sleeping and sanitary facilities for domestic use of one or more individuals;

**EASEMENT** - means a right to use land, generally for access to other property or as a right-of-way for a public utility;

**EXTRACTIVE RESOURCE DEVELOPMENT** -, means development for the on-site removal, extraction and primary processing of raw materials found on or under the site, or accessible from the site. Typical uses include gravel pits, sand pits, clay pits, oil and gas wells, coal mining and shipping of topsoil. This use does not include the processing of

raw materials transported to the site;

**FAMILY** - means a single person occupying a dwelling unit; or two or more persons related by heredity, marriage, a common law relationship or adoption who together are occupying a dwelling unit; or not more than five unrelated persons occupying a dwelling unit as a single housekeeping unit;

**FENCE** - means a vertical physical barrier constructed to prevent visual intrusions, sound abatement, or unauthorized access;

**FLOOR AREA** - means the greatest horizontal area of a building above grade within the outside surface of exterior walls and the centre line of fire walls but not including the floor areas of basements, attached garages, sheds, open porches or breezeways;

**FOUNDATION** - means the lower portion of a building usually concrete or masonry and includes the footings, which transfer the weight of and loads on a building to the ground;

**FRONT YARD** - see **YARD, FRONT**;

**FRONTAGE** - means the length of a street boundary measured along the front lot line. On double fronting lots all sides of a lot adjacent to streets shall be considered frontage;

**GARAGE** - means an accessory building or part of the principal building designed and used primarily for the storage of motor vehicles;

**GENERAL MUNICIPAL PLAN** - means the plan adopted by Council as a General Municipal Plan;

**GROSS LEASABLE AREA** - means the total floor area of the building contained within the outside surface of the exterior and basement walls and includes enclosed and heated malls but excludes mechanical and utility rooms, public washrooms, stairwells and elevators;

**HIGHWAY COMMERCIAL** - means a use intended primarily for the travelling public and which is located on a site adjacent to a major route designated as a public highway pursuant to the public Highway Development Act;

**HOME OCCUPATION - ACCESSORY USE** - means an occupation carried on within dwelling unit and which is not visible or noticeable in any manner from outside the dwelling. Such occupation is secondary to the residential occupancy and does not change the character thereof;

**INTENSIVE AGRICULTURAL OPERATION** - means an agricultural pursuit on a land intensive basis and generally may include greenhouses, market gardens, tree nurseries and specially crops;

**INTENSIVE LIVESTOCK OPERATION** - means any livestock confinement facility capable of confining, rearing or feeding more than 200 animal units in an enclosure where the space per animal is less than 4000 square feet;

**INTERIOR SITE** - see **SITE, INTERIOR**;

**KENNEL** - means accommodation for the boarding and/or breeding of three or more dogs and uses associated with the care thereof;

**LANDSCAPING** - means to preserve or change the natural features of a site by adding lawns, trees, shrubs, ornamental plantings, fencing, walks, driveways or other structures and materials as used in modern landscape architecture;

**LANE** - means a public thoroughfare for vehicles, the right-of-way of which does not exceed 10 m (33 ft) and is not less than 6 m (20 ft) in width, and which provides a secondary means of access to a parcel or parcels as defined as an alley in The Highway Traffic Act, 1975;

**LOCAL IMPROVEMENTS** - means any works as may be considered to be Local Improvements in the Municipal Taxation Act as amended or any works as may be included in a Development Agreement between the Applicant and the Municipality;

**LOT** - means

a) a quarter section,

b) a river lot shown on an official plan referred to in Section 32 of The Surveys Act that is filed or lodged in a land titles office,

c) a settlement lot shown on an official plan referred to in Section 32 of The Surveys Act that is filed or lodged in a land titles office,

d) a part of a parcel 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 described in a certificate of title if the boundaries of the part are described in the certificate of title by reference to a plan of subdivision;

**MINOR** - means, where added as a prefix to a permitted or discretionary use, a use which due to its nature or relatively small size will, at the discretion of the Development Officer have a limited impact on surrounding uses, or which is intended to serve a small or local rather than a major or municipal area;

**MOBILE HOME** - means a transportable single family dwelling unit suitable for permanent occupancy designed to be transported on wheels, and upon arrival at the site at which it is to be located is, apart from incidental operations such as placement on foundation supports and connection to utilities, ready for occupancy;

**MULTI-FAMILY DWELLING** - means a dwelling containing three or more dwelling units;

**MUNICIPALITY** - means the Municipal District of Sturgeon No. 90;

**NON-CONFORMING BUILDING** - means a building

a) that is lawfully constructed or lawfully under construction at the date that a land use by-law or any amendment thereof affecting the building or land on which the building is situated becomes effective, and

b) that on the date the land use by-law or any amendment thereof becomes effective does not, or when constructed will not, comply with the land use by-law;

**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 by-law or any amendment thereof affecting the land or building becomes effective, and

b) that on the date the land use by-law or any amendment thereof becomes effective does not, or in the case of a building under construction will not, comply with the land use by-law;

**OCCUPANCY** - means the use or intended use of a building or part thereof for the shelter or support of persons or property;

**PARCEL** - 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;

**PARKING STALL** - means a space set aside for the parking of one vehicle;

**PERMITTED USE** - means the use of land or a building provided for in the District Schedules of this By-law for which a development permit shall be issued with or without conditions upon an application having been made which conforms to the Land Use By-law;

**PRINCIPAL BUILDING** - means a building which, in the opinion of the Development Officer

a) occupies the major or central portion of a site,

b) is the chief or main building among one or more buildings on the site, or

c) constitutes by reason of its use the primary purpose for which the site is used

There shall be no more than one principal building on each site unless specifically permitted otherwise in is by-law;

**PRINCIPAL USE** - means the primary purpose in the opinion of the Development Officer for which a building or site is used. There shall be no more than one principal use on each site unless specifically permitted otherwise in this by-law;

**REAR YARD** - see YARD, REAR;

**REGIONAL PLAN** - means the Regional Plan or Ministerial Regional Plan required by the Act;

**SERVICE STATION** - means a parcel or the portion thereof used or intended to be used for any of the following: the servicing or repairing of motor vehicles, the sale of gasoline, the sale of lubricating oils and other automotive fluids and accessories for motor vehicles, and a towing service dispatch point;

**SETBACK** - means the perpendicular distance as measured between that part of a building nearest to the front, side or rear property line of the building site;

**SHORT FORM** - means an abbreviation;

**SIGN** - means an object or device intended for the purpose of advertising or calling attention to any person, matter, thing or event;

**SITE** - means one or more lots or parcels for which an application for a development permit is being made, and may include streets, lanes, walkways and any other land surface upon which development is proposed;

**SITE AREA** - means the total area of a site;

**SITE BOUNDARIES** - means those boundaries which bound the site as determined by the Development Officer;

**SITE COVERAGE** - means the percentage of the site area covered by a building;

**STRUCTURE** - means anything constructed or erected on the ground, or attached to something on the ground and includes all buildings;

**TEMPORARY BUILDING** - means a structure that has been permitted to exist for a limited time only;

**USE** - means a use of land or a building as determined by the Development Officer;

**UTILITY** - means the components of a sewage, stormwater or solid waste disposal system or a telecommunication, electrical power, water, gas or oil distribution system;

**UTILITY BUILDING** - means a building in which the proprietor of a utility company maintains his office or offices and/or maintains or houses any equipment used in connection with the utility;

**YARD** - means a required open space unoccupied and unobstructed by any structure or portion of a structure above the general ground level of the graded lot, unless otherwise permitted in this by-law;

**YARD, FRONT** - means that portion of the site extending across the full width of the site from the front property boundary of the site to the nearest portion of the exterior wall of the building and shall be measured at right angles to the front property boundary;

**YARD, REAR** - means that portion of the site extending across the full width of the site from the rear property boundary of the site to the nearest portion of exterior wall of the building and shall be measured at right angles to the rear property line;

**YARD, SIDE** - means that portion of the site extending from the front yard to the rear yard and lying between the side property boundary of the site and the nearest portion of the exterior wall of the building or exterior chimney wall where one exists and shall be measured at right angles to the side property boundary;

Notwithstanding the meanings above, The Planning Act, 1977 takes precedence in a case of dispute on the meanings of all words or clauses.

## Municipal District of Sturgeon Land Use Bylaw 388/81 Section 20

### Public Roadways

- 1) No development permit shall be issued for a development within 800 m (2625 ft) of the boundary of the right-of-way of a highway until a permit under regulations made in accordance with Section 26 of the Public Highways Development Act, 1970, has been issued by Alberta Transportation.
- 2) Subdivisions within 800 m (2625 ft) of a highway shall be in accord with Section 23 of the Subdivision Regulation.
- 3) The location of any shelterbelts shall be determined by the Development Officer but shall not be located closer than a minimum of 30 m (100 ft), or a lesser distance at the discretion of the Development Officer, from the property line adjoining either roadway.
- 4) Access to a municipal grid roadway shall not be permitted where it would be:
  - a) less than 150 m (490 ft) from an existing access on the same side of the road;
  - b) less than 150 m (490 ft) from a bridge;
  - c) less than 150 m (490 ft) from an at-grade railway crossing.
- 5) Where a secondary road intersects a Highway, the Highway Development Control Regulations (Alberta Regulation 163/70) shall apply to development adjacent to the secondary road where it intersects.
- 6) There shall be no more than two access points per half-mile to a municipal grid road. At the discretion of the Development Officer, up to four access points per half-mile may be permitted.

## Municipal District of Sturgeon Land Use Bylaw 388/81 Section 21

### Intensive Livestock Operation

1) Multiple parcel country residential subdivision will not be permitted within 1.6 km (1 mile) or such lesser distance as may be warranted by local conditions to a minimum of 300 m (1000 ft), at the discretion of the Development Officer from the boundary of land that is the subject of an intensive livestock operation as prescribed in Section 11 of the Subdivision Regulation (Alberta Regulation 138/79) or such distance specified by Alberta Agriculture in its M.D.S. formula, whichever is the greater.

2) Intensive livestock operations will not be permitted to locate within 300 m (1000 ft) or such greater distance as may be warranted by local conditions to a maximum of 1.6 km (1 mile) at the discretion of the Development Officer from the boundary of land that is being used for multiple parcel country residences, a City, Town, Village, Country Residential Zone, or Direct Control Zone established pursuant to this By-law, unless a greater distance is specified by Alberta Agriculture utilizing the M.D.S. formula (Minimum Distance Siting).

## Municipal District of Sturgeon Land Use Bylaw 388/81 Section 22

### Extractive Resources

- 1) Multiple parcel country residential subdivisions will not be permitted closer than 800 m (one-half mile) from the boundary of lands presently used for or active-on-demand resource extraction where the operation is larger than 8 ha (20 acres) in size.
- 2) Multiple parcel country residential subdivisions will not be permitted closer than 400 m (k mile) from the boundary of lands presently used for or active-on-demand resource extraction where the operation is less than 8 ha (20 acres) in size.

## Municipal District of Sturgeon Land Use Bylaw 388/81 Section 23

### Sign Regulations

- 1) The Development Officer may require the removal of any sign which in his opinion is, or has become unsightly, or is in such a state of disrepair as to constitute a hazard.
- 2) Minimum yard requirements shall be observed for any sign located on a parcel and, at the discretion of the Development Officer the sign shall not be further than 30 m (100 ft) from the principal building. No sign shall be of such size or design as to, in the opinion of the Development Officer, obstruct the vision of persons using roads abutting the parcel.
- 3) In any district where a place of worship or school or other public institution is permitted, one sign of not more than 2m<sup>2</sup> (22 sq. ft.) in area shall be permitted to be erected on the parcel occupied by the place of worship, public institution or school. Notwithstanding subsection (2) such a sign shall be located no closer than 1.5 m (5 ft) from any property boundary.
- 4) No sign shall be erected which would be in view of the public from public private property except where a permit specifying permitted locations has been granted, or where a permit for such a sign is not required pursuant to this by-law.
- 5) Quality, aesthetic character and finishing of sign construction shall be to the satisfaction of the Development Officer.
- 6) Except as otherwise specified in this by-law, the maximum area of any sign shall be 20m<sup>2</sup> (215 sq. ft.).
- 7) Where, in the opinion of the Development Officer, a proposed sign in a Commercial or Industrial district might be objectionable to a resident in an adjacent residential district, the Development Officer may impose such other regulations as he feels would protect the interests of residents.
- 8) Flashing, animated or interiorly illuminated signs shall not be permitted in developments where, in the opinion of the Development Officer they might;
  - a) affect residents in adjacent housing, or residential districts, or
  - b) interfere with the interpretation of traffic signs or controls.
- 9) Campaign signs for federal, provincial, municipal or school board elections on private properties may be displayed for no more than thirty days, or such other time as regulated under provincial or federal legislation provided that
  - a) such signs are removed within one day of the election date, and
  - b) the consent of the property owner or occupant is obtained, and
  - c) such signs do not obstruct or impair vision or traffic, and
  - d) such signs are not attached to fences, trees or utility poles, and

e) such signs indicate the name and address of the sponsor and the person responsible for removal.

## Municipal District of Sturgeon Land Use Bylaw 388/81 Section 24

### Land Use Districts

Section 67(2) of the Planning Act, 1977, states:

A land use bylaw shall:

1) divide the Municipality into districts of such number and area the council considers appropriate.

The districts of the Municipality are as follows:

#### Short Form District Designations

AG Agricultural

PWR Potential Wildlife and Recreational

CR Country Residential

PI Public Institutional

PHI Potential Heavy Industrial

HI Heavy Industrial

GI General Industrial

DC Direct Control

## Municipal District of Sturgeon Land Use Bylaw 388/81 Section 25

### Land Use District Map

- 1) Land use districts specified under Section 23 are described in the short form on the LAND USE DISTRICT MAP which is an integral part of this by-law.
- 2) The district boundaries are delineated on the LAND USE DISTRICT MAP. Where uncertainty arises as to the precise location of the boundary of any district the following rules shall apply:
  - a) Where district boundaries are shown to approximate the following they shall be deemed to be
    - i) the Parcel boundaries, or
    - ii) the municipal boundaries, or
    - iii) the centre lines of railway rights-of-way, or
    - iv) the centre lines of road rights-of-way.
  - b) District boundaries not referenced specifically to items indicated in Clause (a) shall be determined on the basis of the scale of the map.
  - c) Where land use districts have been established in accord with a proposed subdivision of land, the districts shall be understood to conform to the certificate of title or the plan or survey when registered in a land title office. Prior to the registration, the district boundary shall be determined on the basis of the scale of the map.
- 3) The district regulations of this By-law do not apply to roads, lanes or other public thoroughfares.

## Municipal District of Sturgeon Land Use Bylaw 388/81 Section 26

### Agricultural - AG

#### 1) Permitted Uses

1) Cereal crop farming

2) Forage crop farming

3) Livestock raising (extensive)

4) Native pasture/grazing

5) Market garden

6) Tree nursery

7) Single family residence and ancillary buildings intended for personal use only.

#### Discretionary Uses

1) Livestock feedlot

2) Home occupations

3) Public and private recreational facilities

4) Churches and cemeteries

5) Institutional uses

6) Natural resource extraction

7) Outdoor storage

8) Commercial greenhouse

9) Commercial kennel

10) Highway commercial

11) Such other agricultural uses, which in the opinion of the Development Officer are unlikely to have restrictive effects upon the zone.

#### 2) Site Requirements

a)The minimum parcel size shall be 32.4 ha (80 acres) except where:

i)lesser size is permitted by Council in instances of intensive agricultural operations;

ii)the parcel to be created represents the first parcel to be subdivided from the quarter section and does not exceed 1 ha (2.47 acres) unless a greater area is required to include the shelterbelts and buildings.

iii)the parcel to be created is separated by natural boundaries or by surveyed rights-of-way.

b)The minimum building setbacks shall be:

i)45 m (150 ft) from front property line, or a lesser distance at the discretion of the Development Officer.

ii)6 m (20 ft) sideyard not abutting a public roadway or 10% of the mean parcel width, whichever is the lesser;

iii)6 m (20 ft) from rear property line.

c)No driveway shall be located closer than 100 m (330 ft) from the intersection of two municipal roadways.

d)The minimum floor area of a single family residence shall be 70m<sup>2</sup> (750 sq. ft.).

## Municipal District of Sturgeon Land Use Bylaw 388/81 Section 27

### Potential Wildlife and Recreation - PWR

#### 1) Permitted Uses

1) Public parks

2) Public campground

3) Public golf course

4) Public picnic ground

5) Cereal and forage crop raising

6) Pasture

7) Single family residence and ancillary buildings

8) Livestock raising (extensive)

#### Discretionary Uses

1) Market garden

2) Tree nursery

3) Home occupation

4) Private park

5) Private campground

6) Private golf course

7) Marina

8) Such other recreational uses which in the opinion of the Development Officer, will not have a restrictive effect upon the zone

#### 2) Site Requirements

a) The minimum parcel size shall be 32.4 ha (80 acres) except where:

i) lesser size is permitted by Council in instances of intensive agricultural operations;

ii)the parcel to be created represents the first parcel to be subdivided from the quarter section and does not exceed 1 ha (2.47 acres) unless a greater area is required to include the shelterbelt;

iii)the parcel to be created is separated by natural boundaries or by surveyed rights-of-way.

b)The minimum building setbacks shall be:

i)45 m (150 ft) from front property line;

ii)6 m (20 ft) sideyard not abutting a public roadway or 10% of the mean parcel width, whichever is lesser;

iii)6 m (20 ft) from rear property line.

c)No driveway shall be located closer than 100 m (330 ft) from the intersection of two municipal roadways.

d)The minimum floor area of a single family residence shall be 70m<sup>2</sup> (750 sq. ft.)

## Municipal District of Sturgeon Land Use Bylaw 388/81 Section 28

### Country Residential - CR

#### 1) Permitted Uses

1) Single family residence and ancillary buildings intended for personal use only

#### Discretionary Uses

1) Home occupations

2) Schools

3) Churches

4) Accessory buildings

5) Public park

#### 2) Site Regulations

a) The minimum parcel size shall be 1 ha (2.47 acres) unless the residences are served or intended to be served by a sewage collection system and a water distribution system, in which case the minimum parcel size shall be .5 ha (1.2 acres). In either instance the maximum number of residential parcels per quarter section shall be 40.

b) No country residential development shall be permitted on soil classes 1, 2, 3 or an admixture of 3 with lower capability soils except in those instances where the parcel represents the first parcel to be subdivided from the quarter section.

c) Each lot to be created shall have a minimum of 1 ha (2.47 acres) or 50% of the lot, whichever is the lesser, of developable area where the water table level is at least 2 m (7 ft) from the surface.

d) Access to individual lots shall in all cases be by internal collector or service roads constructed for the subdivision unless there are three or fewer parcels on any one part's public roadway.

e) The minimum building setbacks shall be:

i) 20 m (65 ft) @ the front property line when adjacent to an internal roadway;

ii) 45 m (150 ft) from the front property line of the right-of-way of a municipal grid roadway, or a lesser distance at the discretion of the Development Officer;

iii) 45 m (150 ft) from a property line which adjoins a Secondary Highway;

iv) 6 m (20 ft) from the side property line or 10% of average width of the parcel whichever is the lesser in instances

where the parcel does not abut a public roadway on the side.

v) 10 m (35 ft) from the side property line in instances where the parcel adjoins a public roadway on the said side boundary

vi) 6 m (20 ft) from the rear property line.

f) The minimum floor area for a single family residence shall be 95m<sup>2</sup> (1025 sq. ft.).

g) Notwithstanding Section 28, Subsection 2f), mobile homes are not permitted in the Country Residential District.

h) The keeping of livestock may be permitted in the following manner

i) on any parcel, not more than 4 household pets, not to include more than 2 dogs, which must be confined to the property;

ii) on parcels of 1 hectare or more, a maximum of 50 fowl per hectare;

iii) on parcels of 1 hectare or more, a maximum of 1 cow and 1 calf for each hectare;

iv) on parcels of one hectare or more, a maximum of 2 horses for each hectare.

Any combination of two of the above may be kept at one time.

## Municipal District of Sturgeon Land Use Bylaw 388/81 Section 29

### Public and Institutional - PI

#### 1) Permitted Uses

1) Cemeteries

2) Educational facilities

3) Hospitals

4) Governmental facilities

5) Fire halls.

6) Police stations

7) Airports

8) Public Utilities

9) Churches

#### Discretionary Uses

1) Those uses which, in the opinion of Development Officer, are in keeping with the intent of the zone without having undue restrictive effects on development.

#### 2) Site Regulations

a) The minimum site area shall be at the discretion of the Development Officer.

b) The minimum setback requirements shall be:

i) Front yard at the discretion of the Development Officer

ii) Side yard - 6 m (20 ft).

iii) Rear yard - 6 m (20 ft).

## Municipal District of Sturgeon Land Use Bylaw 388/81 Section 30

### Potential Heavy Industrial - PHI

#### 1) Permitted Uses

- 1) Cereal crop farming
- 2) Forage crop farming
- 3) Livestock raising (extensive)
- 4) Native pasture/grazing
- 5) Market garden
- 6) Tree nursery
- 7) Single family residence and ancillary buildings intended for personal use only

#### Discretionary Uses

- 1) Those uses which, in the opinion of the Development Officer, do not have restrictive effects on the eventual orderly development of the district for industrial uses.
- 2) Site Regulations
  - a) The minimum parcel size shall be 32.4 ha (80 acres) except where:
    - i) lesser size is permitted by Council in instances of intensive agricultural operations;
    - ii) the parcel to be created represents the first parcel to be subdivided from the quarter section and does not exceed 1 ha (2.47 acres) unless a greater area is required to include the shelterbelt;
    - iii) the parcel to be created is separated by natural boundaries or by surveyed rights-of-way.
  - b) The minimum building setbacks shall be:
    - i) 45 m (150 ft) from front property line;
    - ii) 6 m (20 ft) sideyard not abutting a public roadway or 10% of the mean parcel width, whichever is lesser;
    - iii) 6 m (20 ft) from rear property line
  - c) No driveway shall be located closer than 100 m (330 ft) from the intersection

d)The minimum floor area of a single family residence shall be 70m<sup>2</sup> (750 sq. ft.).

## Municipal District of Sturgeon Land Use Bylaw 388/81 Section 31

### Heavy Industrial - HI

#### 1) Permitted uses

##### 1) Manufacturing

##### 2) Industrial warehousing and storage

##### 3) Sewage treatment and disposal plants

##### 4) Sanitary and modified sanitary landfill sites

##### 5) Plants for the manufacture of petroleum products, pulp and paper products, stone, clay and glass products, cement and lime products, fertilizers, animal by-products

##### 6) Plants which will be engaged in the primary metal industry, metal processing, the processing of natural gas or its derivatives, the manufacture of asphalt, gravel crushing

##### 7) Incinerators, including those for municipal or industrial use.

##### 8) Any use which, in the opinion of the Development Officer, is of a similar nature and will not be incompatible with adjacent land uses.

### Discretionary Uses

#### 1) Livestock feedlot

#### 2) Home occupations

#### 3) Public and private recreation facilities

#### 4) Churches and cemeteries

#### 5) Institutional uses

#### 6) Natural resource extraction

#### 7) Outdoor storage

#### 8) Commercial greenhouse

#### 9) Commercial kennel

#### 10) Highway commercial

11)Such other agricultural uses which, in the opinion of the Development Officer are unlikely to have restrictive effects upon the zone

2)Site Regulations

- a)The site coverage shall be at the discretion of the Development Officer but shall not exceed 60% of the site area.
- b)Minimum building setbacks and yard requirements shall be at the discretion of the Development Officer and shall be based upon the specific type of development proposed.
- c)All yards (front, side and rear) abutting a municipal roadway or highway shall be landscaped to a standard satisfactory to the Development Officer.
- d)All outdoor storage shall be screened or enclosed by a suitable method including fencing, landscaping, buildings or trees, or a combination thereof.
- e)No outdoor storage shall be permitted in the front yard.

## Municipal District of Sturgeon Land Use Bylaw 388/81 Section 32

### General Industrial - GI

#### 1) Permitted uses Discretionary Uses

1) Warehousing, storage and supply depots

2) Bulk oil sales

3) Repair and service shops

4) Manufacturing, assembly and processing

5) Agricultural processing, cleaning and packing

6) Any use which in the opinion of the Development Officer, is of a similar nature and will not be incompatible with adjacent land uses.

#### Discretionary Uses

1) Those manufacturing, commercial recreational or public service uses which in the opinion of the Development Officer are unlikely to have restrictive effects on the District but shall not include noxious or hazardous uses

#### 2) Site Regulations

a) The site coverage shall not exceed 50% of the site area unless the site is served or intended to be served by a sewage collection system, water distribution system and storm drainage system, in which case the site coverage shall not exceed 60% of the site area.

b) Parcel size shall be based on the merits and needs of each proposal but shall not be less than 0.6 ha (1.5 acres) unless the development is served, or intended to be served by a sewage collection system, water distribution system and storm drainage system, in which case the parcel size shall not be less than 0.2 ha (0.5 acres).

c) The minimum front, side, and rear yards should be 6 m (20 ft).

i) no parking, storage or loading facilities shall be located within the minimum front yard requirements (i.e. 6m/20 ft).

ii) Subject to the discretion of the Development Officer, side and rear yard requirements may be of a lesser distance where the property line abuts a utility lot, lane, reserve parcel, railway line or where a zero lot line use is proposed.

d) All yards (front, side and rear) abutting a municipal roadway or highway shall be landscaped to a standard satisfactory to the Development Officer.

e) No outdoor storage shall be permitted in the front yard.

f)One parking stall be provided per 100m<sup>2</sup> (1075 sq. ft.) of building.

g)More than one principal use is permitted on each site in this District.

## Municipal District of Sturgeon Land Use Bylaw 388/81 Section 33

### Direct Control District - DC

#### 1) Purpose of District

The Purpose of this District is to provide the Development Officer with a direct control over the use and design of development in those areas identified within the District. At the discretion of the Development Officer, an Area Structure Plan or an Area Redevelopment Plan may be required as a prerequisite to development in this District.

#### 2) Permitted and Discretionary Uses

The permitted and discretionary uses shall be those uses specified in the Area Structure Plan or Area Redevelopment Plan or such other uses that Council may, by resolution, make from time to time.

#### 3) Site Regulations

##### a) Minimum Lot Size

Minimum lot sizes shall be in conformance with Sections 14-19 of the Subdivision Regulation (Regulation 138/79) Pursuant to the Planning Act, 1977, but a greater area may be imposed at Council's discretion

##### b) Setbacks

i) The minimum front Yard setback shall be 8 m (25 ft).

ii) the minimum sideyard setback shall be:

- in laneless subdivisions - 3 m (10 ft);

- with lanes - 10% of average lot width but not less than 1.5 m (5 ft);

on corner sites - 5 m (15 ft) minimum on side flanking street.

##### c) Floor Area

The minimum floor area of a single family residence shall be 90m<sup>2</sup> (970 sq. ft.).

d) Notwithstanding Section 33, Subsection 3c), mobile homes are not permitted in the Direct Control District.

## Municipal District of Sturgeon Land Use Bylaw 388/81 Section 5

### Where a Permit is Required

1) Except as provided in Subsection (2) no person shall commence any development unless he has been issued a development permit or development (building) permit in respect thereof.

2) A development permit is not required for development of the type described as follows:

a) the maintenance or repair of any building if the work does not include structural alteration, or

b) the completion of a development which was under construction in accordance with a lawful development permit issued at the effective date of this By-law provided that the development is completed within the time limit of such a permit or within twelve months of the effective date of this by-law whichever is earlier, or

c) the completion, alteration, maintenance or repair of a street, lane or utility, undertaken upon a public thoroughfare or utility easement, or undertaken to connect the same with any lawful use of buildings or land, or

d) the erection of a fence or gate which is no higher than 1.8 m (6 feet) in height provided that there is no contravention of this or any other by-law of the municipality and provided that such a fence or gate does not in the opinion of the Development Officer obstruct the vision of persons using roads abutting the parcel, or

e) landscaping where the proposed grades will not adversely affect the subject or adjacent properties, except where landscaping forms part of a development which requires a development permit, or

f) the construction or alteration of buildings intended for a Permissible Use in the Agricultural District, a private residence or associated ancillary buildings intended for personal use only.

3) Except as provided in Subsection (4) no person shall commence any development which includes the construction or alteration of any building unless he has been issued a development (building) permit in respect thereof.

4) A development (building) permit is not required for buildings of the type described as follows:

a) the maintenance or repair of any building if the work does not include structural alteration, or

b) the completion of a building which was under construction in accordance with a lawful building permit issued at the effective date of this by-law provided that the building is completed within the time limit of such a permit or within twelve months of the effective date of this by-law, whichever is earlier.

c) the construction or alteration of any building if the value of the work is \$1,000.00 or less.

In Sections 6 to 20 the terms "development permit" or "permit" refer to both Development Permits and Development (Building ) Permits as defined on page 2.

## Municipal District of Sturgeon Land Use Bylaw 388/81 Section 6

### Application for Development Permit

1) Every application for development permit shall

a) Be made in the form prescribed by the Municipality (Form A or Form A-1).

b) Be signed by the registered owner or his agent where a person other than the owner is authorized by the owner to make application. The correctness of the information supplied shall, when required by the Development Officer, be verified by a Statutory Declaration;

c) State the proposed use or occupancy of all parts of the land and buildings, and such other information as may be required by the Development Officer;

d) At the discretion of the Development Officer, include site plans in triplicate at a scale of 1:2000 or such other scale satisfactory to the Development Officer, showing any or all of the following:

i) legal description of subject property, with legal description of all abutting properties;

ii) identify all roads, highways and frontage roads;

iii) identify all rights-of-way and easements within or abutting the subject property;

iv) identify all drainage courses;

v) the location of any proposed development on the site;

vi) location and dimensions of existing and/or proposed buildings including front, rear and side yard setbacks, if any;

vii) existing and proposed services;

viii) proposed off-street parking and loading facilities, showing location and dimensions of all aisles, stalls, the number of stalls, typical stall dimensions, and location of any lighting standards and curbing;

ix) landscape information, including detailed planting plan with general type, size, spacing and height of plantings;

x) location and access to garbage pick-up;

xi) sign location and details;

xii) related proposed development such as sidewalks, patios, playgrounds, and other similar features;

xiii) north arrow, scale, and date of drawing.

e) The Development Officer may refer to the Regional Planning Commission for consideration and recommendation

any matter or any application for development brought before him that in the opinion of the Development Officer is of such size or character or importance or is so located that the matter or application may affect

i)the interest of an adjacent municipality which is a member of the Regional Planning Commission, or

ii)the common interest of the member municipalities of the Regional Planning Commission.

f)Having referred a matter to the Regional Planning Commission for its recommendation, the Development Officer

i)shall not act pursuant to clause (ii) until the Regional Planning Commission has had a reasonable time to make a recommendation,

ii)shall make a decision under subsection (2) giving due consideration to the Regional Planning Commission's recommendation.

2)The development Officer may require an application for a development permit to include a detailed landscaping plan in triplicate of the entire site to show grading, loading and parking areas, tree planting, or removal, grassed areas including location and species of shrubs and trees, playgrounds, and parks.

3)The Development Officer may require an irrevocable letter of credit from the developer to secure performance of any of the conditions of a development permit.

4)An application for development permit shall be considered by the Development Officer who shall

a)approve, with or without conditions, an application for a permitted use where the proposed development conforms to this By-law, or

b)approve with or without conditions, or refuse an application for a discretionary use, or

c)refuse an application for a use which is neither a permitted use nor a discretionary use, or

d)refer to the Council with recommendations an application for the development of land or building within a Direct Control land use district unless the provisions of that district specify a procedure for the Development Officer to consider that application, in which case the Development Officer shall render a decision according to that procedure.

5)Notwithstanding Subsection (4)(c), the Development Officer may where specified in the district regulations approve or conditionally approve an application for a development that does not comply with this By-law if, in his opinion,

a)the proposed development would not

i) unduly interfere with the amenities of the neighbourhood, or

ii)materially interfere with or affect the use, enjoyment or value of neighbouring properties,

and

b)the proposed development conforms with the use prescribed for that land or building in this Bylaw.

6)The Development Officer may impose such conditions on the approval of an application as, in his opinion are necessary

a)to uphold the intent and objectives of the General Municipal Plan under preparation or as adopted, or

b)to uphold the intent and objectives of an Area Structure Plan, or Area Redevelopment Plan under preparation or as adopted, or

c)to ensure the orderly and economical development of land within the Municipality.

7)The Development Officer may require with respect to a development that, as a condition of issuing a development permit, the applicant enter into an agreement with the Municipal Council to construct, install or pay for any local improvements which will be needed to serve the development.

8)The erection of a building on any site may be prohibited where it would se be permitted under the By-law when, in the opinion of the Development Officer, satisfactory arrangements have not been made by the developer for the supply of required local improvements, or utilities including payment of the costs of installing or constructing any such local improvements or utilities by the developer.

9)Notwithstanding Subsection (7), if the Council is of the opinion that an agreement required by the Development Officer pursuant to Subsection (7) would not be necessary, then the condition requiring the agreement is void.

10)Where an application for a development permit is approved with conditions the Development Officer may, before issuing the Development Permit, require the applicant or the owner of the land affected by the Development Permit to enter into an agreement with the Municipality to ensure compliance with the conditions, and such an agreement may be protected by Caveat registered by the Municipality.

11)Where an application for a development permit has been refused, another application for a development permit on the same site for the same or similar use of land may not be submitted by the same or any other applicant until at least six months after the date of the refusal by the Development Officer.

## Municipal District of Sturgeon Land Use Bylaw 388/81 Section 7

### Notice of Decision

- 1)The decision of the Development Officer on an application for a development permit shall be given to the applicant in Form A-1 or Form B.
- 2)If a Development Officer refuses an application for a development permit, the notice of decision shall contain the reasons for the refusal.
- 3)When an application for a development permit is approved for a discretionary use or pursuant to Section 6 (5) or is for a development in a Direct Control District
  - a)a notice as prescribed in Form C shall be mailed forthwith to all assessed owners of property within 50 m (165 ft) of the site, or a greater distance at the discretion of the Development Officer, and to those assessed property owners who in the opinion of the Development Officer way be affected.
  - b)the Development Officer shall require, as a condition of any permit granted that the applicant display, for no less than fourteen days after the permit is issued in a conspicuous place on the site, and no further from the street or streets abutting the site than the Development Officer directs, a notice or notices setting out the proposed use in form prescribed by the Development Officer.

## Municipal District of Sturgeon Land Use Bylaw 388/81 Section 8

### Effective Date of Permit

- 1)Where an appeal on a permit granted pursuant to this By-law can be considered by the Development Appeal Board, the permit granted does not come into effect until fifteen days after the date an order, decision or development permit is issued, and any development proceeded with by the applicant prior to the expiry of this period is done solely at the risk of the applicant.
- 2)Where an appeal is made to the Development Appeal Board a development permit which has been granted shall not come into effect until a decision on the appeal has been made which would allow the issuance or refusal of the permit.

## Municipal District of Sturgeon Land Use Bylaw 388/81 Section 9

### Issuance of Development Permit

The Development Officer shall issue a development permit to the applicant immediately after completion of all the following:

- 1) approval or conditional approval of the application by the Development Officer, or approval or conditional approval after appeal to the Development Appeal Board, and
- 2) the payment of the development permit fee as required pursuant to Section 4.

## Municipal District of Sturgeon Land Use Bylaw 388/81

### Mobile Home Park Regulations

- 1) Density for a mobile home court shall not exceed eight mobile home lots per site acre,
- 2) Minimum lot size requirements:
  - a) Shall be not less than 3,200 square feet for smaller trailers 40" x 80"
  - b) Larger size trailers (12" x 60' & over) would need lots of 50" X 100"
  - c) Twin trailers would demand larger size lots 60" x 100"
  - d) Each mobile home lot shall be clearly marked by stakes, fences or hedges.
  - e) All mobile homes shall be on permanent foundations in the form of hard compacted gravel or concrete pads at the original ground level. Each mobile home lot shall have a hard surfaced driveway or two hard surfaced parallel tracks for access to the parking spaces.
- 3) a) Mobile homes shall be located separately from each other by a minimum of 20 feet side to side, 10 feet end to end. This includes any porch or addition to home.
  - b) All accessory structures such as porches, additions and skirtings shall be of manufacture type to harmonize with the exterior of the mobile home and all such permanent additions shall require a building permit. They shall not exceed 25 percent of the original unit in area or 30 percent of the lot area clear of the unit. All other buildings shall conform to at least the same standards of construction and appearance as the mobile home units and no unsightly structure shall be allowed within the mobile home park.
  - c) Mobile homes shall be located a minimum of 25 feet from the park boundary and a minimum of 10 feet from an internal access road, parking area or other common areas.
- 4) Five percent of site area shall be provided for parks and play ground space and developed to M. D. satisfaction.
- 5) All roads in park shall be paved and maintained to allow year round dust free access. All roads shall have a minimum right of way of 40 feet - pavement not less than 28 feet. Two hard surfaced parking spaces shall be provided for each lot - visitor's parking area shall be provided in conveniently located groupings throughout the park - one public parking space to every four mobile home spaces.
- 6) All mobile homes shall be hooked up to sewer, water and power services. All utility lines including telephone and electricity shall be placed underground.
- 7) Facilities and equipment for adequate fire protection shall be provided to the satisfaction of the Provincial Fire Marshall.
- 8) A street lighting system shall be provided throughout the Park.

9)The owner is responsible to maintain garbage collection facilities to the satisfaction of local Municipality and Department of Health.

10)Provision shall be made for adequate enclosed storage of furniture and domestic equipment on each lot - a common storage yard is also to be provided with proper fencing.

11)Community Facilities and recreation are to be provided in the park, Same shall be connected by a safe, convenient, hard surfaced 3 feet pedestrian walkway.

12)Mobile Home Park owners are responsible for costs of landscaping, tree planting and sowing to grass all parks, playgrounds and boulevards within park.

13)Management of a Mobile Home Park is to meet with School Authorities re: Attendance of children from Mobile Home Park to schools and make arrangements for transportation of these children to and from designated schools. No occupancy to be permitted until completion of the Park as plans submitted and given final approval by Council. Management of a Mobile Home Park is to prepare Rules and Regulations within the Park governing Management and tenants. .All Mobile Home Parks are to be properly fenced-to satisfaction of Municipality.

The County of Parkland No. 31 Land Use By-Law 19-79

OFFICE CONSOLIDATION

[Big Lake Direct Control District Regulations](#)

[Winterburn Industrial Direct Control District Regulations](#)

[Winterburn-South Direct Control District Regulations](#)

[Sections 1 - 2Definitions](#)

[Sections 3 - 5Application of By-law](#)

[Section 6Development Officer](#)

[Section 9Application for Development](#)

[Section 11Temporary Permits](#)

[Section 12Development Agreement](#)

[Section 13Construction and Installation of Facilities](#)

[Section 14Refusal on Development Agreement](#)

[Section 15Notification of Meeting](#)

[Section 16Decisions](#)

[Section 17Notification of Decision](#)

[Section 18Refusals](#)

[Section 19Approvals near Highways](#)

[Section 20Effective Date](#)

[Section 21Validity of Permit](#)

[Section 22Resubmissions](#)

[Section 23General Regulations Applicable to the Development of Land Situated in any Land Use District](#)

[Section 24Landscaping](#)

[Sections 25 -29Protection from Hazards](#)

[Section 30Signs, Billboards and Advertising Material](#)

[Sections 31 - 33Agricultural Mixed Land Use District](#)

[Sections 34 - 36Country Residential District](#)

[Sections 37 - 39Recreational District](#)

[Sections 40 - 42Industrial/Commercial District](#)

[Sections 43 - 44Industrial/Commercial Reserve District](#)

[Sections 45 - 47Urban Expansion District](#)

[Sections 48 - 50Resource Extraction District](#)

[Sections 51 - 53Direct Control District](#)

[Sections 59 - 62Enforcement](#)

[Sections 63 - 64Miscellaneous](#)

[Schedule ADesignated Deemed Approved Developments](#)

The County of Parkland No. 31 Land Use By-Law 19-79 Sections 1 - 2 Definitions

In this By-law:

- (1) "Act" means the Planning Act, 1977
- (2) "Airport" means an area of land or water used or intended to be used either in whole or in part for the arrival, departure, movement or servicing of aircraft, and includes a building installation or equipment in connection therewith, and for which a license has been issued by the Minister of Transport.
- (3) "Applicant" means the person applying for a development permit who shall be either the registered owner of the land or his representative or agent and certified as such.
- (4) "Building" includes anything constructed or placed on, in, over or under land, but does not include a highway or public roadway or a bridge forming part of a highway or public roadway.
- (5) "Main building" means a building in which is conducted the main or principal use of the site on which it is located.
- (6) "Accessory building" means a building separate and subordinate to the main building the use of which is incidental to that of the main building and is located on the same parcel or lot as the main building.
- (7) "Accessory use" means a use customarily incidental and subordinate to the main use or building and is located on the same parcel or lot which such main use or building.
- (8) "Board" means the Development Appeal Board of the County of Parkland No. 31
- (9) "Commission" means the Municipal Planning Commission of the County of Parkland No. 31.
- (10) "Council" means the Council of the County of Parkland No. 31.
- (11) "County" means the County of Parkland No. 31
- (12) "deemed approved development" includes those matters specified in Schedule "A", and for which a development permit is not required.
- (13) "development." means:
  - (a) an excavation or stockpile and the creation of either of them, or
  - (b) the construction or the placing of a building in, on, over, or under land, or
  - (c) a change of use 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 the intensity 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 intensity of use of the land or building;

and without restricting the generality of the forgoing includes:

(i) in the case of a parcel or lot used for residential purposes, alterations made to a building or an additional building on a parcel or lot whether or not the building is a dwelling unit,

(ii) in the case of a parcel or lot used for other than residential purposes, alterations or additions made to a building on the parcel or lot or a use of the parcel or lot which would increase either the capacity of the building or the intensity of use of the parcel or lot,

(iii) the display of advertisements or signs on the exterior of a building or on any land,

(iv) the deposit of debris, waste material from building or mining operations or other refuse or material on any land, including land already being used for that purpose if the superficial height or area of any existing deposit is thereby extended, or where the natural topography or drainage is altered,

(v) the removal of topsoil from land,

(vi) the recommencement of the use to which land or a building has been previously put if that use has been discontinued for a period of more than 6 months,

(vii) the use of land for storage purposes or for the repair of equipment, vehicles or other kinds of machinery.

(14) "development officer" means the person appointed by the Council to act as the development officer.

(15) "dwelling unit" means a single building, a single mobile unit or a self contained portion of a building consisting of a set of suite of rooms for the use of one or more persons living as a single housekeeping unit, containing living, sleeping, cooking accommodation and separated or shared toilet facilities intended as a permanent residence not separated from direct access to the outside by another separate and self contained set or suite of rooms.

(16) "floor area" means the total of the floor areas of every room and passageway contained in a building but not including the floor areas of basements not used as residential accommodation, attached garages, sheds, open porches or breezeways.

(17) "front set back" means the distance in feet measured perpendicularly from the front property line of the parcel or lot, or the centre line of the right-of-way of a public roadway lying adjacent to the front property line, as the case may be, to the nearest point of the building.

(18) "home occupation" means any occupation or profession carried on for gain by the resident of a dwelling unit which is clearly incidental to the use of the dwelling unit for residential purposes, and is clearly contained entirely within the lot or parcel.

(19) "lot" means:

(a) a quarter section, or

(b) a part of a parcel where the boundaries of the part are separately described in a certificate of title other than by reference to a legal subdivision, or

(c) a part of a parcel where the boundaries of the part are described in a certificate of title by reference to a plan of subdivision.

(20) "mobile unit" means a structure whether ordinarily equipped with wheels or not, that is constructed or manufactured to be moved from one point to another and which provides completely self-contained residential accommodation for one or more persons, but does not include buildings constructed in modules or sections.

(21)"municipality" means the area of the County of Parkland No. 31.

(22)"multi-family dwelling" means a single building consisting of two or more separated dwelling units.

(23) "Order" means an Order of the Commission or the Development Officer pursuant to Section 79 of the Act.

(24)"Parcel" 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.

(25) "rear set back" means the distance in feet measured perpendicularly from the rear property line of the parcel or lot to the nearest point of the building.

(26)"registered owner" means:

(a)in the case of land owned by the Crown in right of Alberta or the Crown in right of Canada, the Minister of the Crown having the administration of the land, or

(b)in the case of any other land:

(i)the purchaser of the fee simple estate in the land under an agreement for sale that is the subject of a caveat registered against the certificate of title in the land and any assignee of the purchaser's interest that is the subject of a caveat registered against the certificate of title, or

(ii)in the absence of a person described in subclause (i), the person registered under the Land Titles Act as owner of a fee simple estate in the land.

(27)"side set back" means the distance in feet measured perpendicularly from the side property line of the parcel or lot to the nearest point of the building.

(28)"single family dwelling" means a single building consisting of not more than one dwelling unit.

(29)"site" means all the land contained in a parcel or lot.

(30)"one animal unit" means:

(a)1 horse (over one year old), or

(b)1 cow (over one year old), or

(c)30 chickens, or

(d)10 ducks, turkeys, or geese, or

(g)5 sheep or goats, or

(f) 20 rabbits

(31)"one-half animal unit" means:

(a)1 colt up to one year old, or

(b)1calf up to one year old

## Section 2

All of the terms used in this By-law, other than those defined in Section 1, shall have the meaning assigned to them by

Section 1 of the Act to the extent that said meaning differs from the ordinary meaning of the terms.

## The County of Parkland No. 31 Land Use By-Law 19-79

### Sections 3 - 5 Application of By-law

#### Section 3

No development other than that designated in Schedule "A" as being "deemed approved" shall be undertaken within the municipality unless an application for it has been approved and a development permit issued therefor.

#### Section 4

(1)The municipality is hereby divided into the following land use districts:

(a)Agricultural Mixed Land Use District, designated 'AG' on the land use district map in Schedule "B".

(b)Country Residential District, designated 'CR' on the land use district map in Schedule "B".

(c)Recreational District designated 'RD' on the land use district map in Schedule "B".

(d)Industrial/Commercial District, designated 'IC' on the land use district map in Schedule "B".

(e)Industrial/Commercial Reserve District, designated 'IR' :n the land use district map in Schedule "B".

(f)Urban Expansion District, designated as 'UE' in the land use district map in Schedule "B".

(g)Resource Extraction District, designated 'EX' on the land use district map in Schedule "B". and

(h)Direct Control District, designated 'DC' on the land use district map in Schedule "B".

(2)The land contained in each land use district shall be as described in Part 4 of this By-law, and depicted on the land use district map in Schedule "B" as amended January, 1981.

#### Section 5

The development of land situated in a particular land use district be in accordance with the regulations prescribed for that land use and the general regulations prescribed in Section 23 to 53 inclusive where applicable in Part 4 of this bylaw.

The County of Parkland No. 31 Land Use By-Law 19-79

Section 6 Development Officer

- (1) The office of the Development officer is hereby established and such office shall be filled by the person appointed to it by Council from time to time.
- (2) The Development Officer shall perform such duties that are specified in this Section and any other duties delegated to him or her by the Council, or the Act, other than those duties delegated to the Commission.
- (3) The Development Officer shall keep and maintain for the inspection of the public during all reasonable office hours, a copy of this By-law and any amendments thereto, and ensure that copies of the By-law are obtainable by the public at reasonable charge.
- (4) For the purpose of Section 80 of the Act, the Development Officer is hereby declared to be a person appointed by the Council.
- (5) The Development Officer may make a decision with regards to the renewal and/or extension of a development permit.

## The County of Parkland No. 31 Land Use By-Law 19-79

### Section 9 Application for Development

An application for a development permit shall be made to the Secretary of the Municipal Planning Commission in writing in the form in Schedule "C", and shall be accompanied by such information deemed necessary by the Development Officer and may include any or all of the following:

- (1) A site plan for the land to be developed, in duplicate, drawn to a scale of 1:2000, or such other scale as the Commission may require showing:
  - (a) legal description of subject property, with legal description of all abutting properties;
  - (b) identify all roads, highways and frontage roads;
  - (c) identify all rights-of-way and easements within or abutting the subject property;
  - (d) identify all drainage courses;
  - (e) the location of any proposed development on the site;
  - (f) location and dimensions of existing and/or proposed buildings including front, rear and side yard setbacks, if any;
  - (g) existing and proposed services;
  - (h) proposed off-street parking and loading facilities, showing location and dimensions of all aisles, stalls, the number of stalls, typical stall dimensions and location of any lighting standard's and curbing;
  - (i) landscape information, including detailed planting plan with general type, size, spacing and height of plantings;
  - (j) location and access to garbage pick-up;
  - (k) sign location and details;
  - (l) related proposed development such as sidewalks, patios, playgrounds, and other similar features;
  - (m) north arrow, scale, and date of drawing.
- (2) Schedule showing area of site, building area, number of units, parking and loading spaces, and a calculation of site coverage and floor space ratio.
- (3) Floor plans, elevations and a section of the proposed development, in duplicate drawn to a scale of 1:100 or such other scale as the Commission may require.
- (4) A statement or designation on the site plan of the indented uses of the proposed development.

- (5) The application must be signed by the registered owner of the subject property accompanied with a copy of the Certificate of Title of the land, certified not more than 14 days prior to the date on which the application is made.
- (6) A statement of the estimate commencement and completion dates.
- (7) A non-refundable application fee of \$100.00
- (8) Any such additional information as the Commission deems necessary.

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Section 11 Temporary Permits

- (1) In approving an application for a development permit, the Commission may impose the condition that the proposed development be permitted for a limited period of time.
- (2) Where a development is permitted to operate for a limited period of time, the development permit issued therefore may require upon the expiry of the period of time specified in the permit, the discontinuance of the use or the removal of any buildings, works or operations as may be necessary to restore the land or building to their original condition prior to the issuance of the permit.

The County of Parkland No. 31 Land Use By-Law 19-79

Section 12 Development Agreement

As a condition of issuing a development permit, the Commission is authorized to require the applicant to enter into in agreement containing such terms and conditions as the Commission shall deem necessary pursuant to the Act or this By-law.

The County of Parkland No. 31 Land Use By-Law 19-79

Section 13 Construction and Installation of Facilities

(1) As a condition of issuing a development permit, the Commission may require the applicant to enter into a development agreement with the County to:

- (a) construct or pay for the construction of a public roadway required to provide access to the proposed development.
- (b) install or pay for the installation of utilities that are necessary to serve the proposed development,
- (c) construct or pay for the construction of off-street or other parking facilities and loading and unloading facilities required as part of the proposed development,
- (d) construct or install, or pay for the construction or installation of other necessary services and local improvements on site or off site as may be deemed necessary by the Commission.

(2) A development agreement referred to in subsection (1) shall be effected prior to the commencement of the development.

The County of Parkland No. 31 Land Use By-Law 19-79

Section 14 Refusal on Development Agreement

Where arrangements satisfactory to the County have not been made by the applicant for a development permit with respect to a proposed development for all or any of the matters referred to in Section 13, where it would otherwise be permitted in this By-law, the Commission may refuse the application.

The County of Parkland No. 31 Land Use By-Law 19-79

Section 15 Notification of Meeting

(1) Prior to the Commission arriving at its decision in an application for a development permit, the Secretary of the Commission may notify the applicant of the date on which the Commission will deal with the application at which time he may make a submission on his application and speak to the matter.

(2) Upon receipt of the notification referred to in subsection (1) the applicant shall immediately notify the Commission in writing:

(a) he will be in attendance at the meeting scheduled to be held on the date specified in the notice, or

(b) he does not wish to attend the meeting.

The County of Parkland No. 31 Land Use By-Law 19-79

### Section 16 Decisions

The decision of the Commission on an application for a development permit shall be given in writing and sent to the applicant in the case of an approval, unconditionally, or subject to conditions., in the form in Schedule "D".

The County of Parkland No. 31 Land Use By-Law 19-79

Section 17 Notification of Decision

When an application for a development permit is approved either unconditionally or subject to conditions imposed by the Commission, the Secretary of the Commission shall within 11 days of the date an which the decision is made:

- (a) issue a development permit to the applicant in the Form in Schedule "D", and
- (b) post notice of the decision conspicuously on the land for which the application is made, or
- (c) mail a notice of the decision to all registered owners of land lying adjacent to the parcel or lot of land which is the subject of the application, or
- (d) publish a notice of the Decision in a newspaper circulating in the municipality slating:
  - (i) a description of the land for which the development proposed is approved,
  - (ii) the nature of the development proposed, and
  - (iii) the date of the effectiveness of the development permit.

The County of Parkland No. 31 Land Use By-Law 19-79

### Section 18 Refusals

When an application for a development permit is refused, the Secretary of the Commission shall notify the applicant in writing in the form in Schedule "E", stating the reasons for refusal.

The County of Parkland No. 31 Land Use By-Law 19-79

Section 19 Approvals near Highways

With respect to an approved application for a development permit for any use of land situated within 0.5 miles of the right-of-way of a highway; other than for land included in an adopted area structure plan, before issuing a development permit, the Secretary of the Commission shall:

- (1) Notify the applicant that he is required to obtain a permit from the Department of Transportation.
- (2) Upon submission by the applicant to the Secretary of the Commission of the permit granted by the Department of Transportation, the Secretary shall forthwith issue the development permit.
- (3) Where the Department of Transportation refuses to issue its permit, the Commission shall rescind its approval of the application and refuse the application.

The County of Parkland No. 31 Land Use By-Law 19-79

Section 20 Effective Date

Subject to Section 55, a development permit issued in accordance with Section 17, shall not come into effect until 25 days after the date on which it is issued.

The County of Parkland No. 31 Land Use By-Law 19-79

Section 21 Validity of Permit

A development permit shall remain in effect for a period of 12 months from the date on which it comes into effect, or for such shorter or longer period of time as the Commission, in its discretion, may otherwise specify on the permit. If any aspect of the development has not been commenced and carried out with reasonable diligence within one year from the date of effectiveness of the permit, the permit shall be null and void. Should any of the conditions of the permit not be strictly adhered to at all times, the Commission shall review the permit and may extend the effective period of validity or may void the permit.

The County of Parkland No. 31 Land Use By-Law 19-79

Section 22 Resubmissions

Where an application for a development permit is refused and the notice of refusal issued thereto, the submission of another application for a development permit for the same or similar use of land on the same parcel or lot by the same person or another person shall not be accepted by the Commission until a period of 12 months from the date of the issue of the notice of refusal has expired.

The County of Parkland No. 31 Land Use By-Law 19-79

Section 23 General Regulations Applicable to the Development of Land Situated in any Land Use District

(1)The Municipal Planning Commission shall consider with respect to the land that is the subject of an application for a development permit:

- (a)its topography,
- (b)ills soil characteristics,
- (c)the collection and disposal of storm water from the land,
- (d)its potential for flooding, subsidence or erosion,
- (e)its accessibility to a public roadway,
- (f)the availability and adequacy of a potable water supply to or from the land,
- (g)the adequacy of a sewage disposal system and the disposal of solid waste, and
- (h)the availability or adequacy of other municipal services, which, without restricting the generality of the foregoing, include fire protection, education services, student transportation, and police protection,

and to the limitations of any or all of these as are specified for permitted or discretionary uses in the regulations for the land use district in which the land proposed to be developed is situated.

(2)For the purposes of clause (a) of subsection (1), the topography of land is classified as follows:

Class A slopes of 0 - 2%

Class B slopes of 2 - 5%

Class Cslopes of 5 - 9%

Class Dslopes of 9 - 15%

Class Eslopes of 15 - 21%

Class Fslopes of over 20%

(3)For the purposes of clause (b) of subsection (1), the soil characteristics of land are classified in accordance with the classifications for soil capability for agriculture of the Canada Land Inventory or their related Storie Rating Index of the Alberta Soil Survey, whichever applies, as follows:

C.L.I.Storie Rating Index

Class 1 Cropland related to 7 - 8 arable land

Class 2 Cropland related to 6 - 7 arable land

Class 3 Cropland related to 5 - 6 arable land

Class 4 Marginal Cropland related to 4 - 5 marginal arable land

Class 5 Pastureland related to 3 - 4 good to excellent pastureland

Class 6 Pastureland related to 2 fair to good pastureland

Class 7 Non-Agricultural land related to 1 poor pastureland

(4) For the purposes of clause (c) of subsection (1), the drainage of land is classified as follows:

Class A Rapidly Drained Land

Class B Well Drained Land

Class C Moderately Well Drained Land

Class D Imperfectly Drained Land

Class E Poorly Drained Land

(5) For the purposes of clause (e) of subsection (1), the accessibility of land is provided when a lot or parcel has access from a highway, a secondary road, a public roadway, a service road, or at the discretion of the Commission, a public lane, any of which must be constructed to County or Alberta Transportation standards.

(6) For the purposes of clause (f) of subsection (1), a potable water supply means water which in its composition does not exceed the following amounts of chemicals and other substances:

PH 10.0

Total dissolved solids 1000 mg/litre

Hardness - total 500 mg/litre as CaCO<sub>3</sub>

Calcium 200 mg/litre as Ca

Magnesium 150 mg/litre as Mg

Sodium 300 mg/litre as Na

Iron 0.3 mg/litre as Fe

Alkalinity 500 mg/litre as CaCO<sub>3</sub>

Sulfate 500 mg/litre as SO<sub>4</sub>

Chloride 250 mg/litre as Cl

Ammonia - Nitrogen 0.5 mg/litre as N

Nitrite/Nitrate Nitrogen 10.0 mg/litre as N

Fluoride 1.5mg/litre as F

Phosphate 0.2mg/litre as PO<sub>4</sub>

and which supplies not less than 50 ig per person per day.

(7) For the purposes of clause (g) of subsection (1) and subject to approval by the Provincial Plumbing Inspector, Alberta Manpower and Labor, a private sewage disposal system generally consists of either:

(a) in the case where the soil is pervious

(i) a septic tank with or without overflow tank and disposal tile field system, or

(ii) a pumpout 'holding tank system, or

(iii) a private sewage lagoon system, or

any combination of the above; or

(b) in the case where the soil is impervious

(i) a septic tank, syphon chamber, perforated pipe or weeping tile disposal field and leaching cesspool system, or

(ii) a septic tank, syphon chamber and excavated infiltration evapotranspiration bed system, or

(iii) a septic tank, syphon chamber, and above ground evapotranspiration - percolation mound disposal bed and leaching cesspool system.

(8) For the purposes of subsection (1) generally, buildings and/or dwelling units shall not be placed where:

(a) the water table under the surface of the land is less than 7 feet below surface level.

The County of Parkland No. 31 Land Use By-Law 19-79

Section 24 Landscaping

- (1) Trees, hedges, shrubbery and other kinds of flora, walls, fences, screens and other forms of enclosure are permitted within the front and side yards of a lot or parcel of land situated at the intersection of two public roadways or a public roadway and a highway, provided that any of these are not more than 4 feet in height above ground level within a distance of 50 feet measured along the property lines of the lot or parcel from the point of intersection of the public roadways or highway.
- (2) The Commission may require as a condition of issuing a development permit that the applicant retain or remove particular trees or clumps of trees, hedges or shrubbery on the land that is the subject of an application for a development permit and may also require the applicant to provide additional planting or landscaping on the land.
- (3) The Commission may require as a condition of issuing a development permit that the applicant provide suitable screening or the enclosure of uses involving the outdoor storage of goods, vehicles, machinery, building materials, waste material or other kinds of objects to the satisfaction of the Commission.
- (4) No person shall keep or permit to remain on land for more than 30 successive days, any object or chattel visible from a public roadway which, in the opinion of the Commission, is usually objectionable or a nuisance, unless it is contained within an approved salvage and storage development suitably screened to the satisfaction of the Commission.

## The County of Parkland No. 31 Land Use By-Law 19-79

### Sections 25 -29 Protection from Hazards

#### Section 25

Where land is situated adjacent to or includes the banks of any river, creek, or watercourse, and where the slope of the bank is in excess of 15%, no building or other structure shall be permitted within 75 feet of the line of the top of the bank; or such greater distance as may be required by the Commission.

#### Section 26

In the case of an application for a development permit for a country residential, industrial, or institutional use, or any other use in which a building is to be occupied by persons for more than 6 hours each day, and which is located in the vicinity of a sour gas facility, the Commission shall not approve the application unless those minimum requirements, being part of the Planning Act, 1977 and any amendments thereto, and the Subdivision Regulations pursuant to the Act, have been complied with to the satisfaction of the Commission.

#### Section 27

The Commission shall not approve an application for a development permit for any use of land situated in an established Airport Vicinity Protection Area where the use of the land is not in accordance with the Airport Vicinity Protection Area Regulation for the Protection Area.

#### Section 28

The Commission shall not approve an application for a development permit for a development which includes the installation of an anhydrous ammonia or liquefied petroleum gas (AA or LPG) storage with a water capacity exceeding 2,000 gallons, unless the location of the storage tank on the land to be developed is at least 400 feet or such greater distance as may be required by the Commission from any property line of the lot or parcel of land to be developed.

#### Section 29

The Commission may require as a condition of issuing a development permit for any use of land which is situated adjacent to the right-of-way of a pipeline, other than a sour gas pipeline, or an electrical transmission line or any other public utility that the proposed development be set back from the right-of-way of the pipeline, the electrical transmission line or other public utility such distance, as in its discretion, it may determine.

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Section 30 Signs, Billboards and Advertising Material

(1) No sign, signboard, billboard or advertising structure shall be erected or placed on land or affixed to a building situated within 0.5 miles of a highway, unless the Department of Transportation has issued a permit for it.

(2) Subject to the permission of the owner of land or a building, and provided they are not illuminated, the following signs or advertising material may be erected or placed on land or affixed to the exterior surface of a building other than land or a building referred to in subsection (1) without the need for obtaining a development permit therefor

(a) signs for the purpose of identification, direction or warning relating to an institution of a religious, educational, cultural, recreational, social or similar nature, not exceeding 12 square feet in size and limited to one sign per lot, parcel or building,

(b) a temporary advertisement relating to the sale or leasing of land, the sale of goods, or livestock, the carrying out of the construction of a building or similar work, the announcement of any local event, not exceeding 20 square feet in size, provided that the advertisement is removed within 14 days of the completion of the event or works advertised

(c) signs or advertisements related to the functions or work of a local authority.

(3) No sign, signboard or other advertising structure illuminated or otherwise, other than those referred to in subsection (2) is permitted on any land or building situated within the Agricultural Mixed Land Use District or Country Residential District.

(4) A development permit is required to erect or place on land any sign, signboard, billboard or advertising structure, other than those referred to in subsection (2).

The County of Parkland No. 31 Land Use By-Law 19-79

Sections 31 - 33 Agricultural Mixed Land Use District

Section 31

The Agricultural Mixed Land Use District comprises all that land in the municipality shown on the land use district map in Schedule "B". (as amended January, 1981)

Section 32

(1)The primary purpose of the Agricultural Mixed Land Use District is to permit farming and agricultural activities associated generally with the production of crops, livestock, dairy products and pastureland and without limiting the generality of the foregoing;

(a)the permitted uses for an extensive activity include:

(i)cereal crop farming,

(ii)forage crop farming,

(iii)the raising of livestock,

(iv)ranching, and

(v)native pasture and grazing,

(vi)an isolated-single family dwelling unit,

and may be considered deemed approved uses by the Commission,

and

(b)the permitted uses for an intensive activity are:

(i)tree farming and nurseries,

(ii)market gardening and

(c)an historic site registered or classified pursuant to the Alberta Historic Resources Act is deemed to be a permitted use.

(2)The minimum lot or parcel size for an intensive permitted use shall be as required by the Commission.

(3)The minimum building set backs for a permitted use shall be:

(a) a front set back of not less than:

(i) 125 feet measured perpendicularly from the centre line of the right-of-way of the adjoining municipal roadway.

(ii) 200 feet measured perpendicularly from the centre line of the right-of-way of an existing or proposed secondary highway,

(iii) as determined by Alberta Transportation when adjacent to a primary highway.

(b) a side set back of not less than 10% of the mean parcel or lot width or 20 feet whichever is the lesser, except in the case of a corner lot or parcel, where the side set back shall be as required by the Commission, and

(c) a rear set back of not less than 25 feet from the rear property line of the parcel or lot.

(4) Notwithstanding subsection (3), where a second or additional one family dwelling unit is to be developed on a lot or parcel of land that is 80 acres or more in area, in accordance with Section 76 (2)(b) of the Act, the front and side set backs and the location of the building on the lot or parcel shall be as required by the Commission.

### Section 33

(1) Notwithstanding the permitted uses specified in Section 32, the Commission may permit the following discretionary uses in the Agricultural Mixed land Use District.

(a) a permitted use specified in the Recreational District under Section 38,

(b) an abattoir,

(c) a cemetery,

(d) a church or chapel,

(e) a kennel for the boarding and/or breeding of dogs,

(f) a fur bearing animal farm,

(g) a commercial greenhouse,

(h) commercial peat removal and processing,

(i) a commercial rabbit farm,

(j) hog raising farms,

(k) chicken and turkey farms,

(l) forced feed lots,

(m) a drive-in theatre,

(n) an institutional use

(o) an apiary (beekeeping),

(p) a dairy farm,

(q) a permitted use specified in the Resource Extraction District under Section 49.

(2) A use specified in the Country Residential District or in the Industrial/Commercial District may be permitted, provided that in each case, not less than 50% of the area of the parcel or lot to be developed is:

(a) classified by the Canada Land Inventory as Class 4, Class 5, Class 6, or Class 7, or combinations of two or more of these classes, or has a Storie Rating Index of 1, 2, 3-4, or 4-5, or combinations of two or more of these indices as to soil capability, as the case may be, and

(b) classified as Class A, B, C or D, as to topography, and

(c) classified as Class A, B or C, as to drainage,

all in accordance with Section 23, or

(d) not, in Council's opinion, a viable agricultural unit.

(3) The minimum lot or parcel size for a discretionary use shall be as required by the Commission.

(4) The minimum building set backs for a discretionary use shall be as required by the Commission.

The County of Parkland No. 31 Land Use By-Law 19-79

Sections 34 - 36 Country Residential District

Section 34

The Country Residential District comprises all that land in municipality shown on the land use district map in Schedule "B". (as amended January, 1981)

Section 35

(1)The primary purpose of the Country Residential District is to provide for rural residential development and without limiting the generality of the foregoing, the permitted uses shall include:

(a)clusters of single family dwellings within an adopted Area Structure Plan where each dwelling is on a separate parcel of land,

(b)a mobile unit in subdivisions designated for mobile units by Council,

(c)a school,

(d)an historic site registered or classified under the Alberta Historical Resources Act,

(e)the keeping of animals in accordance with the following:

(i)on any lot or parcel, not more than 4 household pets, not to include more than 2 dogs, which must be confined to the property,

(ii)on any lot or parcel of two (2) acres or less no animals except as provided for in subsection (i);

(iii)on lots or parcels of two (2) acres or more, a maximum of one animal unit per acre,

(f)two unregistered or inoperative vehicles per lot or parcel.

(2)In a cluster development of single family dwelling units contained within an adopted Area Structure Plan which are not served or intended to be served by a sewage collection system or by a water distribution system, the minimum lot or parcel size for a single family dwelling unit shall be 20,000 square feet or such greater area prescribed in the Area Structure Plan, and the maximum lot or parcel size shall be 10 acres.

(3)The minimum and maximum lot or parcel size for any other permitted use shall be as determined by the Commission.

(4)The minimum floor area of any single family dwelling unit shall be 750 square feet.

(5)The minimum building set backs for a permitted use shall be:

(a) a front set back of not less than:

(i) 25 feet measured perpendicularly from the front property line when adjacent to an internal subdivision roadway,

(ii) 125 feet measured perpendicularly from the centre line of the right-of-way of the adjoining municipal roadway,

(iii) 200 feet measured perpendicularly from the centre line of the right-of-way of an existing or proposed secondary highway,

(iv) as determined by Alberta Transportation when adjacent to a primary highway.

(b) a side set back of not less than 20 feet measured perpendicularly from each side property line of the lot or parcel, and

(c) a rear set back of not less than 25 feet measured perpendicularly from the rear property line of the lot or parcel,

(d) where lots or parcels are less than 20,000 square feet and used for a single family residence, or resort purposes, the building set-backs shall be as required by the Building Inspector, or such greater set back as may be required by the Commission.

### Section 36

(1) Notwithstanding the permitted uses specified in Section 35, the Commission may permit the following discretionary uses in the Country Residential District:

(a) an isolated single family dwelling unit,

(b) a mobile unit,

(c) a use specified in the Agricultural Mixed Land Use District under Sections 32 and 33,

(d) a permitted use specified in the Recreational District, under Sections 38 and 39,

(e) a mobile home park,

(f) an accessory building thereto,

(g) a home occupation,

(h) Clusters of single dwellings not within an adopted area structure plan or where each dwelling unit is not on a separate parcel or lot,

(i) A permitted use specified in the Resource Extraction District under Section 49,

(j) Public Utility building, plant, or facility,

(k) An apiary (beekeeping) where the lot or parcel size is greater than acres, and is not located within or, in the opinion of the Commission would not adversely affect, a multi-parcel residential subdivision,

(l) The Commission may allow the continuation of existing or the reestablishment of previously existing highway commercial uses provided those uses are allowed in the regional plan and, in the opinion of the Commission, the continuation or re-establishment would not adversely affect existing and proposed adjacent land use,

(m) A use specified in the Industrial/Commercial District under Section 41(b) provided the land is located within an adopted area structure plan and the use is permitted by the area structure plan.

(2)The minimum and maximum lot or parcel size for a discretionary use shall be as follows:

(a)for clusters of single family dwellings or an isolated single family dwelling, the minimum and maximum lot or parcel size shall be as required by tie Commission provided the minimum is not less than 20,000 square feet and the maximum not greater than 10 acres,

(b)for a permitted use specified in the Agricultural Mixed Land Use District the minimum lot or parcel size shall be as specified in Section 32,

(c)for a permitted use specified in the Recreational District the minimum lot or parcel size shall be as required by the Commission, and

(d)for a mobile park, the minimum lot or parcel size shall be as required by the Commission.

(3)The minimum floor area of any single family dwelling unit shall be 750 square feet.

(4)The minimum building set backs for a discretionary use shall be as required by the Commission.

The County of Parkland No. 31 Land Use By-Law 19-79

Sections 37 - 39 Recreational District

Section 37

The Recreational District comprises all that land in the municipality as shown on the land use district map in Schedule "B". (as amended January, 1981)

(1) All land included in the Recreational District:

(a) that abuts or is situated in the near vicinity of the bed and shore of a river, stream, watercourse, lake or other permanent body of water is further designated as the Passive Recreational Subdistrict, and

(b) that is situated more than one half mile from the bed or shore of a river, stream, watercourse, lake or other permanent body of water is further designated as the Active Recreational Subdistrict

Section 38

(1) The primary purpose of the Recreational District is to permit the development of a public or private active or inactive recreational facility and without limiting the generality of the foregoing:

(a) the permitted uses in the Passive Recreational Subdistrict are:

(iii) a golf course,

(v) a picnic ground,

(vi) a trailway, and

(vii) an historic site registered or classified under the Alberta Historical Resources Act;

and

(b) the permitted uses in the Active Recreational Subdistrict are:

(ii) an archery club,

(iii) an athletic ground or stadium,

(iv) a baseball ground,

(v) a football ground,

(vi) a livery stable or riding academy,

(vii) a rodeo ground,

(viii) a ski resort,

(ix) a trap shooting club,

(x) a use specified in clause (a)

(2) The minimum and maximum lot or parcel size for a permitted use shall be as required by the Commission.

(3) The minimum building set backs for a permitted use shall be as required by the Commission.

(4) Where lots or parcels are less than 20,000 square feet and used for a single family residence or resort purposes. the building setbacks shall be as required by the Building Inspector.

### Section 39

(1) Notwithstanding the permitted uses specified in Section 38, the Commission may permit the following discretionary uses in the Recreational District:

(a) Clusters of single family dwellings, provided that not less than 50% of the area of the lot or parcel to be developed is:

(i) classified by the Canada Land Inventory as Class 4, Class 5, Class 6, or Class 7 or combinations of two or more of these classes, or has a Storie rating Index of 1, 2, 3-4, 4-5 or combinations of two or more of these indices, as to soil capability, as the case may be, and

(ii) classified as Class A, B, C or D as to topography, and

(iii) classified as Class A, B, or C or combinations or two or more of these classes as to drainage.

all in accordance with Section 23.

(b) an isolated single family dwelling unit,

(c) a school,

(d) a church or other religious structure,

(e) a race course,

(f) a use specified in the Agricultural Mixed Land Use District under Sections 32 and 33,

(g) A permitted use specified in the Resource Extraction District under Section 49,

(h) A public or private recreation ground,

(i) A public or private park,

(j) A campground,

(k) A marina.

(2) The minimum lot or parcel size for one family dwelling unit shall be 20,000 square feet and the maximum lot or Parcel size shall be 10 acres.

(3)The minimum and maximum lot or parcel size for any other discretionary use shall be as required by the Commission.

(4)The minimum set backs for a one family dwelling unit shall be:

(a)a front set back of not less than:

(i)25 feet measured perpendicularly from the front property line when adjacent to an internal subdivision roadway,

(ii)125 feet measured perpendicularly from the centre line of the right-of-way of the adjoining municipal roadway,

(iii)200 feet measured perpendicularly from the centre line of the right-of-way of an existing or proposed secondary highway,

(iv)as determined by Alberta Transportation when adjacent to a Primary highway.

(b)a side set back of not less than 20 feet measured perpendicularly from the side property line of the lot or parcel, and

(c)a rear set back of not less than 25 feet measured perpendicularly to the rear property line of the lot or parcel, except in the case of a lot or parcel on or abutting the bank of a river, stream, watercourse, lake or other permanent body of water, the main building shall be set back not less than 75 feet from the top of the bank or such greater distance as may be required by the Commission.

(5)The minimum set backs of the main building of any other discretionary use shall be as required by the Commission.

The County of Parkland No. 31 Land Use By-Law 19-79

Sections 40 - 42 Industrial/Commercial District

Section 40

The Industrial/Commercial District comprises all that land in the municipality as shown on the land use district map in Schedule "B". (as amended January, 1981)

(1)The Council may further designate any part of the Industrial/Commercial District as:

- (a)an Industrial Subdistrict, or
- (b)a Commercial Subdistrict.

Section 41

(1)The primary purpose of the Industrial/Commercial District is to provide for the development of industrial and commercial enterprises which generally are compatible one with another and without limiting the generality of the foregoing, the Commission may permit the following discretionary uses:

(a)in the Industrial/Commercial District or in an Industrial Subdistrict:

- (i)an abattoir,
- (ii)an auto sales outlet,
- (iii)an auto wrecking plant, storage or auto replacement parts outlet,
- (iv)a building materials manufacturing plant, storage or yards,
- (v)a bulk oil station,
- (vi)a cement plant,
- (vii)a fertilizer producing plant,
- (viii)a gas or sulphur producing plant,
- (ix)a laboratory,
- (x)a laundry,
- (xi)a manufacturing plant,
- (xii)an oil refinery or oil producing facility,

(xiii) a public utility building, plant or facility,

(xiv) a servicing and repair establishment,

(xv) a sheet metal or welding establishment,

(xvi) a warehouse,

(xvii) a wholesale storage and sales facility,

(xviii) a commercial kennel,

(xix) a single dwelling unit required to provide security to an Industrial/Commercial development,

(xx) storage of equipment, machinery, vehicles, or miscellaneous materials.

(b) in the Industrial/Commercial District or a Commercial Subdistrict:

(i) a bank,

(ii) a barber shop or beauty parlour,

(iii) a commercial sales establishment,

(iv) a commercial services centre,

(v) a commercial laundry,

(vi) a grocer or foodstore,

(vii) a health, baby, or dental clinic,

(viii) an institutional or public building,

(ix) a motel, hotel, or inn,

(x) an office or office block.

(xi) a professional building,

(xii) a restaurant or cafe,

(xiii) a research laboratory,

(xiv) a self service laundry outlet,

(xv) a shopping centre, and,

(xvi) a commercial kennel.

(2) The maximum and minimum lot or parcel size for a discretionary use in the Industrial/Commercial District shall be as required by the Commission.

(3) The minimum building set backs shall be as required by the Commission.

(4) The number of on-site parking places for a discretionary use in the Industrial/Commercial District shall be as

required by the Commission.

## Section 42

(1) Notwithstanding the discretionary uses specified in Section 41, the Commission may permit the following additional uses when it considers them compatible with existing adjacent and surrounding development:

(a) in an Industrial Subdistrict:

(i) a resource extractive industry,

(ii) a rendering plant,

(iii) a use specified in clause (b) of subsection (1) of Section 41, and

(b) in a Commercial Subdistrict a use specified in clause (a) of subsection (1) of Section 41.

(2) The maximum and minimum lot or parcel size for discretionary use shall be as required by the Commission.

(3) The minimum set backs of a building of a discretionary use shall be as required by the Commission.

(4) The number of on-site parking places for a discretionary use shall be as required by the Commission.

The County of Parkland No. 31 Land Use By-Law 19-79

Sections 43 - 44 Industrial/Commercial Reserve District

Section 43

The Industrial/Commercial Reserve District comprises all that land in the municipality as shown on the land use district map in Schedule "B", (as amended January, 1981)

SECTION 44

- (1)The Commission may allow any of the discretionary uses described in the direct control regulations that apply to the particular Industrial/Commercial Reserve District.
- (2)The minimum lot or parcel size for a discretionary use shall be 10 acres or such greater area as may be required by the Commission.
- (3)Building set backs for a discretionary use shall be as required by the Commission.

## The County of Parkland No. 31 Land Use By-Law 19-79

### Sections 45 - 47 Urban Expansion District

#### Section 45

The Urban Expansion District comprises all that land in the municipality as shown on the land use district map in Schedule "B". (as amended January, 1981).

#### Section 46

(1)The purpose of the Urban Expansion District is to limit the development of land situated around an incorporated town or village to those uses which require a larger lot or parcel on which to operate and without limiting the generality of the foregoing, the permitted uses are as follows:

(a)cereal crop farming,

(b)forage crop farming,

(c)the raising of livestock and dairy herds, and

(d)native pasture and grazing.

(2)The minimum lot or parcel size for a permitted use shall be 160 acres.

(3)The minimum building set backs for a permitted use shall be:

(a)a front set back of not less than:

(i)25 feet measured perpendicularly from the front property line when adjacent to an internal subdivision roadway.

(ii)125 feet measured perpendicularly from the centre line of the right-of-way of the adjoining municipal roadway.

(iii)200 feet measured perpendicularly from the centre line of the right-of-way of an existing or proposed secondary

(iv)as determined by Alberta Transportation when adjacent to a primary highway.

(b)a side set back of not less than 20% of the mean lot or parcel width or 20 feet whichever is the lesser measured perpendicularly from the side property line of the parcel or lot, except in the case of a corner parcel or lot where the side set back shall be as required by the Commission.

(c)a rear set back of not less than 25 feet measured perpendicularly from the rear property line of the parcel or lot.

#### Section 47

(1)Notwithstanding the permitted uses specified in Section 46, the Commission may permit the following discretionary

uses in the Urban Expansion District:

(a) tree farming and nurseries,

(b) market gardening,

(c) hog raising farms,

(d) chicken and turkey farms,

(e) a kennel for the boarding and/or breeding of dogs,

(f) a permitted use specified in the Recreational District under Section 38,

(g) a historic site registered or classified under the Alberta Historical Resources Act, and

(h) a use compatible with the logical extension of uses designated on the general municipal plan of the urban municipality which is situated adjacent to the Urban Expansion District,

(i) an isolated single family dwelling unit.

(2) The minimum lot or parcel size for a discretionary use shall be as required by the Commission.

(3) The minimum building set backs shall be as required by the Commission.

## The County of Parkland No. 31 Land Use By-Law 19-79

### Sections 48 - 50 Resource Extraction District

#### Section 48

The Resource Extraction District comprises all that land in the municipality as shown on the land use district map and as described in Schedule "B" (as amended Jan.,)

#### Section 49

(1)The primary purpose of the Resource Extraction District is to permit the exploration for and extraction of natural and mineral resources and the development of works associated therewith, and without limiting the generality of the foregoing, the permitted uses are:

- (a)the extraction of coal,
- (b)the extraction gas,
- (c)the extraction of oil,
- (d)the extraction of sand,
- (e)the extraction of gravel,
- (f)the extraction of peat,
- (g)the extraction of timer, and
- (h)a plant, works or-facility used in conjunction with any of the above

#### Section 50

(1)Notwithstanding the permitted uses specified in Section 49, the Commission may, in its discretion, permit the following discretionary uses in the Resource Extraction District:

- (a)a permitted use specified in the Agricultural Mixed Land Use District under Section 32,
- (b)a permitted use specified in the Recreational District under Section 38,
- (c)a permitted use specified in the Country Residential District under Section 35, and
- (d)a historic site registered or classified under the Alberta Historical Resources Act.

## The County of Parkland No. 31 Land Use By-Law 19-79

### Sections 51 - 53 Direct Control District

#### Section 51

The Direct Control District comprises all that land in the municipality as shown on the land use district map and as described in Schedule "B" (as amended January)

#### Section 52

The purpose of the Direct Control District is to permit the flexible use and development of land situated in the District, subject to such rules with respect to land use generally or specifically as the Council may by resolution make from time to time.

#### Section 53

(1)Notwithstanding Section 52, in the case where land situated in a Direct Control District is the subject of an adopted area structure plan or area redevelopment plan, the permitted uses for that land are the uses designed in the area structure plan or area redevelopment plan as the case may be.

(2)In the case where land situated in those parts of the Direct Control District designated separately as the Hamlets of:

(a)Cynthia,

(b)Duffield,

(c)Lodgepole,

(d)Rocky Rapids,

(e)Tomahawk, and

(f)Violet Grove,

and as shown on the land use district map in Schedule "B", the Commission may permit as a discretionary use for that land any specific use of land normally permitted in an urban municipality.

(3)Notwithstanding the Land Use District, and subject to subsections (1) & (2), those uses within a Direct Control District Regulations adopted by Council for that particular area.

(4)In the absence of Direct Control District Regulations the permitted and discretionary uses within the Land Use District shall apply.

## The County of Parkland No. 31 Land Use By-Law 19-79

### Sections 59 - 62 Enforcement

#### Section 59

A person who is issued a development permit and who commences to do any act or thing or cause any act or thing to be done on land before the permit comes into effect does so solely at his own risk.

#### Section 60 APPEAL AGAINST A DEVELOPMENT ORDER

(1)The Board may:

(a)confirm, revoke or vary any Order appealed against, or

(b)if the appellant fails to appear at the hearing without due cause or notification of his intended absence, confirm that the Order continues in effect.

#### Section 61

(1)Where a development authorized by a development permit at the time the permit expires in accordance with Section 21:

(a)has not commenced, the permit is deemed to be null and void and the applicant shall apply for a new development permit if he intends to proceed with the development, or

(b)has not been carried out with reasonable diligence, the Commission or the Development Officer may issue an Order requiring the applicant to make a new application for a development permit if he intends to complete the development.

#### Section 62 PENALTIES

A person who contravenes or fails to comply with any provision of this Bylaw, or contravenes or fails to comply with a development permit or a condition attached to it, and where the contravention or non-compliance is not remedied by the person as the result of failure of the person to comply with a notice in writing issued by the Commission or the Development Officer under Section 79 of the Act, is guilty of an offence and is liable upon summary conviction to a fine not exceeding \$500.00 exclusive of costs and a minimum and maximum daily fine of \$100.00 and \$500.00 respectively for every day that the offence continues after conviction, and in default of payment to imprisonment for a term not exceeding 6 months.

The County of Parkland No. 31 Land Use By-Law 19-79

Sections 63 - 64 Miscellaneous

Section 63

Notwithstanding the permitted uses and discretionary uses specified for any land use district in Part 4 of this Bylaw, where a parcel or lot of land is 80 acres or more in area, an application for a development permit for a second single family dwelling unit on the parcel or lot on which is already built a single family dwelling unit shall be approved by the Commission, provided that the application otherwise complies with Parts 3 or 6 of this Bylaw and the applicable regulations in Part 4.

Section 64

Except as permitted under Section 63, where a single parcel or lot contains two or more separate single family dwelling units for which a development permit has not previously been obtained, the Council may require:

- (1) the registered owner of the parcel or lot to subdivide the parcel or lot in accordance with Sections 77 and 78 or the Act, or
- (2) the Commission to order the registered owner of the parcel or lot to demolish or remove the second or additional dwelling unit and enforce the Order in accordance with Sections 79 and 80 of the Act.

The County of Parkland No. 31 Land Use By-Law 19-79

Schedule A Designated Deemed Approved Developments

Pursuant to Section 3 of the Land Use Bylaw, development designated as "Deemed Approved" includes:

- (1) An accessory use or accessory building provided the buildings(s) do not exceed 1500 square feet in combined floor area, and providing the accessory use or accessory building does not form part of, or is not used in conjunction with, the operation of a business.
- (2) The completion of the use of land or the construction of a building for which a development permit has been issued or was in effect on or before the day on which this Bylaw or an amendment thereof comes into force.
- (3) The erection or construction of a gate, fence, wall or other means of enclosure, other than on corner parcels or lots which is less than 6 feet in height, and the maintenance, improvement or alteration to a gate, fence, wall or other means of enclosure.
- (4) The erection, construction and maintenance of a building, works, plant or machinery necessary for the construction of a building for which a development permit is issued, for the period of time necessary for the construction of the building.
- (5) The maintenance and repair of public works, services or utilities carried out by or on behalf of the Federal or Provincial government, the Council or another local authority on land which is owned or controlled by the Government, County or other local authority.
- (6) The repair or maintenance of a building for which a development permit has been issued.
- (7) Any building or structure other than a farm single dwelling to be developed as an accessory use or building to an agricultural operation on land situated in the Agricultural Mixed Land Use District.
- (8) The construction of a single family detached residence for farm purposes or in an approved residential subdivision where the parcel or lot lies within Country Residential or Agricultural Mixed Land Use District.
- (9) Any permitted use within an extensive Agricultural Mixed Land Use District considered deemed approved by the Commission.

The County of Parkland No. 31

Big Lake Direct Control District Regulations

WHEREAS, Section 68 of the Planning Act (1977) provides for the establishment of Direct Control, Districts to exercise particular control over the use and development of land or buildings within an area of the municipality, and;

WHEREAS, the Land Use Bylaw for the County of Parkland No. 31 has designated a number of Direct Control Districts, and;

WHEREAS, the Council of the County of Parkland No. 31 considers it desirable to exercise particular control, now;

THEREFORE, the following regulations are adopted by resolution of the Council of the County of Parkland No. 31 and are herein to be known as "The Big Lake Direct Control District Regulations".

The Big Lake Direct Control District comprises all that land in the municipality as shown on the Land Use District Map and described in Section 2(b)(ii) of Schedule "B" of Bylaw 19-79 being the County of Parkland No. 31 Land Use Bylaw.

The Municipal Planning Commission may permit the following discretionary uses:

- 1)a) a single family dwelling unit,
- b) clusters of single family dwelling units,
- c) a school,
- d) a church,
- e) a historic site registered or certified under the Alberta Historical Resources Act,
- f) cereal crop farming,
- g) forage crop farming,
- h) the raising of livestock (Note: force feed lot not included),
- i) ranching,
- j) native pasture and grazing,
- k) tree farming and nurseries.
- l) market gardening,
- m) a cemetery,

h)a commercial kennel,

o)a commercial greenhouse,

p)an institutional use,

q)a public or private park,

r)a campground,

s)a golf course,

t)a picnic ground,

u)a trailway,

v)an archery club,

w)a baseball ground,

x)a football ground,

y)a home occupation.

2)a)The minimum parcel size for a discretionary use will be 40 acres or as otherwise determined by the Municipal Planning Commission.

b)No subdivisions will be allowed prior to an Area Structure Plan for the area being adopted by Council except in those instances where, in the opinion of Council, the subdivision will not be precedent setting or prejudicial to the preparation and adoption of an Area Structure Plan.

3)The minimum floor area of any single family dwelling shall be 750 square feet.

4)The minimum building set-back for a discretionary use shall be:

a)a front setback of not less than:

i)25 feet measured perpendicularly from the front property line when adjacent to an internal subdivision roadway,

ii)125 feet measured perpendicularly from the centre line of the right-of-way adjoining municipal roadway,

iii)200 feet measured perpendicularly from the centre line of the right-of-way of an existing or proposed secondary highway,

iv)as determined by Alberta Transportation when adjacent to a primary highway

b)a side set-back of not less than 20 feet measured perpendicularly from each side property line of the lot or parcel, and

c)a rear set-back of not less than 25 feet measured perpendicularly from the rear property line of the lot or parcel, or such greater set-back as may be required by the Commission.

ADOPTED by resolution of the Council of the County of Parkland No. 31 this 16th day of January 1980.

The County of Parkland No. 31

Winterburn Industrial Direct Control District Regulations

WHEREAS, Section 68 of the Planning Act (1977) provides for the establishment of Direct Control Districts to exercise particular control over the use and development of land or buildings within an area of the municipality, and;

WHEREAS, the Land Use Bylaw for the County of Parkland No. 31 has designated a number of Direct Control Districts, and;

WHEREAS, the Council of the County of Parkland No. 31 considers it desirable to exercise particular control, now;

THEREFORE, the following regulations are adopted by resolution of the Council of the County of Parkland No. 31 and are herein to be known as "The Winterburn Industrial Direct Control District Regulations".

The Winterburn Area Industrial Direct Control District comprises all that land in the County of Parkland No. 31 described as follows: Section 6 & 7; Township 53; Range 25; West of the Fourth Meridian and Sections 1, 2, 3, 10, 11 and 12; Township 53; Range 26; West of the Fourth Meridian.

#### A) Permitted Uses

In general, the area will cater to the light manufacturing, warehousing and construction industries. Other land uses being encouraged to locate in the area are commercial office space and retail commercial services such as banks, fast food outlets, service stations, etc. Construction industries and industrial storage facilities will be located in the central core of the area while higher standard developments will be permitted adjacent to the primary highways bordering the area.

#### B) Building Appearance

All buildings shall be of an architectural design approved by the Development Officer of the County of Parkland No. 31. All buildings must meet the requirements of the current National Building Code of Canada for industrial purposes. All main buildings erected shall be of masonry fiberglass and/or metal construction, or its equivalent or better. The front of all buildings shall be finished with face brick, stucco, waterproofing paint, or their equivalent.

#### C) Landscaping and Site Appearance

All portions of the front yard and side yards on corner lots, not used for permitted parking, driveways, or walks, etc., shall be landscaped with trees, shrubs and planted ground cover and the entire site and all buildings maintained in a neat and tidy manner including the trimming and upkeep of landscaped areas and the removal of debris and unsightly objects, all to the satisfaction of the Development Officer. All landscaping shall be completed within one year of the date on which a Development Permit is issued.

#### D) Front Yards

The minimum front yard set-back shall be 50 feet, of which a strip of at least 10 feet abutting and paralleling the front property line, shall be landscaped to the satisfaction of the Commission or Development Officer. Customer parking,

driveways, and walks may be permitted within the balance of front yard. No loading, storage, or employee parking shall be permitted within the front yard set-back.

## E)Side Yards

### 1.Internal Lots

A side yard shall be provided on at least one side of the building of not less than 25 feet. The second side yard may be reduced to 15 feet provided that all building walls meet the fire resistance rating as required by the Building Inspector.

### 2.Corner Lots

Both side yards shall be provided of at least 25 feet. On the side yard abutting the road right-of-way, a minimum 10 foot strip shall be landscaped to the satisfaction of the Commission or Development Officer. No loading, storage, or employee parking shall be permitted within the area from the rear of the main building to the front lot line on the side yard abutting a road right-of-way.

## F)Rear Yards

A rear yard shall be provided, the minimum depth of which shall not be less than 25 feet.

The Municipal Planning Commission may reduce the above side yard and/or rear yard requirements wherever there is an abutting railway line or utility lot.

## G)Site Coverage

The maximum area of each site which may be built upon shall be 60 percent of the site area.

## H)Site Lines

No person on a corner parcel shall erect, place or maintain a building, wall, fence, shrub, tree, hedge or any other such object over three (3) feet in height above the lowest street grade adjacent to the intersection within a triangle formed by the abutting street a distance of 50 feet from the point where they intersect. In special circumstances the site line set-back shall be at the discretion of the Municipal Planning Commission.

## I)Floor Area Ratio

The ratio of floor area to site area shall not exceed 2 to 1.

## J)Parking

Provision must be made for adequate employee and visitor parking. There shall be at least one parking stall for every two employees. Adequate on-site parking shall be provided for visitors and customers.

## K)Permitted Signs

On each industrial site, the following signs may be permitted subject to the following limitations:

- 1)Identification signs and signs advertising products manufactured or sold on the premises.
- 2)Identification signs shall be permanently attached to or constructed as part of the fact of the building or erected on a marquee. Signs, or parts of signs, shall not exceed above the roof line of the building to which they are attached.
- 3)An identification sign may not exceed 300 square feet in area, except that when individual letters are used, the maximum permissible area shall be at the discretion of the Municipal Planning Commission.

4)In addition to the above, one sign may be erected to identify the district and industries within. Such a sign may be free standing or attached to a wall or fence. It shall not exceed a total area of two hundred square feet.

5)Identification signs may be animated or illuminated, but not flashing. Illumination of signs, facades, buildings, parking areas, loading facilities shall be so arranged as to eliminate glare from roadways and streets and must be approved by the Municipal Planning Commission or Development officer.

#### L)Accessways

Each separate use or lot shall have not more than two accessways or approach roads and shall be laid out having regard to continuity of traffic, flow, the safety of vehicles, and avoidance of dangerous intersections. All accessways must be approved by the County Engineer.

#### M)Storage

Outdoor storage shall be permitted only when accessory to a permitted principal use. Where, in the opinion of the Commission or Development Officer, a storage area is or will be considered unsightly, the Commission may require that the area be screened from public streets by a solid wall, fence, building or landscaping. Such walls or fence shall not be less than 6 feet in height and of such materials and design that are satisfactory to the Commission or Development Officer.

#### N)Easements and Rights of Way

No buildings or structure shall be sited closer than 25 feet from the boundary of any easement or right-of-way except as may be approved by the Municipal Planning Commission.

#### O)Burning

Burning will be permitted within the Industrial Area providing the burning facilities have been approved by the Department of Environment.

#### P)Sanitary Facilities

All sanitary facilities, etc. must be approved by the Department of Environment and Local Health Unit, and must be permitted by the Provincial Plumbing Inspector.

#### Q)Fire Protection

A fire fighting water resevoir must be installed for each individual development to the satisfaction of the County Fire Chief unless the subdivision is serviced with a piped water system tot he satisfaction of the County Fire Chief and/or County Engineer.

#### AUTO WRECKAGE

The following additional regulations apply to Auto Wreckers:

1)Auto wreckages shall be defined as a development which involves the storage of more than two inoperative vehicles licensed or not whether for the purposes of resale of parts or not.

2)No fence or structure shall be located closer than 150 feet from the centre line of the municipal or County road, or 200 feet from the centre line of an existing or proposed secondary highway.

3)There shall be an 8 foot high solid fence provided on a minimum of 3 sides.

4)Heights of storage hulks shall not exceed the height of the fence.

- 5) Maximum acreage for storage shall be 5 acres with a minimum of 1 acre.
- 6) All vehicles will be stored within the enclosed area.
- 7) The final disposal of the stripped hulks shall be the responsibility of the owner.
- 8) The fence and structures shall be painted uniformly and shall be maintained in a tidy manner to the satisfaction of the Commission or Development Officer.
- 9) The location and size of the advertising and identification signs shall be subject to the approval of the Commission.

ADOPTED by resolution of the Council of the County of Parkland No. 31 this 16th day of January 1980.

The County of Parkland No. 31

Winterburn-South Direct Control District Regulations

WHEREAS, Section 68 of the Planning Act (1977) provides for the establishment of Direct Control Districts to exercise particular control over the use and development of land or buildings within an area of the municipality, and;

WHEREAS, the Land Use Bylaw for the County of Parkland No. 31 has designated a number of Direct Control Districts, and;

WHEREAS, the Council of the County of Parkland No. 31 considers it desirable to exercise particular control, now;

THEREFORE, the following regulations are adopted by resolution of the Council of the County of Parkland No. 31 and are herein to be known as "The Winterburn-South Direct Control District Regulations".

The Winterburn-South Direct Control District comprises all that land in the municipality as shown on the Land Use District Map and described in Section 2(b)(iv) of Schedule "B" of Bylaw 19-79 being the County of Parkland No. 31 Land Use Bylaw.

The Municipal Planning Commission may permit the following discretionary uses:

- 1)a)cereal crop farming,
- b)forage crop farming,
- c)the raising of livestock,
- d)ranching,
- e)native pasture and grazing,
- f)tree farming and nurseries,
- g)market gardening,
- h)a historic site registered or classified pursuant to the Alberta Historic Resources Act,
- i)an abattoir,
- j)a commercial kennel,
- k)a fur bearing animal farm,
- l)a commercial greenhouse,
- m)commercial peat removal and processing

- n)a commercial rabbit farm,
- o)hog raising farms,
- p)chicken and turkey farms,
- q)force fed lots,
- r)a drive-in theatre,
- s)an institutional use,
- t)an isolated single family dwelling.

2)a)The minimum parcel size for a discretionary use will be 40 acres or as otherwise determined by the Municipal Planning Commission.

b)No subdivisions will be allowed prior to an Area Structure Plan for the area being adopted by Council except in those instances where, in the opinion of Council, the subdivision will not be precedent setting or prejudicial to the preparation and adoption of an Area Structure Plan.

3)The minimum building set-back shall be as required by the Municipal Planning Commission.

ADOPTED by resolution of the Council of the County of Parkland No. 31 this 16th day of January 1980.

## County of Strathcona Land Use Bylaw No. 44 - 80

Portions of the Bylaw are reproduced here for reference. Administrative sections and Land Use Districts not found within the City boundary are not included.

### [Part 1, Section 3 Definitions](#)

### **Part 4, Schedule 1, Section 1 General Regulations**

[Part 4, Schedule 1, Section 1\(1\) Regulations are applicable to all districts](#)

[Part 4, Schedule 1, Section 1\(2\) Regulations Applicable to Public Walkways](#)

[Part 4, Schedule 1, Section 1\(3\) Regulations applicable to residential districts](#)

[Part 4, Schedule 1, Section 1\(4\) Regulations applicable to multi-family developments](#)

[Part 4, Schedule 1, Section 1\(5\) Regulations applicable to all mobile homes](#)

### **Part 4, Schedule 1, Section 2 Regulations by Land Use Districts**

Urban Districts

[C-3 - Highway Commercial District](#)

[RI - Restricted Industrial District](#)

Rural Districts

[AG - Agricultural District](#)

[RR - Rural Recreation and Open Space District](#)

[CR - Country Residential District](#)

[SH - Small Holdings District](#)

[MHR - Mobile Home Residential District](#)

[GI - General Industrial District](#)

[HI - Heavy Industrial District](#)

### **Part 4, Schedule 2 Special Provisions**

[Part 4, Schedule 2, Section 1 Churches, Assembly Halls and Places of Worship](#)

[Part 4, Schedule 2, Section 2 Drive-in Services](#)

[Part 4, Schedule 2, Section 3 Home Occupations](#)

[Part 4, Schedule 2, Section 4 Motels and Motor Hotels](#)

[Part 4, Schedule 2, Section 5 Service Stations](#)

[Part 4, Schedule 2, Section 6 Car Washing Establishments](#)

[Part 4, Schedule 2, Section 7 Drive-through Vehicle Services](#)

[Part 4, Schedule 2, Section 8 Mobile Home Parks](#)

[Part 4, Schedule 2, Section 9 Architectural Controls](#)

[Part 4, Schedule 2, Section 10 Shopping Centres](#)

**Part 4, Schedule 3 Off-street Parking**

[Part 4, Schedule 3, Section 1 General Regulations](#)

[Part 4, Schedule 3, Section 3 Off-street Parking Requirements](#)

[Part 4, Schedule 3, Section 4 Off-street Loading](#)

**Part 4, Schedule 4 Sign Regulations**

[Part 4, Schedule 4, Section 1 Purpose of Regulations](#)

[Part 4, Schedule 4, Section 2 Definitions](#)

[Part 4, Schedule 4, Section 3 Permitted Development](#)

[Part 4, Schedule 4, Section 5 General Provisions](#)

[Part 4, Schedule 4, Section 6 Fascia Signs](#)

[Part 4, Schedule 4, Section 7 Marquee and Canopy and Roof Signs](#)

[Part 4, Schedule 4, Section 8 Projecting Signs](#)

[Part 4, Schedule 4, Section 9 Freestanding Signs](#)

[Part 4, Schedule 4, Section 10 Temporary Signs and Freestanding Portable Signs](#)

[Part 4, Schedule 4, Section 11 Billboards](#)

[Part 4, Schedule 4, Section 12 Illuminated Roof and Sky Signs](#)

County of Strathcona Land Use Bylaw No. 44 - 80

Part 1, Section 3 Definitions

Definitions:

For the purpose of this Bylaw, certain terms or words herein shall be interpreted or defined as follows:

Words used in the present tense include the future tense. The singular includes the plural. The word "person" includes a corporation as well as an individual. The word "lot" includes the word "plot," or "Parcel". The term "shall" is always mandatory. The word "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".

All other words and expressions shall have the meanings respectively assigned to them in the Planning Act, 1977, as amended.

[A](#) [B](#) [C](#) [D](#) [E](#) [F](#) [G](#) [H](#) [I](#) [J](#) [K](#) [L](#) [M](#) [N](#) [O](#) [P](#) [Q](#) [R](#) [S](#) [T](#) [U](#) [V](#) [W](#) [X](#) [Y](#) [Z](#)

## County of Strathcona Land Use Bylaw No. 44 - 80

## Part 1, Section 3 Definitions A

**ACCESSORY**, when used to describe a use or building, means a use or building naturally and normally incidental, subordinate and exclusively devoted to the principal use or building and located on the same lot or site;

**ACT** means "The Planning Act, 1977" as amended;

**AIRSTRIP** means an area of land or water designed to accommodate the arrival or departure of aircraft for which an airport license has not been issued by the Federal Ministry of Transport;

**AMENITY AREA** means required space indoor or outdoor, provided and intentionally designed for the active or passive recreation and enjoyment of the occupants of a residential development, which may be for private or communal use and owned individually or in common;

**ANIMAL UNIT** shall mean the definition found in the Confinement Livestock Facilities Waste Management Code of Practice produced by Alberta Environment and Agriculture, September 1973. More specifically, animal unit is defined as the following:

Kind of Animal	No. of Animals Equivalent to One Animal Unit (A.U.)
<b>Cattle:</b>	
Cows or bulls	1.0
Feeder cattle	1.5
Replacement heifers	2.0
Calves	4.0
<b>Swine:</b>	
Sows - farrow to weaning (includes gilts suckling - 40 lbs.)	1.5
Feeder hogs (120 lb. average)	5.0
<b>Poultry:</b>	
Hens, cockerels	200.0
Chicks, broilers	350.0
Turkey hens	50.0
Turkey feeders	75.0
<b>Sheep:</b>	
Rams or ewes	10.0
Lambs	50.0
<b>Goats:</b>	

Billy or nanny goats	10.0
Kids	50.0
Horse:	1.0
Mink:	
Female mink plus associated male and kits	100.0

APPELLANT means a person who, pursuant to Sections 81 and 82 of the Act, has served a notice of appeal on the Development Appeal Board;

County of Strathcona Land Use Bylaw No. 44 - 80

Part 1, Section 3 Definitions B

**BASEMENT** means a storey partly below the grade level;

**BOARD** means the Development Appeal Board as established under Bylaw No. 53-80 and pursuant to Section 33 of the Act;

**BOARDING OR LODGING HOUSE** means a building (other than a hotel or motel) containing not more than 15 sleeping rooms where meals or lodging for four or more persons are provided for compensation pursuant to previous arrangements or agreement;

**BUFFER** means an area or strip of land created as a zone of transition or protection between two non-complementary or incompatible uses. Its dimensions and purpose will vary with the specifics of each situation. A portion of or all of the buffer lands may or may not be included as part of the Municipal Reserve dedication, as determined by the Development Officer or Commission;

**BUILDING** means any structure having a roof supported by columns or walls and intended for the shelter, housing or enclosure of persons, animals or chattels;

County of Strathcona Land Use Bylaw No. 44 - 80

Part 1, Section 3 Definitions C

**CANADA LAND INVENTORY (CLI)** means soil capability for agriculture (Edmonton - 83H), prepared under the Agricultural Rural Development Act;

**CARWASHING ESTABLISHMENT** means a public garage or other establishment for washing or cleaning motor vehicles for gain;

**CLINIC** means an establishment in which medical, dental or other professional healing treatment is given to human beings;

**COLLECTOR STREET** means a public roadway, the function of which is to collect and distribute traffic from major arterials to less important arterial streets, to serve community business centres, high schools, athletic fields, neighbourhood shopping centres, parks, golf courses and other secondary traffic generators, and to serve traffic from neighbourhoods within the community;

**COMMERCIAL SCHOOL** means a school conducted for hire or gain other than a private academic, religious or philanthropic school, and includes the studio of a dancing teacher, music teacher, an art school, golf school, school of calisthenics, business school and any other such specialized school conducted for hire or gain;

**COMMISSION** means the Municipal Planning commission established under Bylaw No. 46-80 pursuant to Section 28 of the Act;

**COUNCIL** means the Council of the County of Strathcona No. 20;

**COURT, INNER** means an open space, unoccupied from the ground upwards or from an intermediate floor upwards, located on the same lot with the building which it serves and enclosed on all sides by the exterior walls of such building, or by such walls and the line or lines of an adjoining lot or lots;

**COURT, OUTER** means an open space, unoccupied from the ground upwards located on the same lot as the building which it serves, enclosed on three or more sides by the exterior walls of such building, or by such walls and the line of an adjoining lot or lots with at least one side or end extending to or opening upon a street or yard;

**COVERAGE** means, in the case of a residential building or structure, the combined area of all buildings or structures on the lot, measured at the level of the lowest storey containing habitable rooms and, in the case of a non-residential building or structure, the combined area of all buildings or structures upon the lot, measured at the level of the lowest storey above grade, including, in both cases, all porches and verandas, open or covered stairwells and all other space within a building, but excluding inner or outer courts, open and enclosed terraces at grade, steps, cornices, eaves and similar projections;

County of Strathcona Land Use Bylaw No. 44 - 80

Part 1, Section 3 Definitions D

**DEVELOPABLE AREA** means area or building site with a near surface groundwater table of not less than 2.1 metres (6.9 feet) below the surface level and shall not include required setbacks and yards;

**DEVELOPMENT** means the carrying out of construction, excavation or other operations in, on, over or under land, or the making of any changes in the use or in the intensity of use of any land, building or premises and, for the avoidance of doubt and without restricting the generality of the foregoing includes:

a) in a building or on a parcel used for dwelling purposes, any increase in the number of families occupying and living in the building or on the parcel, and any alterations or additions which provide for an increase in the number of dwelling units within the building or on the parcel;

b) in a building or on a parcel used for other than dwelling purposes, any alterations or additions which increase the capacity of the building or parcel or which provides for an increase in the intensity of use of the building or parcel;

c) the display of advertisements on the exterior of any building or on any land;

d) the deposit of debris, waste material from building or mining operations or other refuse or unsightly material on any land, including land already being used for that purpose if the superficial area or height of any existing deposit is thereby extended;

e) the removal of topsoil, trees and shrubs and earth and gravel extraction from any land;

f) the recommencement of the use to which land or buildings have been previously put if that use has been discontinued for a period of more than six months;

g) the use or more frequent use for storage purposes, or for the repair of motor vehicles or other types of machinery, of land that was hitherto either not used at all or not used so frequently for such purposes;

h) the continuation of the use of land or of a building for any purpose for which it is being used unlawfully at the time this bylaw comes into effect;

i) the use or increase in frequency of intensity of use of land for the parking of trailers, bunk houses, portable dwellings, skid shacks or any other type of portable building whatsoever, whether or not the same has been placed on foundations or affixed to the land in any way;

**DEVELOPMENT OFFICER** means the officer appointed by Section 9, Subsection (1) of this bylaw;

**DEVELOPMENT PERMIT** means a certificate or document permitting a development and includes a plan or drawing or set of plans or drawings, specifications or other documents upon which the permit is issued;

**DISCRETIONARY USES** are those uses which are considered on their individual merits and circumstances by the Commission, and may be permitted on a specific site within a district, provided that the use conforms to all regulations

of the particular district to which the use applies, and provided the Commission has given due consideration to adjoining land uses;

**DISTRICT** means a defined area or district of the County as set out in this bylaw and shown on the Land Use Map;

**DRIVE-IN SERVICES** means development used for drive-through banking services, or for eating and drinking services which are provided in a manner that allows rapid customer service and includes attendant services; drive-through food pick-up services; or parking primarily intended for on-site consumption of food within a motor vehicle. Drive-in services shall not include car washing establishments, drive-in theatres or drive-through vehicle services.

**DRIVE-THROUGH VEHICLE SERVICES** means development providing rapid cleaning, lubrication, maintenance or repair services to motor vehicles, where the customer typically remains within his vehicle or waits on the premises. Typical uses include automatic car washes, rapid lubrication shops, or specially repair establishments.

**DRY CLEANING ESTABLISHMENT** means a building where the business of dry cleaning and pressing, repairing or reprocessing of articles or goods of fabrics is carried on at basement or ground level by means of dry cleaning machines or units and incidental equipment:

a) in which only non-flammable solvents are or can be used; and

b) which emit no odour or fumes, noise or vibrations causing nuisance or inconvenience within or without the premises and where, in connection with the business, only retail service is provided by the proprietor;

**DRY CLEANING SHOP** means a building where cleaning, pressing, repairing or reprocessing of articles or goods of fabric is carried on, including receiving and pick-up depots, but does not include a laundry or dry cleaning establishment or a wholesale dye plant;

**DWELLING GROUP** means a group of two or more detached one-family dwellings, semi-detached dwellings, duplex dwellings, apartment houses or terraced dwellings occupying the same site, are commonly owned and having a yard or court in common, but does not include a motel;

**DWELLING UNIT** means a building or portion thereof designed or used exclusively as the living quarters (construed as including sleeping, cooking and toilet facilities) for one or more persons;

**DWELLING, ONE-FAMILY** means a detached building consisting of one dwelling unit as herein defined and occupied, or intended to be occupied, as the permanent home or residence of one family;

**DWELLING, DUPLEX** means development consisting of a building containing only two dwellings, with one dwelling placed over the other in whole or in part with individual and separate access to each dwelling;

**DWELLING, SEMI-DETACHED** means development consisting of only two dwellings situated side-by-side and sharing a common wall. Each dwelling shall have separate, individual and direct access to grade, with no interior access connections, and no common means of access with other dwellings.

**DWELLING, ROW (TERRACED)** means development consisting of a building containing a row of more than three dwellings joined in whole or in part at the side only with no dwelling being placed over another in whole or in part. Each dwelling shall have separate, individual and direct access to grade, with no interior access connections, and no common means of access with other dwellings. This includes all linked, garden court, patio or other housing which meets such criteria;

**DWELLING, TOWNHOUSE** means a single building comprised of three or more dwelling units and constructed such that one or more dwelling units are located totally or partially above another, and each dwelling unit has a separate, direct entrance from grade or a landscaped area;

**DWELLING, TRIPLEX** means a development consisting of a building containing three dwelling units. Each dwelling

unit shall have separate, individual and direct access to grade, with no interior access connection and no common means of access with other buildings.

DWELLING, WALK-UP APARTMENT means an apartment building no more than three stories high, having a density not exceeding 75 units per hectare;

DWELLING, HIGH DENSITY APARTMENT means an apartment building more than three stories high with a population density of not more than 346 persons per gross hectare;

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Part 1, Section 3 Definitions E

ERECT means to build, construct, reconstruct, place and relocate and shall include:

- a) any preliminary physical operation such as excavating, filling or draining;
- b) altering any existing building or structure by an addition, enlargement, extension or reduction;

EXISTING means existing at the effective date of this bylaw;

County of Strathcona Land Use Bylaw No. 44 - 80

Part 1, Section 3 Definitions F

**FAMILY CARE FACILITY** means a facility which provides resident service in a private residence to six or fewer individuals who are not related to the resident household. These individuals are handicapped, aged, disabled, or in need of adult supervision and are provided service and supervision in accordance with their individual needs. This category includes foster or boarding homes for children, day care centres, group homes and family homes;

**FARMING** means the extensive cultivation of land including the keeping of livestock such as horses, cattle, sheep, hog and poultry farming but not including intensive agricultural activities or intensive livestock operations as defined in this bylaw;

**FARMSTEAD** means a site which meets any 3 of the following 5 criteria: a habitable house, an approach or access, power, a usable well, or a shelterbelt;

**FLOOR AREA** of a building means the total floor area of every room and passageway contained in a building, but not including the floor areas of basements, attics, walls, sheds, open porches or breezeways. Basement and attic floor areas shall be included only when they contain habitable rooms;

**FRAGMENTED PARCEL** means a parcel that is separated from the balance of a quarter section by a natural barrier such as a river or coulee, or by a physical barrier such as a roadway or highway, or by a fee simple right-of-way;

**FRONTAGE** means the width of a lot or a site where it abuts a street excluding a lane;

County of Strathcona Land Use Bylaw No. 44 - 80

Part 1, Section 3 Definitions G

**GARAGE, PARKING** means a building other than a private garage, designed or used primarily for the storage of motor vehicles;

**GARAGE, PRIVATE** means an accessory building or a part of the principal building designed and used primarily for the storage of motor vehicles and includes a carport;

**GARAGE, PUBLIC** means a building or part of a building other than a private garage used for the storage, care, repair, servicing or equipping of motor vehicles, including the sale of fuels, oils and accessories, or where such vehicles are kept for remuneration, hire, sale or display;

County of Strathcona Land Use Bylaw No. 44 - 80

Part 1, Section 3 Definitions H

**HAZARDOUS SUBSTANCE OR DANGEROUS GOODS** means any product, substance or organism included in any classes of the following:

- a)explosives;
- b)gases (either compressed, deeply refrigerated, liquified, or dissolved under pressure);
- c)flammable and combustible liquids;
- d)flammable solids (including substances liable to spontaneous combustion and substances which, on contact with water, emit flammable gases);
- e)oxidizing substances and organic peroxides;
- f)poisonous and infectious substances; radioactive material;
- h)corrosives; and
- i)other miscellaneous substances of similar nature;

**HEIGHT** means, when used with reference to a building or structure, the vertical distance between a horizontal plane through grade and a horizontal plane through either:

- a)the highest point of the roof in the case of a building with a flat roof or deck roof;
- b)the average level of a sloped roof, provided that such a roof having a slope of less than 20 degrees with a horizontal plane shall be considered a flat roof; or
- c)the average level between eaves and ridges in the case of a pitched gambrel, mansard or hipped roof;

**HIGHWAY** means:

- a)a highway or proposed highway that is designated as a primary highway, or
- b)a road, street or highway designated as a secondary road and numbered between 900 and 999, pursuant to the Public Highways Development Act;

**HOME OCCUPATION** means any occupation, trade, profession or craft carried on by an occupant of a residential building or land as a use secondary to the residential or agricultural use of the building or land and which does not change the character thereof. See Special Provisions, Schedule 2, Section 3.

**HOTEL** means a building containing either sleeping or dwelling units, or a combination of both, occupied and

equipped to be occupied as a temporary abode for tourists or transients, and also containing a general kitchen and dining or other public rooms;

County of Strathcona Land Use Bylaw No. 44 - 80

Part 1, Section 3 Definitions I

**INTENSIVE AGRICULTURAL OPERATIONS** means a system of tillage through which one may gain livelihood by the concentrated raising of crops;

**INTENSIVE LIVESTOCK OPERATION** means any confinement livestock facility capable of confining, rearing or feeding more than 200 animal units, in an enclosure where the space per animal is less than 370 square metres (3,982.6 square feet);

County of Strathcona Land Use Bylaw No. 44 - 80

Part 1, Section 3 Definitions K

**KENNEL** means accommodation for the boarding and/or breeding of small animals and uses associated with the shelter and care of small animals such as grooming, training and exercising;

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Part 1, Section 3 Definitions L

LAND USE MAP means the map delineating the boundaries of the districts set out in this Bylaw and marked County of Strathcona Land Use Map, Schedule 1-A;

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; and
- b)HARD LANDSCAPING consisting of non-vegetative materials such as brick, stone, concrete and asphalt;

LANE means a public roadway not exceeding 9 metres (29.5 feet) in width, which provides a secondary means of access to a lot (site);

LAUNDRY SHOP means a building in which the business of laundry is carried on at basement level or ground floor level by means of one or more washers, having a capacity not exceeding 30 kilograms (66.1 pounds) each, and drying, ironing, finishing and incidental equipment:

- a)in which only water, soaps and detergents are, or can be, used;
- b)which emit no odour or fumes, noise or vibration causing a nuisance within or without the premises;
- c)where, in connection with the business, only neighbourhood retail service is provided by the proprietor; and
- d)includes the business where only washing or ironing is done, a self-service laundry and laundry receiving depot;

LOADING SPACE means an open area used to provide free access for vehicles to a loading door, platform or bay;

LOT means:

- a)a quarter section; or
- b)a river lot or settlement lot shown on an official plan referred to in Section 32 of The Surveys Act that is filed or lodged in a land titles office; or
- c)a part of a parcel 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
- d)a part of a parcel described in a certificate of title if the boundaries of the part are described in the certificate of title by reference to a plan of subdivision;
- e)the word "site" shall have the same meaning as the word "lot";

LOT, CORNER means a lot located at the intersection or junction of two or more streets;

LOT, INTERIOR means any lot other than a corner lot;

LOT, THROUGH means a lot other than a corner lot with frontage on more than one street;

LOT LINES means the legally defined limits of any lot;

LOT LENGTH means the distance between the front and rear lot lines measured along the median between the side lot lines;

LOT WIDTH means the horizontal measurement between the side lot lines measured at a point 6 metres (19.7 feet) perpendicularly distant from the front boundary of the lot, or the mean horizontal measurement on irregular-shaped lots;

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Part 1, Section 3 Definitions M

**MAJOR ARTERIAL ROAD** means a public roadway, the function of which is to expedite the movement of through traffic to major traffic generators, and from community to community, and primarily to serve the adjacent land, to collect and distribute traffic from freeways and expressways to less important arterial roads or directly to traffic destinations;

**MINIMUM DISTANCE SEPARATION FORMULA** is an objective siting formula which has been developed as an aid in determining setbacks and isolation distances between intensive livestock operations and non-compatible residential land uses;

**MOBILE HOME** means a transportable, factory-built, single-family dwelling, designed to be transported on its own wheels and chassis or to be towed or carried to a mobile home lot and may be supported on wood blocking, concrete piers or a permanent foundation, and is designed to be connected to service utilities so as to be suitable for year-round, long-term occupancy:

a)Single-Wide - A mobile home unit designed specifically to be towed in a single load;

b)Double-Wide - A mobile home unit consisting of two sections separately towable, designed to be joined together into one integral unit;

**MOBILE HOME PARK** means a parcel of land under one ownership which has been planned, divided into mobile home lots and improved for the placement of mobile homes for permanent residential use;

**MOBILE HOME SUBDIVISION** means an area subdivided by registered plan, containing lots for freehold or leasehold tenure and used for mobile homes;

**MODULAR HOME** means a completed modular unit;

**MODULAR UNIT** 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 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 a group of attached or detached buildings containing sleeping units with sanitary facilities designed to be used temporarily by tourists or transients, with parking spaces convenient to each unit and includes an auto court, a tourist court and a motor lodge;

**MOTOR HOTEL** means a building containing either sleeping or dwelling units, or a combination of both, to be used temporarily by tourists or transients; and also containing dining or other public rooms with parking spaces on site, convenient to units and public rooms;

**MUNICIPALITY** means the County of Strathcona No. 20;



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Part 1, Section 3 Definitions N

**NATURAL RESOURCE DEVELOPMENT** means development for the on-site removal, extraction and primary processing of raw materials found on or under the site, or accessible from the site. Typical uses include gravel pits, sandpits, clay pits, oil and gas wells, coalmining and shipping of topsoil. This use does not include the processing of raw materials transported to the site;

**NON-CONFORMING BUILDING** means a building:

- a) that is lawfully constructed or lawfully under construction or for which a valid development permit has been issued at the date a land use bylaw or any amendment thereof affecting the building or land on which the building is situated becomes effective; and
- b) that on the date the land use bylaw or any amendment thereof becomes effective does not, or when constructed will not, comply with the land use bylaw;

**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 or use for which a valid development permit has been issued at the date a land use bylaw or any amendment thereof affecting the land or building becomes effective; and
- b) that on the date the land use bylaw or any amendment thereof becomes effective does not, or in the case of a building under construction will not, comply with the land use bylaw;

**NUISANCE** means anything that interferes with the use or enjoyment of property, endangers personal health or safety, or is offensive to the senses;

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Part 1, Section 3 Definitions O

OFFENSIVE OR OBJECTIONABLE, when used with reference to any use or development of any land, building or structure, means a use or development which, from its nature or from the manner of carrying on same, creates or is liable to create,; by reason of noise, vibration, smoke, dust or other particulate matter, odour, toxic or noxious matter, radiation hazards, fire or explosive hazards, heat, humidity or glare, or unsightly storage of goods, wares, merchandise, salvage, junk, waste or other materials, a condition which, in the opinion of the Commission may be or may become hazardous or injurious as regards health or safety or which adversely affects the amenities of the neighbourhood or interferes with or may interfere with normal enjoyment of any land, building or structure;

County of Strathcona Land Use Bylaw No. 44 - 80

Part 1, Section 3 Definitions P

**PARCEL** 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;

**PARKING AREA OR LOT** means an open area of land, other than a street or a building, designed and used for the parking of a number of vehicles;

**PARKING SPACE, OFF-STREET** means an off-street area of 28 square metres (301.4 square feet) or more, available for the parking of one motor vehicle;

**PERMITTED USES** are those uses which are allowed in a particular district, provided that the use conforms to the regulations of the particular district to which the use applies and all other regulations of this bylaw;

**PRINCIPAL BUILDING** means a building which:

- a) occupies the major or central portion of a lot;
- b) is the chief or main building on a lot; or
- c) constitutes, by reasons of its use, the primary purpose for which the lot is used;

**PRINCIPAL USE** means the main purpose for which a lot is used;

**PRIVATE CLUB** means an athletic, social or recreational organization not operated for profit, and includes the premises of a fraternal organization;

**PUBLIC OR QUASI-PUBLIC BUILDING** includes a church and any building which is used by the public for the purpose of assembly, instruction, culture or enlightenment or for a communal activity, but does not include a school, or a place of public entertainment for which an admission fee is customarily charged;

**PUBLIC ROADWAY OR THOROUGHFARE** means any lane, service road, local street, collector street, major street, expressway, freeway or highway corridor;

**PUBLIC UTILITY** means the right-of-way for a public utility as defined in The Municipal Government Act;

County of Strathcona Land Use Bylaw No. 44 - 80

Part 1, Section 3 Definitions R

RETAIL STORE means a building where goods, wares, merchandise, substances, articles or things are offered for sale and includes storage on or about the store premises of limited quantities of such goods, wares, merchandise, substances, articles or things, sufficient only to service such store, but does not include any retail outlet otherwise classified or defined by this bylaw;

RURAL ROAD means a road subject to the direction, control and management by the County, but for purposes of this bylaw, shall not include roads within the boundary of any designated hamlets;

County of Strathcona Land Use Bylaw No. 44 - 80

Part 1, Section 3 Definitions S

**SCREENING** means the total or partial concealment of a structure or activity by a fence, wall, berm or soft landscaping;

**SECONDARY ROAD** means a road designated as such by Ministerial Order pursuant to the Public Highways Development Act and described by plates published in the Alberta Gazette pursuant to Alberta Reg. 164/69 as 500, 600, 700 and 800 series;

**SERVICE STATION** means premises or the portion thereof used or intended to be used for the servicing and repairing of motor vehicles and for the sale of fuel, oils and accessories for motor vehicles;

**STREET** means a public thoroughfare which affords the principal means of access to abutting property;

**STRUCTURE** means anything constructed or erected with a fixed location on the ground, or attached to something having a fixed location on the ground. Among other things, structure includes buildings, walls, fences, billboards and poster panels;

County of Strathcona Land Use Bylaw No. 44 - 80

Part 1, Section 3 Definitions T

TEMPORARY means such time limit as set by the Commission;

TOURIST TRAILER PARK OR CAMPSITE means a site which provides for the temporary location of tents and trailers used by travellers and tourists for overnight accommodation and shall not be used for permanent residence;

TRAILER, VACATION means any portable accommodation providing temporary living quarters in which all facilities are not necessarily self-contained;

County of Strathcona Land Use Bylaw No. 44 - 80

Part 1, Section 3 Definitions U

UTILITIES means any one or more of the following:

- a) systems for the distribution of gas, whether artificial or natural;
- b) facilities for the storage, transmission, treatment, distribution or supply of water;
- c) facilities for the collection, treatment, movement or disposal of sanitary sewage;
- d) storm sewer drainage facilities;
- e) any other such things that may be prescribed by the Lieutenant Governor in Council by regulation, but does not include those systems or facilities referred to in subclauses a) to d) that are exempted by the Lieutenant Governor-in-Council by regulation;

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Part 1, Section 3 Definitions W

WALKWAY means a public access designed for use by pedestrian traffic;

County of Strathcona Land Use Bylaw No. 44 - 80

Part 1, Section 3 Definitions Y

**YARD** means a part of a lot upon or over which no building or structure other than a boundary fence is erected, unless otherwise hereinafter permitted;

**YARD, FRONT** means a yard extending across the full width of a lot and situated between the front lot line and the nearest portion of the building;

**YARD, REAR** means a yard extending across the full width of a lot and situated between the rear lot line and the nearest portion of the building;

**YARD, SIDE** means a yard extending from the front yard to the rear yard and situated between the side lot lines and the nearest portion of the building;

County of Strathcona Land Use Bylaw No. 44 - 80

Part 4, Schedule 1, Section 1 (1)

(1) The following regulations are applicable to all districts:

a) Uses that are permitted or discretionary in each of the districts are set out, together with standards of development in each district, in Section 2, Regulations by Land Use Districts:

i) where any proposed use is not specifically shown in any district, but appears to be similar in character and purpose to one shown as permitted or discretionary in any district, application for its approval in such a district may be made to the Development Officer under Section 12(3)(f), Part Two of this bylaw;

b) With the approval of the Commission, development may be permitted in any district on a lot which is substandard as regards width, depth or area, provided that such a lot was legally registered and existing at the time of final passage of this bylaw, and provided the development meets all other requirements of this bylaw regarding that district;

c) Any and all development must meet the requirements of the Engineering Standards as set by the County from time to time;

d) No private development will be allowed on utility easements unless specifically approved by the County and the company under which the utility easement is held;

e) Any application for the erection of a building or addition to an existing building may be approved conditionally by the Development Officer if, after considering the size, external design and finish of the proposed building or addition, it is the opinion of the Development Officer that the proposal will detract from the appearance or character of existing or proposed development in the surrounding area unless such conditions are met;

f) Where in any district a lot has more than one frontage, the front yard requirements for that district shall apply to only one front lot line which shall be at the discretion of the Development Officer or Commission;

g) Notwithstanding anything elsewhere contained in this bylaw, a person using a corner site in any district shall comply with all the restrictions, limitations and conditions relating to visibility approaching road intersections as may be required by the Development Officer or Commission;

h) Where applicable, notwithstanding anything elsewhere contained in this bylaw, the Development Officer or Commission may require that the front yard meet the established building line;

i) The following features may project into a required yard:

i) verandas, porches, eaves, shade projections, bay or oriel windows, chimney breasts or parts of chimney that are constructed of non-combustible material, belt courses, sills, balconies, together with any other architectural features which, in the opinion of the Development Officer, are of a similar character, provided such projections do not exceed 0.6 metres (2.0 feet) in the case of required yards 1.5 metres (4.9 feet) and over, and 0.5 metres (1.6 feet) for required yards less than 1.5 metres (4.9 feet), unless otherwise approved by the Development Officer;

- ii) unenclosed steps with or without a landing, but without a roof;
- iii) an open, hard-surfaced and uncovered terrace or patio in any yard in a residential district if such terrace is completely unenclosed except by a guard rail or parapet wall not exceeding the maximum height permissible for a fence in the same location. No such terrace shall project into any required front yard more than 2.5 metres (8.2 feet). The provision of an awning or similar temporary covering for such a terrace shall be permitted;
- iv) any loading space required under the provision of this bylaw constructed and maintained within any required yard;
- v) an unenclosed exterior fire escape not more than 1 metre (3.3 feet) in width, provided no such fire escape shall be permitted within a front yard without the prior approval of the Development Officer;
- vi) swimming pools, fish ponds, ornaments, flagpoles, permitted signs or the like.
  - (a) Swimming pools shall not be constructed within any required front yard and shall require the approval of the County Engineer who shall be supplied with information regarding filter discharge and drainage.
  - (b) All swimming pools must be enclosed by a fence not less than 1.5 metres (4.9 feet) either around the pool area or perimeter of the lot and shall include a security gate.
  - (c) On corner lots, the fence height shall conform to those sight restrictions for fences.
  - (d) All swimming pools shall meet the minimum standards of the Provincial regulations regarding swimming pools.
- j) In any District covered by the Restricted Development Area, any development shall be subject to the requirements of those regulations;
- k) In any district covered by the Airport Vicinity Protection Area regulations, any development shall be subject to the requirements of those regulations;
- l) Historical and archaeological sites identified pursuant to The Alberta Historical Resources Act shall be protected in accordance with guidelines established by Alberta Culture;
- m) Where a development permit has been issued for the relocation of a building on the same site or from another site, the Development Officer may require the applicant to provide an irrevocable letter of credit or other acceptable security to ensure completion of any renovations set out as a condition of approval of a permit. All renovations to a relocated building are to be completed within one year of the issuance of the development permit;
- n) Any outdoor lighting for any development shall be located and arranged so that no direct rays of light are directed at any adjoining properties, or interfere with the effectiveness of any traffic control devices;
- o) Garbage and waste material shall be stored in weather-proof and animal-proof containers in accordance with existing bylaws as amended from time to time. Such containers shall be visually screened from all adjacent sites and public thoroughfares.

County of Strathcona Land Use Bylaw No. 44 - 80

Part 4, Schedule 1, Section 1 (2)

2) Regulations Applicable to Public Walkways:

The purpose of the public walkway is to provide for pedestrian circulation within the community and pedestrian access to public parks and schools and other amenities and shall not be included as the reserve dedication.

a) All public walkways shall be subject to the following restrictions:

i) no public walkway shall be obstructed by any vehicle, debris, fence or any other objects;

ii) no public walkways shall be used in such manner as to be detrimental to its purpose as part of the pedestrian circulation system.

County of Strathcona Land Use Bylaw No. 44 - 80

Part 4, Schedule 1, Section 1 (3)

(3) The following regulations are applicable to residential districts:

a) Where, in any residential district, a pre-planned, coordinated development, including comprehensive innovative or special housing, is proposed for an area 0.4 hectares (1.0 acre) or more in extent, the Commission may establish standards which supersede all other standards to enable the area to be developed to the highest standards of use and amenity, provided that:

i) an overall development plan or Area Structure Plan is submitted;

ii) the development is to be completed in one continuous operation, or in stages as proposed in the overall development plan or Area Structure Plan;

b) Areas not subdivided for residential use:

i) in areas designated for residential use, but not subdivided for normal residential development, development permits may be issued by the Development Officer for permitted or discretionary uses only if the site is in accordance with a replotting plan or plan of subdivision which is registered in the Land Titles Office and which, in the opinion of the Municipal Planning Commission, will conform to the overall subdivision of the area;

ii) development permits shall be issued only in conformity with the general intent of this Section, namely to facilitate the orderly residential expansion of the County;

iii) development permits shall not be issued where, in the opinion of the Development Officer, satisfactory arrangements have not been made with the County as to the supply to the required subdivision of any or all of the following services: water, electricity, sanitary sewer, street access or other services or facilities, including the payment of costs of installing any such service or facility;

c) No person shall keep in any part of the yard in any residential district:

i) a commercial vehicle, loaded or unloaded, of a maximum weight in excess of 4100 kilograms (9,000 pounds) gross vehicle weight, providing that such vehicle may remain on site for such a period of time as is reasonably necessary to load or unload such a vehicle;

ii) any dismantled or wrecked vehicle for more than seven successive days;

iii) any object or chattel, including vehicles which, in the opinion of the Development Officer, is unsightly or tends to affect adversely the amenities of the district;

iv) an excavation, storage or piling up of materials required during the construction stage unless all safety measures are undertaken and the owner of such materials or excavations assumes full responsibility and the situation does not prevail any longer than reasonably necessary to complete a particular stage of construction work;

v) any livestock, poultry or animals, with the exception of 2 dogs or 2 cats or 2 other such usual pets, providing always that domestic pets are kept under conditions where they do not act as a nuisance and reduce the amenities of the residential district for other residents. No pets or domestic animals shall be kept on a commercial basis;

d) No fence, wall, vegetation, or any combination thereof on a site in a residential district that is higher, measured from the general ground level, 0.3 metres (1.0 feet) back of the property line on whichever side of the fence is lower, than:

i) 2 metres (6.6 feet) for the portion of the fence that does not extend beyond the foremost portion of the principal building on the site, providing the Development Officer may allow a fence to be erected up to 2.5 metres (8.2 feet) in height upon the written consent of the owner of the property adjacent to such a fence;

ii) 1 metre (3.3 feet) for the portion of the fence that does extend beyond the foremost portion of the principal building on the site, provided that the Development Officer may allow a fence to be erected to not more than 2 metres (6.6 feet) in height if, in his opinion, it will not prejudice the amenities of the district;

iii) in the case of corner lots, the foremost portion of the principal building referred to in (i) and (ii) of his Subsection (3) shall apply to both faces of the building fronting onto the street and avenue.

County of Strathcona Land Use Bylaw No. 44 - 80

Part 4, Schedule 1, Section 1 (4)

(4)The following regulations are applicable to all multi-family developments including terraced or row housing, townhouses, walk-up apartments, and high density apartments.

a)Any multi-family project shall satisfy the Development Officer or Municipal Planning Commission as to:

i)provision for local playgrounds and open spaces;

ii)provision for enclosed recreation areas;

iii)access for fire engines and other emergency vehicles;

iv)provision for access to garbage storage, storage to be suitably enclosed;

v)provision of means of handling laundry;

vi)landscaping and fencing;

vii)privacy for dwelling units in and adjacent to the development;

viii)orientation of buildings and general appearance of project;

ix)safe pedestrian access to and from the public sidewalk fronting the building;

x)apartment buildings with more than three storeys may be allowed, but in such cases, additional problems are encountered as to siting, fire protection, vertical transport and structural requirements. Any such project will, therefore, be considered on its own merits;

b)In a multi-family development consisting of more than one building, the following regulations shall apply:

i)pedestrian walkways shall be provided for safe access to and from the public sidewalk and for pedestrian circulation within the site;

ii)a site plan accompanying an application under Section 12 of this bylaw shall show to the satisfaction of the Development Officer the location of all pedestrian walks and the linkages between such walks and the public walks;

iii)no pedestrian walkways shall be obstructed by any vehicle, debris, fence or any other objects;

iv)no pedestrian walkway shall be used in such manner as to be detrimental to its function as part of a pedestrian circulation system;

County of Strathcona Land Use Bylaw No. 44 - 80

Part 4, Schedule 1, Section 1 (5)

(5)The following regulations are applicable to all mobile homes in residential areas:

a)Permanent mobile homes in residential areas shall:

i)meet all regulations and requirements for setback, yards and accessory uses for single family residential uses;

ii)be placed on permanent foundations;

iii)have skirtings to screen the undercarriage; this skirting shall be factory prefabricated or of a quality equivalent thereof so that the design and construction will complement the unit;

iv)meet all safety and fire regulations enforced by the municipality;

b)All accessory structures such as patios, porches, additions and storage facilities shall be factory prefabricated units, or of a quality equivalent thereof so that the design and construction will complement the mobile home;

c)All residential units shall comply with the current Canadian Code for Residential Construction (Residential Standards), National Research Council of Canada; this code, under the terms of this bylaw is considered as minimum standards.

County of Strathcona Land Use Bylaw No. 44 - 80

C-3 - Highway Commercial District

C-3 - HIGHWAY COMMERCIAL DISTRICT

(1)Uses:

**Permitted Uses**

Coffee shop and restaurant

Drive-in services

Drive-through vehicle services

Motel, motor hotel

Service station

Souvenir shop

Accessory buildings and uses

**Discretionary Uses**

Car washing establishments

Any tourist or travelling public use that depends on its proximity to a highway for trade

Agriculturally-oriented sales and service

Car agencies, car sales lots, mobile home sales, recreational vehicle sales and accessory offices

Public utility uses and installations

Any use which, in the opinion of the Commission, is of a similar nature

(2)Site Requirements:

a)Minimum Site Area:

<b>Use</b>	<b>Area</b>
Motel and motor hotel	1,850m <sup>2</sup> (19,913.2 sq. ft.)
Other uses	900m <sup>2</sup> (9,687.5 sq. ft.)

Drive-in services, drive-through, vehicle services as specified in Schedule 2 or as required by the Commission

The minimum site area and frontage may be adjusted by the Commission provided that ample space is allowed for ingress and egress and for parking.

b) Minimum Yard Requirements:

Use	Front	Side	Rear
Motel and motor hotel	7.5m (24.6 ft.)	3m (9.8 ft.)	3m (9.8 ft.)

All other uses as specified in Schedule 2 or as required by the Development Officer or Commission.

(3) Maximum Height:

The maximum height of buildings shall be 26 metres (85.3 feet) or as required by the Commission.

(4) General Regulations:

All uses shall be subject to the following regulations:

- a) Prior to issuance of a development permit, a site plan indicating location, height and external finish, including accessory buildings, landscaping, parking accesses and driveways, proposed lighting and signs and any fences or screening shall be approved by the Commission;
- b) The access from the premises to the highway or major street shall be allowed only at points established by the Commission which shall have regard to those relevant regulations set out in Schedule 2. The building setbacks shall allow for the planned widening of streets and/or provision of service roads. The building setbacks shall provide for the front yards as established by those regulations, in addition to the setbacks needed for the aforementioned widening;
- c) Where development fronts on a highway or arterial roadway, a service roadway shall be provided adjacent and parallel to the highway or arterial roadway;
- d) All storage areas and parking lots shall be screened from any adjacent residential district to the satisfaction of the Development Officer or Commission;
- e) In those areas not developed or subdivided for Highway Commercial uses, an Area Structure Plan or Area Redevelopment Plan shall be required.

(5) Appearance:

All yards abutting the highway or road shall be landscaped and the entire site and all buildings maintained in a neat, tidy manner, including the trimming and upkeep of landscaped areas and the removal of debris and unsightly objects.

(6) Drive-in Services, Motels, Service Stations, Car Washing Establishments and Drive-Through Vehicle Services:

Drive-in services, motels, service stations, car washing establishments and drive-through vehicle services must comply with those regulations set out in Schedule 2.

(7) Off-Street Parking:

Off-street parking and loading requirements shall be in accordance with those regulations set out in Schedule 3.

(8)Signs:

Signs shall be permitted in accordance with those regulations set out in Schedule 4.

(9)Architectural Controls:

Where, in the opinion of the Development Officer or Commission, any development is of major significance, no permit shall be issued without the approval of the Development Officer or Commission in accordance with those regulations set out in Schedule 2, Special Provisions for Architectural Controls.

County of Strathcona Land Use Bylaw No. 44 - 80

RI - Restricted Industrial District

RI - RESTRICTED INDUSTRIAL DISTRICT

(1) Uses:

**Permitted Uses**

Warehousing, storage, supply depots

Bottle exchange

Light manufacturing, assembling

Repair and service shops

Light industrial uses not noxious or hazardous

Accessory buildings and uses

**Discretionary Uses**

Manufacturing, commercial, recreational or public service uses unlikely to restrict the use of the district for light industry

Bulk oil sales

Public utility uses and installations

Truck depots

Accessory buildings and uses

Any other use which, in the opinion of the Commission, is of a similar nature

(2) Site Coverage:

The maximum area of each site which may be built upon shall be 50% of the site area.

(3) Minimum Yard Requirements:

a)Use	Front	Side	Rear
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All uses                    6m (19.7 ft.)        1.2m (3.9 ft.)    4.3m (14.1 ft.)

- b) Side yards flanking a street shall be a minimum of 4.5 metres (14.8 feet);
- c) Side yards abutting a residential district may be increased as required by the Development Officer or Commission;
- d) No area for parking, loading or storage or any other like purpose shall be permitted within such minimum yards;
- e) Side yards at a distance of 6 metres (19.7 feet) or more from the front property line may be used for the parking of motor vehicles;
- f) Side yard requirements may be reduced by the Development Officer where there is an abutting railway line, lane or utility lot;
- g) Rear yards may be reduced to 1.2 metres (3.9 feet) by the Development Officer where there is a rear lane;
- h) Rear yards shall not be less than 7.5 metres (24.6 feet) where the rear boundary abuts a residential district;
- i) No rear yard is required where the rear boundary abuts a railway line;
- j) Where side or rear yards abut any district other than GI or HI, the applicant shall provide screening to the satisfaction of the Development Officer or Commission at least 2 metres (6.6 feet) in height;
- k) When the development fronts on a declared Provincial or secondary highway, the minimum front yard shall be as required by the Commission.

(4) Maximum Height Requirements:

The maximum height of buildings shall not exceed 13.5 metres (44.3 feet) unless otherwise authorized by the Commission.

(5) Performance Standards:

- a) No operation or activity shall emit air and water contaminants in excess of the standards prescribed by the Province of Alberta pursuant to the Clean Air Act and the Clean Water Act and the regulations pertaining thereto;
- b) Any industrial operation, including production, processing, cleaning, testing, repairing, storage or distribution of any material shall conform to the following standards at all times:
  - i) Noise:  
emit no offensive noise of industrial production audible at any point on the boundary of the lot on which the operation takes place;
  - ii) Smoke:  
no process involving the use of solid fuel is permitted, save the use of waste disposal incinerators of a design approved by the appropriate approving authority(s);
  - iii) Dust and Ash:  
no process involving the emission of dust, fly ash or other particulate matter is permitted;
  - iv) Smell :

the emission of any odorous gas or other odorous matter is prohibited;

v)Toxic Gases, etc.:

the emission of toxic gases or other toxic substances is prohibited;

vi)Glare or Heat:

no industrial operation shall be carried out that would produce glare or heat discernible beyond the property line of the lot concerned;

vii)External Storage:

external storage of goods or materials is permitted if kept in a neat and orderly manner or suitably enclosed by a fence or wall to the satisfaction of the Development Officer;

viii)Industrial Wastes:

no wastes shall be discharged into any sewer which does not conform to the standards established from time to time by bylaw of the County;

c)The onus of proving to the Development Officer's or the Commission's satisfaction that a proposed development does and will comply with these standards rests with the developer and/or operator;

d)The Development Officer or Commission may prescribe or approve screening or a buffer area for uses which involve the outdoor storage of goods, machinery, vehicles, building materials, waste materials and other similar uses;

e)In considering the application, the Development Officer or Commission shall have regard to the intent of this section, which is to establish use on the basis of:

i)appropriate performance standards;

ii)the methods, equipment and techniques of the applicant;

iii)the use of neighbouring lands and land use districts and the compatibility of the proposed use with neighbouring lands and land use districts.

(6)Appearance:

a)All yards abutting the highway or road shall be landscaped, and the entire site and all buildings maintained in a neat, tidy manner, including the trimming and upkeep of landscaped areas and the removal of debris and unsightly objects. All undeveloped portions of the street right-of-way shall be soft landscaped and maintained by the adjacent owner;

b)All storage, freight or trucking yards shall be enclosed or completely screened by buildings, trees, landscaped features or fences, or a combination thereof to provide effective screening from the ground to a height of 2 metres (6.6 feet);

c)All driveways, parking areas and storage areas shall be paved for a minimum distance of 15 metres (49.2 feet) from the front property line;

d)All front yards shall be landscaped to the satisfaction of the Development Officer.

(7) Off-Street Parking:

Off-street parking and loading requirements shall be in accordance with those regulations set out in Schedule 3.

(8) Signs:

Signs shall be permitted in accordance with those regulations set out in Schedule 4.

(9) Architectural Controls:

Where, in the opinion of the Development Officer or Commission, any development is of major significance, no permit shall be issued without the approval of the Development Officer or Commission in accordance with those regulations set out in Schedule 2, Special Provision for Architectural Controls.

County of Strathcona Land Use Bylaw No. 44 - 80

AG - Agricultural District

AG - AGRICULTURAL DISTRICT

(1) Uses:

**Permitted Uses**

One family dwellings

Intensive agricultural operations

Accessory buildings and uses

**Discretionary Uses**

Abattoirs

Airstrips

Commercial greenhouses

Home occupations

Intensive livestock operations

Institutional

Kennels

Natural resource development

Public utility uses and installations

Recreational

Any other use which, in the opinion of the Commission, is of a similar nature

(2) Site Requirements:

a) Site Area:

i) Permitted uses - 32 hectares (79.1 acres) except where the parcel is fragmented or reduced by the following:

(a) a natural barrier such as water bodies or ravines;

(b) a physical man-made barrier such as roadways and railways;

(c) a previously separated parcel for school, church, cemetery or public utility site;

(d) a road widening;

in which case the Commission or Development Officer may permit a lesser site area;

ii) Discretionary uses - as required by the Commission;

iii) Single parcels may be permitted by the separation of one parcel from any agricultural quarter section **not** previously subdivided and shall not be less than 0.8 hectares (2 acres) or more than 4 hectares (9.9 acres) in size;

b) Minimum Yard Requirements:

i) Minimum Front Yard - the minimum building setback in this district shall be 40 metres (131.2 feet) from the centre line of any adjoining public road;

ii) Minimum Side Yard - ten percent of mean parcel width provided that no side yard exceed 6 metres (19.7 feet) , except for a corner parcel where the side yard requirements shall be at the discretion of the Development Officer;

iii) Minimum Rear Yard - 7.5 metres (24.6 feet);

c) Discretionary uses - the Commission shall consider and decide on each proposal individually based upon their individual merit and consideration should be given to such items as site selection, waste disposal, and distance from roads and watercourses.

(3) General Regulations:

All development permit applications for intensive livestock operations may have the minimum distance separation formula applied where adjacent land uses could be adversely affected.

(4) Home Occupations:

Home occupations shall be in accordance with Schedule 2.

County of Strathcona Land Use Bylaw No. 44 - 80

RR - Rural Recreation and Open Space District

RR - RURAL RECREATION AND OPEN SPACE DISTRICT

(1)Uses:

**Permitted Uses**

Public parks

Public playgrounds

Public recreational buildings including arenas curling rinks, roller or ice skating rinks, swimming pools

Accessory buildings and uses

**Discretionary Uses**

Archery ranges

Athletic fields

Bandshells

Boating

Botanical gardens

Campsites

Carnivals or fairs sponsored by a non-profit community organization for periods not exceeding 7 days

Dog trials

Golf courses

Historical park sites

Horse racing

Model airplane field

Nature trails

Picnic grounds

Power toboggan trails and races

Public and quasi-public buildings

Public utility uses and installations

Riding stables

Ski and toboggan slides

Swimming pools

Tennis courts

Zoological gardens

Any other use which, in the opinion of the Commission, is of a similar nature

(2)Site Requirements:

a)Minimum Site Area:

Minimum site area shall be as required by the Commission.

b)Minimum Yard Requirements:

As required by the Commission.

(3)Off-Street Parking:

Off-street parking shall be in accordance with those applicable regulations set out in Schedule 3, Off-street Parking.

(4)Signs:

Directional and/or identification signs or such other signs as may be considered acceptable by the Development Officer are permitted provided they are in accordance with those regulations that be applicable in Schedule 4.

County of Strathcona Land Use Bylaw No. 44 - 80

CR - Country Residential District

CR - COUNTRY RESIDENTIAL DISTRICT

(1)Uses:

**Permitted Uses**

One family dwellings

Accessory buildings and uses

**Discretionary Uses**

Double wide mobile homes on approved sites

Farming and farm buildings

Home occupations

Institutional and public uses

Modular homes

Natural resource development

Recreational and associated uses

Accessory buildings and uses

Any use which, in the opinion of the Commission, is of a similar nature

(2)Site Requirements:

a)Site Area:

i)One family dwellings - not less than 0.8 hectares (2 acres) and not more than 4 hectares (9.9 acres ) of which a minimum of 0.4 hectares (1 acre) shall be a developable site;

ii)Discretionary uses - as required by the Commission;

b) Minimum Yard Requirements:

i)From internal roads: One family dwellings and mobile homes

- Front yard - 10.5 metres (34.4 feet)
- Rear yard - 10.5 metres (34.4 feet)
- Side yard - 7.5 metres (24.6 feet)

Discretionary uses - as required by the Commission;

ii) From rural roads - 40 metres (131.2 feet) from centre line.

(3) Minimum Construction Standards:

Country residences must be provided with sanitary facilities pursuant to The Plumbing and Drainage Regulations and the Provincial Board of Health Regulations.

(4) General Regulations:

- a) On parcels of 1.2 hectares (3.0 acres) and under, no livestock, poultry or animals, may be kept with the exception of 2 dogs or 2 cats or 2 other such usual pets, providing always that domestic pets are kept under conditions where they do not act as a nuisance and reduce the amenities of the residential district for other residents;
- b) The number of livestock on parcels over 1.2 hectares (3.0 acres) shall at no time exceed 2 horses, or 2 cows, or 3 sheep or goats, or 2 domestic pets and/or 50 poultry;
- c) Any ancillary farming activities shall at no time interfere with the general enjoyment of the residential use of adjoining parcels. Intensive livestock operations are strictly prohibited in this district;
- d) The minimum distance separation formula may be applied to country residential applications where the proposed development may encroach on an existing intensive livestock operation.

(5) Home Occupations:

Home occupations shall be in accordance with those regulations set out in Schedule 2.

(6) Signs:

Real estate sale or rental signs, safety or identification signs are permitted provided they conform to those regulations set out in Schedule 4.

County of Strathcona Land Use Bylaw No. 44 - 80

SH - Small Holdings District

SH - SMALL HOLDINGS DISTRICT

(1)Uses:

**Permitted Uses**

One family dwellings

Intensive agricultural operations

**Discretionary Uses**

Commercial greenhouses

Double wide mobile homes on approved sites

Farming and farm buildings

Home occupations

Institutional and public uses

Kennels

Modular homes

Public utility uses and installations

Recreational and associated uses

Veterinary clinics

Any other use which, in the opinion of the Commission, is of a similar nature

(2)Site Requirements:

a)Site Area:

Site areas shall not be less than 4 hectares (9.9 acres) nor more than 8 hectares (19.8 acres);

Discretionary uses - as required by the Commission;

b)Minimum Yard Requirements:

i) From Internal Roads - One family dwellings and mobile homes

Front yard - 10.5 metres (34.4 feet)

Rear yard - 10.5 metres (34.4 feet)

Side yard - 7.5 metres (24.6 feet)

Discretionary uses - as required by the commission;

ii) From rural roads - 40 metres (131.2 feet) from centre line of the road.

(3) Minimum Construction Standards:

Residences must be provided with sanitary facilities pursuant to The Plumbing and Drainage Regulations and the Provincial Board of Health Regulations.

(4) General Regulations

a) The number of livestock shall at no time exceed:

i) two horses per 1.2 hectares (3 acres); or

ii) two cows per 1.2 hectares (3 acres); or

iii) three sheep or goats per 0.4 hectares (1 acre); or

iv) 50 poultry per 0.4 hectares (1 acre); or

v) one hog per 0.4 hectares (1 acre); or

vi) an equivalent combination of the above;

b) Any ancillary farming activities including the keeping of domestic pets shall at no time interfere with the general enjoyment of the residential use of adjoining parcels;

c) Intensive livestock operations are strictly prohibited in this district;

d) The minimum distance separation formula may be applied to small holdings applications where the proposed development may encroach on an existing livestock operation.

(5) Home Occupations:

Home occupations shall be in accordance with those regulations set out in Schedule 2.

(6) Signs:

Real estate sale or rental signs, safety or identification signs are permitted provided they conform to those regulations set out in Schedule 4.

County of Strathcona Land Use Bylaw No. 44 - 80

MHR - Mobile Home Residential District

MHR - MOBILE HOME RESIDENTIAL DISTRICT

The purpose of this district is to provide for residential development in the form of mobile home parks and mobile home subdivisions.

(1) Uses:

**Permitted Uses**

Mobile homes

Accessory buildings and uses

**Discretionary Uses**

One family dwellings when in a mobile home subdivision

Churches

Home occupations

Modular homes

Public utility uses and installations

Accessory buildings and uses

Any other use which, in the opinion of the commission, is of a similar nature

(2) Site Requirements:

a) Minimum Lot Sizes:

i) Use	Width	Length
Single wide mobile home	12m (39.4 ft.)	30m (98.4 ft.)
Double wide mobile home	13.5m (44.3 ft.)	30m (98.4 ft.)

ii) Discretionary uses - as required by the Commission;

b) Minimum Yard Requirements:

i)Use	Front	Side	Rear
Mobile homes	6m (19.7 ft.)	1.2m (3.9 ft.)	4.5m (14.8 ft.)

Discretionary uses - as required by the Commission;

ii)Yard Regulations:

All mobile homes, including additions, shall be separate from each other by a minimum distance of 3 metres (9.8 feet).

(3)Foundation

a)A foundation shall be provided capable of supporting the maximum anticipated load of the mobile home at all seasons without settlement or movement;

b)The foundation shall be permanent and the mobile home shall be securely attached to the foundation.

(4)Skirting

The undercarriage of each mobile home shall be completely screened from view by the foundation, skirting or other means that is of a manufactured or similar type to harmonize with the unit. This skirting shall permit the circulation of air beneath the unit.

(5)Accessory Buildings or Additions

a)An addition to a mobile home shall not have a site coverage greater than 50% of the site coverage of the original mobile home unit;

b)All accessory buildings, additions, porches, garages or other structural additions shall be of equivalent quality and appearance to the mobile home unit and shall harmonize with the exterior of the unit;

c)Additions shall have a foundation and skirting equivalent to that of the mobile home unit.

(6)Churches, Home Occupations and Mobile Home Parks:

Churches, home occupations and mobile home parks shall be in

accordance with those regulations set out in Schedule 2.

(7)Off-Street Parking Requirements:

Off-street parking in mobile home subdivisions shall be provided in accordance with those regulations for single family dwellings set out in schedule 3.

(8)Signs:

Real estate sale or rental signs, safety or identification signs are permitted provided they conform to those regulations set out in Schedule 4.

County of Strathcona Land Use Bylaw No. 44 - 80

GI - General Industrial District

GI - GENERAL INDUSTRIAL DISTRICT

(1)Uses:

**Permitted Uses**

Grain elevators

Light manufacturing assembly and processing

Warehousing, storage, supply depots

Bottle exchange

Bulk oil sales

General contractors and construction

Repair and service shops

Truck depots

Light industrial uses not noxious or hazardous

Accessory buildings and uses

**Discretionary Uses**

Agricultural produce cleaning and packing

Commercial, recreational or public service uses unlikely to restrict the use of the district for light industry

Public utility uses and installations

Accessory buildings and uses, including caretaker or watchman residence

Any other use which, in the opinion of the Commission, is of a similar nature

(2)Site Coverage:

The maximum area of each site which may be built upon shall be 60% of the site area.

(3)Minimum Yard Requirements:

a)Use	Front	Side	Rear
All uses	6m (19.7 ft.)	4.5m(14.8 ft.)	4.3m (14.1 ft.)

- b)No area for parking, loading or storage or any other like purpose shall be permitted within such minimum yards;
- c)Side yards at a distance of 12 metres (39.4 feet) or more from the front property line may be used for parking of motor vehicles;
- d)Side yard requirements may be reduced by the Development Officer or Commission where there is an abutting railway line, lane or utility lot;
- e)Rear yards may be reduced to 1.2 metres (3.9 feet) by the Development Officer where there is a rear lane;
- f)Rear yards shall not be less than 7.5 metres (24.6 feet) where the rear boundary abuts a residential district;
- g)No rear yard is required where the rear boundary abuts a railway line;
- h)Where side or rear yards abut a residential district, the applicant shall provide screening to the satisfaction of the Development Officer at least 2 metres (6.6 feet) in height;
- i)When the development fronts on a declared Provincial or secondary highway, a minimum front yard shall be 7.5 metres (24.6 feet) from the service road right-of-way or such other distance as may be required by the Commission.

(4)Performance Standards:

- a)No operation or activity shall emit air and water contaminants in excess of the standards prescribed by the Province of Alberta pursuant to the Clean Air Act and the Clean Water Act and the regulations pertaining thereto;
- b)Any industrial operation, including production, processing, cleaning, testing, repairing, storage or distribution of any material shall conform to the following standards at all times:
  - i)Noise:  
emit no offensive noise of industrial production audible at any point on the boundary of the lot on which the operation takes place;
  - ii)Smoke:  
no process involving the use of solid fuel is permitted, save the use of waste disposal incinerators of a design approved by the Development Officer;
  - iii)Dust and Ash:  
no process involving the emission of dust, fly ash or other particulate matter is permitted;
  - iv)Smell:  
the emission of any odorous gas or other odorous matter is prohibited;
  - v)Toxic Gases, etc.:  
the emission of toxic gases or other toxic substances is prohibited;
  - vi)Glare or Heat:

no industrial operation shall be carried out that would produce glare or heat discernible beyond the property line of the lot concerned;

vii) External Storage:

external storage of goods or materials is permitted if kept in a neat and orderly manner or suitably enclosed by a fence or wall to the satisfaction of the Development Officer;

viii) Industrial Wastes:

no wastes shall be discharged into any sewer which does not conform to the standards established from time to time by bylaw of the County;

c) The onus of proving to the Development Officer's or Commission's satisfaction that a proposed development does and will comply with these standards rests with the developer and/or operator;

d) The Development officer or Commission may prescribe or approve screening or buffer area for uses which involve the outdoor storage of goods, machinery, vehicles, building materials, waste materials and other similar uses;

e) In considering the application, the Development Officer or Commission shall have regard to the intent of this section, which is to establish use on the basis of:

i) appropriate performance standards;

ii) the methods, equipment and techniques of the applicant;

iii) the use of neighbouring lands and land use districts and the compatibility of the proposed use with neighbouring lands and land use districts.

(5) Appearance:

At the discretion of the Development Officer or Commission, the following may be required:

a) All yards abutting the highway or road shall be landscaped, and the entire site and all buildings maintained in a neat, tidy manner, including the trimming and upkeep of landscaped areas and the removal of debris and unsightly objects;

b) All storage, freight or trucking yards shall be enclosed or completely screened by buildings, trees, landscaped features or fences, or a combination thereof to provide effective screening from the ground to a height of 2 metres (6.6 feet);

c) All driveways with access to paved public streets shall be paved for a minimum distance of 15 metres (49.2 feet) from the front property line;

d) All front yards shall be landscaped to the satisfaction of the Development Officer.

(6) Off-Street Parking:

Off-street parking and loading requirements shall be in accordance with those regulations set out in Schedule 3.

(7) Signs:

Signs shall be permitted in accordance with those regulations set out in Schedule 4.

County of Strathcona Land Use Bylaw No. 44 - 80

HI - Heavy Industrial District

HI - HEAVY INDUSTRIAL DISTRICT

**(1)Discretionary Uses:**

Incinerators, including those for municipal or industrial use

Plants for the manufacture of petroleum products, chemical and allied products, pulp and paper products, stone, clay and glass products, cement and lime products, fertilizer, animal by-products

Plants which will be engaged in the primary metal industry, metal processing, the processing of wood or wood products, the processing of natural gas or its derivatives, the manufacture of asphalt, gravel crushing

Public utility uses and installations

Sanitary and modified sanitary landfill sites

Sewage treatment and disposal plants

Such commercial, recreational, and principal uses as are unlikely to have restrictive effects upon the development of the industrial area and are compatible with the industrial uses

Such accessory uses as are essential to the industrial uses

Any other use which, in the opinion of the Commission, is of a similar nature

**(2)Minimum Site Requirements:**

**a)Site Area:**

The site area shall be as required by the Commission;

**b)Minimum Yard Requirements and Setbacks:**

All site regulations and requirements shall be based upon the type of industrial development proposed and shall be at the discretion of the Commission;

**c)An application shall be considered by the Commission who may request advisory comment by the following authorities whose interest or jurisdiction may be affected:**

Alberta Transportation

Alberta Agriculture

Alberta Environment

Alberta Energy and Natural Resources

Alberta Research Council

Edmonton Regional Planning Commission

The Commission may request that such be made within 30 days and in writing;

d)Each application for industrial location shall be accompanied by the following information:

Location

Type of Industry

Size of Buildings

Number of Employees

Estimated Water Demand and Anticipated Source

Type of Effluent and Method of Treatment

Transportation Routes to be Used (rail and road)

Any Accessory Works Required (pipeline, railway spurs, etc.)

and/or any such other information as may be reasonably required by the Commission.

(4)Performance Standards;

a)No operation or activity shall emit air and water contaminants in excess of the standards prescribed by the Province of Alberta pursuant to the Clean Air Act and the Clean Water Act and the regulations pertaining thereto;

b)Any industrial operation, including production, processing, cleaning, testing, repairing, storage or distribution of any material shall conform to the standards required by the Commission with regard to noise, smoke, dust and ash, smell, toxic gases, glare or heat, external storage, construction and industrial waste;

c)The onus of proving to the Commission's satisfaction that a proposed development does and will comply with the standards required above rests with the developer and/or operator;

d)The Commission may prescribe or approve screening or a buffer area for uses which involve the outdoor storage of goods, machinery, vehicles, building materials, waste materials and other similar uses;

e)In considering the application, the Commission shall have regard to the intent of this section, which is to establish use on the basis of:

i)appropriate performance standards;

ii)the methods, equipment and techniques of the applicant; and

iii)the use of neighbouring lands and land use districts and the compatibility of the proposed use with neighbouring lands and land use districts.

(5)Appearance:

a)Front yards shall be landscaped as required by the Commission;

b)The entire site and all buildings shall be maintained in a neat tidy manner, including the trimming and upkeep of landscaped areas and the removal of debris and unsightly objects;

c)All driveways with access to paved public streets shall be paved for a minimum distance of 15 metres (49.2 feet) from the front property line.

(6)Off-Street Parking:

Off-street parking and loading requirements shall be in accordance with those regulations set out in Schedule 3.

(7)Signs:

Signs shall be permitted in accordance with those regulations set out in Schedule 4.

County of Strathcona Land Use Bylaw No. 44 - 80

Part 4, Schedule 2, Section 1

Churches, Assembly Halls and Places of Worship

(1) A site to be used for a church, assembly hall or place of worship, where permitted under this Bylaw, shall comply with the following special provisions:

a) A site proposed for a church building, place of worship or an assembly hall shall be subject to the following conditions:

i) the site shall be located on a corner lot or lots or in such a way that it will not adversely affect the adjacent development. In no instances shall the church or assembly hall site be approved in the interior of the block unless at least one of the adjacent developments is other than residential;

ii) the site shall be of such a size that would allow adequate parking and landscaping;

iii) in the case of a manse, rectory, parsonage or other building used for a residence related to the church on the same site, an additional 412 square metres (4,434.7 square feet) shall be required;

iv) the front, side and rear building lines shall be those permitted within the district in which the site is located, provided the structure is less than 7.5 metres (24.6 feet) in height. Any structure above 7.5 metres (24.6 feet) in height (excluding steeple) shall have side yards in excess of 10% of the width of the lot and of such a width as will protect the privacy and the sunlight to the adjacent developments to the satisfaction of the Development Officer;

v) each church building and/or assembly hall shall be of such an appearance with respect to its design, proportion and exterior treatment as, in the opinion of the Development Officer, will not detract or clash with the general appearance of the adjacent residential area and a minimum of 20% of the total site area shall be landscaped.

(2) Off-street parking facilities shall be provided in accordance with those requirements set out in Schedule 3.

(3) In the instances where the churches or assembly halls are of a very different and outstanding design and where the aesthetic or functional qualities of the proposal could be adversely affected by strict application of the above requirements, the Commission may vary the requirements providing that such exceptions will not adversely affect the adjacent developments or the general appearance and function of the district in which such churches and/or assembly halls are proposed.

County of Strathcona Land Use Bylaw No. 44 - 80

Part 4, Schedule 2, Section 2

Drive-In Services

(1) A person applying to develop a site for a drive-in service, where permitted under this bylaw, shall comply with the following special provisions:

a) **Site Location:** Such site shall be located at the intersection of two or more public roadways, being a street or avenue, but not including a lane, provided that a site may be located between intersections where there is a service road or a centre dividing strip on the public roadway. The site may be located as part of a shopping centre, if the Development Officer is satisfied that the development will not adversely affect adjoining land uses or the function of the shopping centre in relation to traffic circulation around streets adjacent to the shopping centre;

b) **Site Area and Coverage:** In the case of establishments where the customer normally remains in the vehicle for service, the minimum site area shall be 930 square metres (10,010.4 square feet) with a minimum area of building to be erected thereon of 40 square metres (430.6 square feet). The area of buildings permitted thereon shall not exceed 6% of the total area of any site unless otherwise approved by the Development Officer;

c) **Queuing space:** For drive-in food services and banks having a drive-up service window, a minimum of six inbound queuing spaces shall be provided for vehicles approaching the drive-up service window. One outbound queuing space shall be provided on the exit side of each service position and this space shall be located so as not to interfere with service to the next vehicle;

d) All queuing spaces shall be a minimum of 6.5 metres (21.3 feet) long and 3 metres (9.8 feet) wide. Queuing lanes shall provide sufficient space for turning and manoeuvring;

e) At no time shall queuing be allowed to overflow into public thoroughfares or interfere with adjacent properties;

f) **Irregularly-shaped Parcels of Land:** Application for a permit in respect of a drive-in intended to be developed on any irregularly-shaped parcel of land shall be subject to the approval of the Development Officer;

g) **Curb Cutting:** On the property side on which traffic enters the intersection, the nearest edge of a curb cutting to an intersection of public roadways shall be not less than 15 metres (49.2 feet) from the nearest boundary of the intersection of the public roadways concerned, said distance of 15 metres (49.2 feet) to be measured along the curb line, provided that the prescribed minimum distances may be increased by the Development Officer where, in his opinion, it is necessary for reasons of public safety or convenience;

h) **Maximum Width of Curb Cutting:** The maximum width of a curb cutting shall not exceed 10.5 metres (34.4 feet);

i) **Sides or Edges of Driveway Approaches:** The sides or edges of driveway approaches crossing sidewalks or boulevards may be constructed on an angle with the curb line, but the angle subtended between the curb and the edge of driveway shall in no case be less than 30 degrees nor more than 60 degrees. However, when angular crossings over sidewalks are built, excessive slopes or cross falls shall be avoided for the protection of pedestrians;

j) **Minimum Distance of Adjacent Curb Cuttings:** The minimum distance between adjacent curb cuttings on the same side of the property shall be not less than a distance of 6 metres (19.7 feet) from each other, measured at the property line;

k) **Driveways and Parking Spaces:** All parts of the site to which vehicles may have access shall be hard-surfaced and drained to provide a durable dust-free surface to the satisfaction of the Development Officer;

l) **Drainage of Site:** Proper site drainage shall be provided to the satisfaction of the Development Officer;

m) **Lighting:** Any lighting proposed to illuminate off-street parking areas shall be located and arranged so that all direct rays of light are directed upon the site only and not on any adjoining properties;

n) **Set-back of Buildings:** The front wall of a building or structure on a site shall be not less than 3 metres (9.8 feet) measured at right angles, from the front property line of the site or such greater distance as prescribed for the district within which the building is located;

o) **Maintenance of Site and Buildings and Business:** The owner, tenant, operator or person in charge of a drive-in shall at all times:

i) maintain the site and the buildings, structures and improvements thereon in a clean, neat, tidy and attractive condition and free from all rubbish and debris;

ii) provide receptacles for the purpose of depositing therein garbage, rubbish and debris, sufficient in number and size as may be required by the Development Officer and shall use such receptacles for such purpose;

iii) be responsible for the proper, safe and orderly operation of the business and of motor vehicles using the site, and without restricting the generality of the foregoing, shall ensure:

(a) that operators of motor vehicles do not obstruct the sidewalks and boulevards abutting or adjacent to the site; and

(b) that operators of motor vehicles enter and leave the site only at the entrances and exits provided for such purposes;

iv) maintain around the boundaries of the site, other than on street frontage, an appropriate fence not less than 0.8 metres (2.6 feet) in height, designed so as to contain rubbish or debris, and shall landscape and keep landscaped the site.

## County of Strathcona Land Use Bylaw No. 44 - 80

### Part 4, Schedule 2, Section 3

#### Home Occupations

(1) The following regulations are applicable in Hamlets and in Country Residential (CR) and Small Holdings (SH) Districts.

a) Home occupations as defined are discretionary subject to the following conditions:

i) No person other than the occupant's family shall be engaged in such occupations;

ii) The use shall not involve the sale or display of goods upon the premises, but goods may be stored subject to the approval of the Development Officer, provided the storage of such shall not be exposed to the public view, nor shall involve a change in the appearance of the residence or its accessory buildings;

iii) No variation from the external appearance and residential character of land or buildings shall be permitted;

iv) No advertising sign shall be permitted, save as allowed by Section 4(3) of Schedule 4, Sign Regulations;

v) The use shall not generate traffic problems within the district;

vi) Except with the approval of the Development Officer, after posting the property, no commercial vehicle of a capacity of more than one-half ton shall be parked or maintained on or about the lands;

vii) No offensive noise, vibration, smoke, dust, odours, heat or glare shall be produced by the use;

viii) All permits shall be issued for no longer than a 12-month period, at which time the permit may be renewed at the discretion of the Development Officer;

ix) The permitted use shall only be applicable for the period of time the property is occupied by the application for such permitted use;

x) All permits issued for home occupation shall be subject to the condition that the permit may be revoked at any time if, in the opinion of the Development Officer, the use is or has become detrimental to the amenities of the neighbourhood;

xi) Where a person desires to use his house for an office or a consulting room, such activities shall be limited to an individual practice with only that staff to be employed as is necessary to the single practice. This will exclude clinics, partnerships, or any other combination of individuals to the intent that such a use as will be permitted shall be a privilege to be enjoyed only by a resident of the dwelling, and only upon explicit permission of the Development Officer;

xii) At all times the privacy of the adjacent dwellings shall be preserved and the use shall not unduly offend the surrounding residents by way of excessive lighting, late calling of clients of an unreasonable number, noise, traffic

congestion, etc.

(2)The following regulations are applicable in the Agricultural District.

a)Home occupations as defined are discretionary subject to the following conditions:

i)No person other than the occupant's family shall be engaged in such occupations;

ii)The use shall not involve the sale or display of goods upon the premises, but goods may be stored subject to the approval of the Development Officer.

iii)No advertising sign shall be permitted, save as allowed by Section 4 of Schedule 4, Sign Regulations;

iv)The use shall not generate traffic problems within the district ;

v)All permits shall be issued for no longer than a 12-month period, at which time the permit may be renewed at the discretion of the Development Officer;

vi)The permitted use shall only be applicable for the period of time the property is occupied by the application for such permitted use;

vii)All permits issued for home occupation shall be subject to the condition that the permit may be revoked at any time if, in the opinion of the Development Officer, the use is or has become detrimental to the amenities of the neighbourhood;

viii)At all times the privacy of the adjacent dwellings shall be preserved and the use shall not unduly offend the surrounding residents by way of excessive lighting, late calling of clients of an unreasonable number, noise, traffic congestion, etc.

County of Strathcona Land Use Bylaw No. 44 - 80

Part 4, Schedule 2, Section 4

Motels and Motor Hotels

(1) A site for a motel or motor hotel, where permitted under this bylaw shall comply with the following special provisions:

- a) For the purposes of this subsection, a rentable unit means a separate unit used or intended to be used for the temporary dwelling accommodation of one or more persons;
- b) The maximum area of each site which may be built upon shall be 30% of the site area, except for motor hotels in C-1 districts where the site coverage shall be at the discretion of the Commission;
- c) Minimum yard requirements:
  - i) each building to be erected on a motel or motor hotel site shall be set back not less than 7.5 metres (24.6 feet) from the property line of the site and not less than 3 metres (9.8 feet) from the side and rear property lines, provided that no carport or garage shall be less than 6 metres (19.7 feet) from any rear or side lanes, unless, in the opinion of the Development Officer, any proposed distance of less than 6 metres (19.7 feet) will not interfere with the free movement of traffic in such lanes;
  - ii) motor hotels in C-1 Districts are subject to those yard requirements set out in that district;
- d) Except in the case of rentable units and any other buildings where connected by a continuous roof to form a shelter for motor vehicles, not less than 3.5 metres (11.5 feet) of clear and unoccupied surface space shall be provided between each rentable unit and any other building on the site;
- e) Each rentable unit shall face onto or abut a driveway not less than 6 metres (19.7 feet) in width and shall have unobstructed access thereto.

(2) A site for a motel or motor hotel, where permitted under this Bylaw, shall comply with the following special provisions:

- a) All parts of the site to which vehicles may have access shall be hard-surfaced and drained to provide a durable dust-free surface;
- b) Proper site drainage must be provided;
- c) Not more than one motor vehicle entrance and one motor vehicle exit to a street, each of a minimum width of 7.5 metres (24.6 feet) measured at its minimum dimension, shall be permitted, provided that one combined motor vehicle entrance and exit shall be permitted, not less than 9 metres (29.5 feet) in width;
- d) The owner, tenant, operator or person in charge of a motel shall at all times:

- i) maintain the site and the buildings, structures and improvements thereon in a clean, neat, tidy and attractive condition and free from all rubbish and debris;
- ii) maintain garbage and/or incineration facilities to the satisfaction of the municipal officers concerned;
- iii) maintain an appropriate fence not less than 0.8 metres (2.6 feet) in height around the boundaries of the site, other than on street frontage, and shall landscape and keep landscaped the site in accordance with regulations prescribed from time to time by the Development Officer.

County of Strathcona Land Use Bylaw No. 44 - 80

Part 4, Schedule 2, Section 5

Service Stations

(1) A site for a service station, where permitted under this bylaw, shall comply with the following special provisions:

a) Such site shall be located:

i) at the intersection of two or more public roadways, being a street or avenue, but not including a lane, provided that the site may be located between intersections where there is a service road or a centre dividing strip on the public roadway, if the Development Officer approves the site; or

ii) adjacent to an interchange, either in existence or proposed but not including a rotary or traffic circle; or

iii) on part of a shopping centre;

b) Site area and coverage:

i) the minimum site area shall be based on the ratio of 0.6 square metres (6.5 square feet) of open space for each 0.1 square metre (1.1 square feet) on which buildings are erected;

ii) the minimum site area and coverage for a gas bar as an independent development shall be determined on the basis of 60 square metres (645.8 square feet) of space not covered by buildings or structures for each fuel pump.

iii) in the case of substantially rectangular sites, the minimum length of property shall be 40 metres (131.2 feet) on one side and 30 metres (98.4 feet) on the other;

iv) all pump islands shall be located at least 6 metres (19.7 feet) from any boundary of the site, parking area on the site, or laneways intended to control traffic circulation on the site;

v) in the case of a service station designed and built as part of a shopping centre, the ratio of building space to parking space shall be determined by the Development Officer;

c) Application for a permit in respect of a service station intended to be developed on any irregularly-shaped parcel of land shall be subject to the approval of the Development Officer;

d) Curb cutting:

i) on the property side on which traffic enters the intersection, the nearest edge of a curb cutting to an intersection of public roadways shall be not less than 15 metres (49.2 feet) from the nearest boundary of the intersection of the public roadways concerned, said distance of 15 metres (49.2 feet) to be measured along the curb line, provided that the prescribed minimum distances may be increased by the Development Officer where, in his opinion, it is necessary for reasons of public safety or convenience;

e)The maximum width of a curb cutting shall not exceed 10.5 metres (34.4 feet);

f)The side or edges of driveway approaches crossing sidewalks or boulevards may be constructed on an angle with the curb line, but the angle subtended between the curb and the edge of the driveway shall in no case be less than 30 degrees nor more than 60 degrees. However, when angular crossings over sidewalks are built, excessive slopes or crossfalls shall be avoided for the protection of pedestrians;

g)The minimum distance between adjacent curb cuttings on the same side of the property shall be not less than a distance of 6 metres (19.7 feet) from each other, measured at the property line, provided that the Development Officer may increase said minimum clear distance in any case where, because of width of adjacent sidewalks or boulevards or traffic conditions, in his opinion such increase is necessary for reasons of public safety or convenience;

h)All parts of the site to which vehicles may have access shall be hard-surfaced and drained to provide a durable, dust-free surface;

j)Proper site drainage shall be provided;

k)Any lighting proposed to illuminate off-street parking areas shall be located and arranged so that all direct rays of light are directed upon the site only and not on any adjoining properties;

l)The owner, tenant, operator or person in charge of a service station shall at all times:

i)be prohibited from the conducting of the business of a public garage or parking garage (provided, however, that this shall not prevent the use of garage space available on an authorized service station for storage), or of any business or activity which is obnoxious or offensive, or which may constitute a nuisance or an annoyance to persons occupying lands in the immediate vicinity of the site of a service station by reason of dust, noise, gases, odour, smoke or vibration;

ii)be responsible for the proper, safe and orderly operation thereof and of motor vehicles using said service station or being repaired or serviced thereat, and without restricting the generality of the foregoing shall ensure that operators of motor vehicles do not obstruct the sidewalks and boulevards abutting or adjacent to the service station;

iii)maintain around the boundaries of the site, other than on street frontage, an appropriate fence not less than 0.8 metres (2.6 feet) in height and shall landscape and keep landscaped the site.

## County of Strathcona Land Use Bylaw No. 44 - 80

### Part 4, Schedule 2, Section 6

#### Car Washing Establishments

A person applying to develop a car washing establishment under this bylaw shall comply with the following special provisions:

##### (1) Site Location:

Such site shall be located:

- a) At the intersection of two or more public roadways, being a street or avenue, but not including a lane, provided that a site may be located between intersections where there is a service road or a centre dividing strip on the public roadway. If located at an intersection, the site and access to it must be at the entrance of the intersection, i.e., on the right-hand side of the street, before entering an intersection so that ingress and egress will not create congestion of the intersection;
- b) As part of a shopping centre, if the Development Officer is satisfied that the development will not adversely affect adjoining land uses or the function of the shopping centre in relation to traffic circulation around streets adjacent to the shopping centre.

##### (2) Site Area:

The minimum site area and coverage for a car washing establishment shall be determined on the basis of 140 square metres (1,507.0 square feet) of space not covered by buildings or structures for each service bay.

##### (3) Maintenance of Site:

The owner, tenant, operator or person in charge of a car washing establishment shall at all times:

- a) Maintain the site and the buildings, structures and improvements thereon in a clean, neat, tidy and attractive condition and free from all rubbish and debris;
- b) Be responsible for the proper, safe and orderly operation of the business and of motor vehicles using the site, and without restricting the generality of the foregoing, shall ensure that operators of motor vehicles do not obstruct the sidewalks, boulevards and public thoroughfares abutting or adjacent to the site; and
- c) Maintain around the boundaries of the site an appropriate fence of not less than 0.8 metres (2.6 feet) in height.

## County of Strathcona Land Use Bylaw No. 44 - 80

### Part 4, Schedule 2, Section 7

#### Drive-through Vehicle Services

A site for a drive-through vehicle service, where permitted under this Bylaw, shall comply with the following special provisions:

##### (1) Site Location:

Such site shall be located:

- a) at the intersection of two or more public roadways, being a street or avenue, but not including a lane, provided that a site may be located between intersections where there is a service road or a centre dividing strip on the public roadway. If located at an intersection, the site and access to it must be at the entrance of the intersection, i.e., on the right-hand side of the street, before entering an intersection so that ingress and egress will not create congestion of the intersection; or
- b) adjacent to a traffic interchange, but not including a rotary or traffic circle; or
- c) as part of a shopping centre, if the Development Officer is satisfied that the development will not adversely affect adjoining land uses or the function of the shopping centre in relation to traffic circulation around streets adjacent to the shopping centre.

##### (2) Site Area and Coverage:

- a) The minimum frontage shall be 30 metres (98.4 feet) and the minimum lot depth shall be 30 metres (98.4 feet);
- b) The minimum site area and coverage for a drive-through vehicle services development shall be determined on the basis of 140 square metres (1,507.0 square feet) of space not covered by buildings or structures for each service bay, except that the minimum site area and coverage for any complete service car wash shall be determined on the basis of 370 square metres (3,982.6 square feet) of space not covered by buildings or structures for each car wash bay;
- c) Queuing space: For drive-through vehicle services, a minimum of five inbound and three outbound queuing spaces shall be provided for each service bay, except that in the case of a complete service car wash a minimum of twenty inbound and five outbound queuing spaces shall be provided for each bay;
- d) All queuing spaces shall be a minimum of 6.5 metres (21.3 feet) long and 3 metres (9.8 feet) wide. Queuing lanes shall provide sufficient space for turning and manoeuvring;
- e) Where two or more uses are part of a mixed use development on the same site, the total site area requirement shall be the sum of the requirements of the uses computed separately, unless the applicant can demonstrate to the Development Officer that there is a complementary use of space which would warrant a reduction in site area requirement;

f)Where gas bars are a joint use with a drive-through vehicle service, site coverage shall be determined on the basis of 60 square metres (645.8 square feet) of space not covered by buildings or structures for each fuel pump.

County of Strathcona Land Use Bylaw No. 44 - 80

Part 4, Schedule 2, Section 8

Mobile Home Parks

A site to be used for a mobile home park as permitted in this bylaw shall comply with the following regulations:

(1)The design of the mobile home park shall:

a)Provide access by means of at least two legal accesses;

b)Provide for proper traffic circulation, taking into account off-site as well as on-site traffic movement;

c)Provide convenient access to common facilities and services and provide for practical and efficient operation and maintenance of all facilities and common areas.

(2)Streets shall:

a)Be laid out so as to provide proper access to individual lots, common areas and services;

b)Be privately owned and maintained and be part of the common area;

c)Provide convenient circulation by use of properly located minor and collector streets:

i)a minor street serves 50 or less lots if one way and 100 or less if two way and is less than 150 metres (492.1 feet) in length;

ii)a collector street serves up to 200 lots and has no length limitation;

d)Have a minimum turning radius of 12 metres (39.4 feet) if they are designed as cul-de-sacs or dead-end streets;

e)Be hard-surfaced with the following surfaced widths:

i)collectors - 11 metres (36.1 feet) where there is guest parking, 7 metres (23.0 feet) where there is no parking;

ii)minor streets - 6 metres (19.7 feet) with no parking.

(3)Outdoor lighting in the park, including street lighting, shall be

integrated in design and appearance and conform to the existing

residential standards.

(4)The park owner, or person in charge of the mobile home park, shall at all times:

a) Maintain the park and the common buildings, structures and improvements thereon in a clean, neat, tidy and attractive condition and free from all rubbish and debris;

b) Be responsible for the removal of snow from all common areas, internal streets and walkways.

(5) Parking :

a) There shall be a minimum of two parking spaces provided on each mobile home lot;

b) There shall be additional parking provided at a ratio of one space for every two mobile home lots to accommodate visitors:

i) visitor parking areas shall be conveniently located for all parts of the park;

ii) visitor parking areas shall be hard-surfaced;

iii) visitor parking areas shall not be used for storage of boats, trailers, etc.;

iv) no on-street parking except on collector streets.

(6) Pedestrian Access:

a) Safe, convenient walkways shall be provided for access to individual mobile homes, streets and common areas - such as parks, laundry areas, etc.;

b) All walkways shall have a minimum width of 1.2 metres (3.9 feet) and shall be hard-surfaced.

(7) Recreation and Landscaping:

a) All mobile home parks shall provide recreation areas at a ratio of 9 square metres (96.9 square feet) per mobile home lot:

i) this ratio may be reduced at the discretion of the Development Officer if, in the Development Officer's opinion, there is adequate existing recreation space in the area in which the mobile home park is located;

b) Recreation areas shall be located so as to be:

i) convenient to all park residents;

ii) free from public hazards;

c) Recreation areas shall not be included in areas designated as buffer strips;

d) Recreation areas shall be landscaped and properly equipped with facilities;

e) Adequate Fencing or screening shall be provided between recreational and other areas;

f) All areas of the mobile home park not occupied by mobile homes and their additions, internal roads, walkways, driveways or any, other developed facility shall be landscaped and kept landscaped to the satisfaction of the Development Officer;

g) Adequate screening in the form of trees or other planting shall be provided between the mobile home park and adjacent uses where these uses are incompatible with the residential character of the mobile home park;

h) Adequate screening in the form of trees or shrubs or fencing shall be provided where necessary around laundry areas, service buildings and refuse collection points.

(8) Common Areas:

- a) There shall be no outdoor storage of any furniture, domestic equipment or seasonally used equipment:
- i) adequate covered storage facilities shall be provided either on individual lots or in common storage facilities;
- ii) common storage facilities shall be in a permanent building conveniently located to all park residents;
- b) A storage compound shall be provided for large trucks, campers, travel trailers, snowmobiles, boats, etc. in a manner approved by the Development Officer;
- c) Where heating fuel is provided by a local distribution system, such as propane, contained space shall be provided in an inconspicuous location and with the approval of the Fire Chief;
- d) Laundry and toilet facilities shall be provided as required by the local health regulations;
- e) All service and other common buildings shall be of permanent construction.

(9) Lot Requirements and Spacing:

- a) Each mobile home lot shall be clearly marked on the ground by permanent stakes, markers or other means and shall be clearly defined with a lot number or other address system;
- b) The minimum lot size shall be:
  - Single Wide - 12 metres (39.4 feet) in width, 30 metres (98.4 feet) in length;
  - Double Wide - 13.5 metres (44.3 feet) in width, 30 metres (98.4 feet) in length;
- c) There shall be only one mobile home per lot;
- d) Any permanent addition such as patios, porches, garages or other structural additions:
  - i) are considered part of the mobile home unit and require a building permit prior to construction;
  - ii) may not exceed in area 25% of the mobile home unit;
  - iii) shall be constructed so that the result will be of a design similar in finish to the mobile home unit and will harmonize with the exterior of the unit;
- e) Mobile homes shall be separated by a minimum distance of 3 metres (9.85 feet) and any porch or addition to the mobile home should be regarded as part of the mobile home in determining this space;
- f) Each mobile home shall be set back:
  - i) a minimum of 7.5 metres (24.6 feet) from the mobile home park boundary;
  - ii) a minimum of 3 metres (9.8 feet) from any internal access road, parking area or other common area;
  - iii) a minimum of 1 metre (3.3 feet) from any other mobile home lot boundary.

(10) Utilities and Services:

- a) All mobile home units shall be connected to the municipal sanitary and storm sewer, water supply and electric power systems;

- b) All utility lines shall be underground and meet the requirements of the prevailing municipal or provincial regulations regarding such installations;
- c) The park owner shall provide proper garbage containers on each lot and a screened garbage disposal area shall be provided at a point convenient for collection;
- d) The park owner shall provide fire hydrants where necessary and any other fire protection equipment or facilities as deemed necessary by the Fire Chief.

## County of Strathcona Land Use Bylaw No. 44 - 80

### Part 4, Schedule 2, Section 9

#### Architectural Controls

(1)The purpose of this section is to provide the County of Strathcona with controls to assure the good appearance of the commercial districts, the highway commercial districts, the industrial business districts, and the restricted industrial districts.

#### (2)General Regulations:

a)The design, siting, external finish, height, architectural appearance and landscaping in general of all buildings, including any accessory buildings and structures, shall be to the satisfaction of the Development Officer or Commission;

b)The Development Officer or Commission may require a uniform roof line in case of two or more abutting buildings, a uniform line of canopy or projections, and a uniform height from sidewalk to display windows;

c)The Development Officer or Commission may require that outdoor display areas which abut a residential district be obscured from direct view by providing a visual screen at least 2 metres (6.6 feet) in height;

d)Sign control, in addition to those pertinent regulations in Schedule 4, shall be exercised by the Development Officer or Commission to assure that no signs clash with each other and that the individual signs do not detract from the appearance of the area or street.

#### (3)The following information shall be Provided with the application for development:

##### a)Site plan:

i)front, side and rear yard setbacks;

ii)roof overhang outline;

iii)north arrow;

iv)legal description;

v)parking stalls, driveways and landscaping;

vi)utility service lines;

vii)streets and avenues;

viii)nearest adjacent existing buildings on adjacent property;

b)Floor and foundation plan:

i)all outside dimensions;

ii)all inside dimensions and location of partitions;

iii)heating, ventilation and electrical fixtures, plugs, switches, etc., location of furnace, air conditioning unit, water and disposal outlets and facilities;

iv)materials and construction;

v)floor, interior wall and ceiling finishes;

c)Sections:

i)at least one longitudinal or cross-section showing the dimensions, construction and materials;

ii)all finishes;

iii)heights of rooms or spaces, and relationship of building to finished grade;

d)Elevations:

i)front, rear, right and left sides of the building;

ii)all the exterior materials and finishes including the type of roofing;

iii)finished grade line in relation to curb line as determined by the Municipal Engineer, and shown on all four elevations.

## County of Strathcona Land Use Bylaw No. 44 - 80

### Part 4, Schedule 2, Section 10

#### Shopping Centres

Shopping centre developments shall comply with the following special provisions:

- a) The maximum area of land which may be built upon shall be 50% of the site area.
- b) Development and site dimensions and setbacks shall be as required by the Commission in accordance with the needs of a particular development.
- c) The Commission will determine as necessary requirements for the following:
  - i) entrance and exit points, exit lanes being separated from entrance lanes by dividers or treed boulevards, etc.;
  - ii) traffic circulation within the site;
  - iii) adequate drainage and surfacing;
  - iv) width and angle of parking stall, lines, arrows and dividers to control parking;
  - v) landscaping and other provisions to enhance the appearance of the shopping centre;
  - vi) lighting; and
  - vii) snow removal and cleaning accessibility.

## County of Strathcona Land Use Bylaw No. 44 - 80

### Part 4, Schedule 3, Section 1

#### Section I - General Regulations

- (1) In all districts, the parking facilities shall be wholly provided on the same site as the buildings to be served unless otherwise approved by the Commission.
- (2) In commercial districts, the parking shall be governed by the Off-Street Parking Requirements, Sections 2, 3 and 4.
- (3) In industrial districts, parking and loading shall be provided as set out in Off-Street Parking Requirements, Sections 2, 3 and 4.
- (4) Off-street parking areas and driveways in all residential and commercial districts shall be constructed and hardsurfaced in accordance with the County Engineering standards as set from time to time.
- (5) Every off-street parking space provided or required in an industrial district and the access thereto, including the whole area contained within the municipal land to which the curb crossing permit applies, shall be hardsurfaced if such area lies in front of the principal building. Any area at the rear or side of the principal building provided or required for off-street parking need not be hardsurfaced, but shall be of such a surface as will minimize the carrying of dirt or foreign matter onto the highway.
- (6) Adequate curbs or fences shall be provided to the satisfaction of the Development Officer. If, in his opinion, it is or becomes necessary to protect adjacent fences, walls, boulevards, landscaped areas or buildings on the site, or on an abutting site, from contact with vehicles using such parking space or area.
- (7) Notwithstanding anything in this section contained, if the street or lane from which access is available to any required parking space is hard-surfaced after the time at which the parking space is provided or required, the person responsible for the construction or maintenance of such parking space shall forthwith hard-surface such parking space and the access thereto;
- (8) Any lighting proposed to illuminate off-street parking areas shall be located and arranged so that all direct rays of light are directed upon the parking area only and not on any adjoining properties.
- (9) Adequate access to and exit from individual parking spaces is to be provided at all times by means of unobstructed manoeuvring aisles and to the satisfaction of the Development Officer, except where otherwise indicated in this bylaw.
- (10) All curb crossings, entrances and exits shall be subject to the prior approval of the Development Officer.
- (11) Where the number of parking spaces is determined by reference to a unit such as the number of seats or floor area, or the like, as required under Section 3 hereof, the next higher number shall be taken where the calculation results in a fractional number of parking spaces.
- (12) Where a proposed use is not listed in the Parking Schedule, the offstreet parking requirements shall be determined

by the Development Officer or Commission.

(13) In the case of different uses or mixed uses on the same site, offstreet parking facilities shall be determined as the sum of the requirements for the uses computed separately. Off~street parking facilities for one use shall not be considered as providing required facilities for any other use, unless otherwise approved by the Development Officer or Commission.

(14) Where a required parking area is not located on the same site where the building or use is located, the owner shall covenant with the County by an agreement that the site on which the parking space is located shall be used for the purposes as long as it is required under this bylaw.

(15) Parking spaces and wheelchair ramps shall be provided for the handicapped for all public and quasi-public buildings, buildings designed or intended for use as a place of public assembly, education, recreation or entertainment with or without a charge for admission, buildings designed or intended for a use which includes business or commercial purposes, and transportation terminals or depots, as required by the Development Officer.

County of Strathcona Land Use Bylaw No. 44 - 80

Part 4, Schedule 3, Section 3

Section 3 - Off-Street Parking Requirements

Provision shall be made for off-street vehicular parking or garage spaces for any development in any district defined in this Bylaw, In accordance with the following standards:

[Part 4, Schedule 3, Section 3 Residential](#)

[Part 4, Schedule 3, Section 3 Commercial](#)

[Part 4, Schedule 3, Section 3 Recreational](#)

[Part 4, Schedule 3, Section 3 Auditoriums](#)

[Part 4, Schedule 3, Section 3 Schools](#)

[Part 4, Schedule 3, Section 3 Hospitals and Similar Uses](#)

[Part 4, Schedule 3, Section 3 Industrial](#)

County of Strathcona Land Use Bylaw No. 44 - 80

Part 4, Schedule 3, Section 3 Residential

Use of Building or Site	Minimum Number of Parking or Garage Spaces Required
One and two family dwellings	2 parking or garage space per dwelling unit
	NOTE:Where a front yard driveway provides access to a parking space that is not within the front yard, the Development Officer may consider this driveway as the provision of a second car parking space that is in tandem
Apartment buildings, row houses and townhouses	1 parking space per bachelor dwelling unit 2 parking spaces per 1 bedroom dwelling unit or larger  Of the total number of parking spaces required, 1 space per every 4 dwelling units must be assigned to guest parking, readily available to an entrance of the building to be served, and must be clearly identified as guest parking
Lodging houses, fraternity houses	1 per 2 beds or 1 per 4 seats in dining room whichever is greater

## County of Strathcona Land Use Bylaw No. 44 - 80

## Part 4, Schedule 3, Section 3 Commercial

Use of Building or Site	Minimum Number of Parking or Garage Spaces Required
Shopping centres of more than 20,000 square metres (215,278.2 square feet)	5.1 per 100 square metres (5.5 per 1,000 square feet) of gross leasable floor area
Business, administrative and professional offices and banks	3.4 per 100 square metres (3.2 per 1,000 square feet) of gross leasable floor area in the building
Retail shops, personal service shops and equipment and repair shops with a gross leasable floor area of:	
less than 2,000 square metres (21,527.8 square feet)	2.2 per 100 square metres (2 per 1,000 square feet) of gross leasable area in the building
2,000 square metres (21,527.8 square feet) to 9,000 square metres (96,875.2 square feet)	3.2 per 100 square metres (3 per 1,000 square feet) of gross leasable area in the building
9,000 square metres (96,875.2 square feet) to 20,000 square metres (215,278.2 square feet)	4.3 per 100 square metres (4 per 1 000 square feet) of gross leasable area in the building
Eating establishments	1 per 4 seats, or 3.1 per 10 square metres (1 per 35 square feet)
Cocktail bars	1 per 4 seats, or 3.1 per 10 square metres (1 per 35 square feet)
Beer parlours	1 per 4 seats, or 3.1 per 10 square metres (1 per 35 square feet)
Hotels, including motor hotels	1 per guest room
Motels	1 per dwelling or sleeping unit
Employee parking in all Commercial establishments	1 per 3 employees

County of Strathcona Land Use Bylaw No. 44 - 80

Part 4, Schedule 3, Section 3 Recreational

Use of Building or Site	Minimum Number of Parking or Garage Spaces Required
Billiard parlours and amusement arcades	1 per 9 square metres (1 per 100 square feet) of gross leasable floor area
Bowling alleys	(i) 5 spaces per alley, and (ii) 5 spaces for staff, and (iii) 1 space per 10 seating spaces for spectators
Curling rinks	(i) 8 spaces per curling sheet of ice, and (ii) 5 spaces for staff, and (iii) 1 space per 10 seating spaces for spectators
Racquet sport facilities	4 spaces per court

## County of Strathcona Land Use Bylaw No. 44 - 80

## Part 4, Schedule 3, Section 3 Auditoriums

Use of Building or Site	Minimum Number of Parking or Garage Spaces Required
Public assembly auditoriums including theatres, convention halls, gymnasiums, racetracks exhibition halls, union halls, lodge halls, private clubs, public libraries and cultural exhibits, ball parks and other sports arenas or amusement places	1 per 2.5 seating spaces for the public or 1.1 per 2.5 square metres (1 per 25 square feet) used by the patrons, whichever is greater
Community halls, community centres and community league buildings operated by a citizens' organization	<p>(i) 16 spaces for each facility, subject to the additional requirements of (ii). Such requirements shall not be reduced by including parking required or provided on an adjacent site, except as provided in (iii).</p> <p>(ii) Where there is a multiple purpose area, room or space within the facility which can be used for general assembly purposes, and where such room or space exceeds 93 square metres (1001.0 square feet) in gross floor area, 2.2 stalls shall be provided for each additional 10 square metres (1 per 50 square feet) of gross floor area or fraction thereof in excess of 93 square metres (1001.0 square feet) provided that such multiple purpose areas shall not include dressing rooms, change rooms, washrooms, storage areas, and cooking or kitchen areas which are normally incidental to the primary function of the service facility.</p> <p>(iii) Where the facility parking area immediately abuts a parking area for a school, a minimum of 50% of the additional parking spaces required pursuant to clause (ii) may be provided by including the parking facilities on the abutting school parking area.</p>
Churches	1 per 10 seating spaces
Funeral homes	1 per 5 seats for persons attending services plus 1 space per funeral home vehicle. (The Development Officer may allow any suitable arrangement of the required parking spaces without the normally required provision of manoeuvring aisles.)



County of Strathcona Land Use Bylaw No. 44 - 80

Part 4, Schedule 3, Section 3 Schools

Use of Building or Site	Minimum Number of Parking or Garage Spaces Required
Public or private elementary and junior high schools	1 space for each classroom plus 1 space per 9 square metres (1 per 100 square feet) used for assembly if school includes auditorium or gymnasium
Public or private senior high schools which DO NOT include an auditorium, gymnasium or swimming pool	1 space for each classroom plus 1 space for every 33 students
Public or private senior high schools which DO include an auditorium, gymnasium or swimming pool, either i), ii) iii) shall apply, whichever is greater	i) 1 space for each classroom plus 1 space for every 33 students OR ii) 1 space per 2.5 seating spaces used for assembly in an auditorium, gymnasium or swimming pool  OR iii) 1.1 space per 2.5 square metres (1 per 25 square feet) used for assembly in an auditorium, gymnasium or swimming pool, whichever is greater
Colleges, universities, business or commercial or technical schools	1 per 10 seats, plus auditorium requirements where applicable
School campuses involving more than one school and associated uses	Parking spaces shall be as required by the Development Officer

County of Strathcona Land Use Bylaw No. 44 - 80

Part 4, Schedule 3, Section 3 Hospitals and Similar Uses

Use of Building or Site	Minimum Number of Parking or Garage Spaces Required
Hospitals, sanatoriums, convalescent homes or similar uses	1.1 per 100 square metres (1 per 1,000 square feet) of gross floor area
Homes for the aged (individual unit projects)	1 per 4 units or such ratio or number as the Development Officer may approve
Homes for the aged (lodge-type accommodation)	1.1 per 100 square metres (1 per 1,000 square feet) of gross floor area or such ratio as the Development Officer may approve

County of Strathcona Land Use Bylaw No. 44 - 80

Part 4, Schedule 3, Section 3 Industrial

Use of Building or Site

Minimum Number of Parking or Garage  
Spaces Required

Manufacturing and industrial plants,  
warehousing, wholesale and storage  
buildings and yards, servicing and  
repair establishments, research  
laboratories and public utility buildings

1 per 3 employees on a maximum  
working shift provided this requirement  
may be varied by the Development  
Officer or Commission

County of Strathcona Land Use Bylaw No. 44 - 80

Part 4, Schedule 3, Section 4

Section 4 - Off-Street Loading Requirements

Use of Building or Site	Minimum Number of Loading Bays Required
All uses in commercial districts	1 space for each loading door with a minimum of 1 space to be provided
All uses in industrial districts	1 space for each loading door with a minimum of 2 spaces to be provided
All other uses	As required by Development Officer

County of Strathcona Land Use Bylaw No. 44 - 80

Part 4, Schedule 4, Section 1

Section 1 - Purpose of Regulations

Regulations providing standards for outdoor commercial advertising in the interest of amenity and traffic safety and having consideration to the number, size and location of advertisements insofar as they are likely to affect:

- (1)The appearance and character of any building or locality frequented by the public.
- (2)The concentration of the motoring public and its ability to define authorized traffic signs

County of Strathcona Land Use Bylaw No. 44 - 80

Part 4, Schedule 4, Section 2

Section 2 - Definitions

For the purpose of these regulations, certain words and expressions are defined as follows:

**ADVERTISEMENT** means any word, letter, model, picture, symbol, device or representation, whether illuminated or not, in the nature of and employed wholly or in part for the purposes of advertisement, announcement or direction;

**AREA OF A 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;

**BILLBOARD** means a structure, primarily self-supporting, which is used for the display of general advertising, the subject matter of which is not necessarily related to the use or ownership of the property on which the structure is located;

**BUSINESS FRONTAGE** means:

- a) any side of a separate property or building which abuts a road;
- b) in the case of individual businesses or tenants within a building, that portion of the frontage, as defined above, occupied by such individual businesses or tenants;

**FASCIA SIGN** means a sign placed flat and parallel to the face of the building so that no part projects more than 0.3 metres (1.0 feet) from the building;

**FREE-STANDING SIGN** means a sign on a standard or column permanently attached to the ground and which is not connected in any way to any building or other structure;

**FREE-STANDING PORTABLE SIGN** means a sign on a standard, column or A-frame boards fixed to its own self-contained base and capable of being moved manually;

**IDENTIFICATION SIGN** means a sign which contains the name, address and number of a building, institution, or person, and to the activity within the building, institution or the occupation of the person;

**MARQUEE OR CANOPY SIGN** - for the purposes of these regulations:

- a) a marquee or canopy means a roof projection outward from the face of a building constructed as an integral part of the building, primarily designed to provide protection from climatic elements;
- b) a marquee or canopy sign means a sign attached to a marquee or canopy;

**MERCHANDISING AID** means a device for the display and/or sale of merchandise and related advertising material;

**PROJECTING SIGN** means a sign which is attached to a building or structure so that part of the sign projects more than 0.3 metres (1.0 feet) from the face of the building or structure;

**ROOF SIGN** - for the purposes of these regulations:

a)"roof" means the top enclosure, above or in the vertical walls of a building;

b)"roof sign" means any sign placed on or over a roof;

**SIGN** means any device, erection or structure used for the display of advertisements and without, in any way, restricting the generality of the foregoing, includes posters, notices, panels, hoardings and banners;

**SKY SIGN** means a roof sign comprising individual letters or symbols on an open framework;

**TEMPORARY SIGN** means a sign which is not permanently anchored to the ground or affixed to a building, advertising goods, services or activities for a limited time basis and includes A-frame boards and portable signs mounted on trailers or stands, banners, pennants and cloth signs which, by their nature, could readily be relocated to serve a similar purpose in another location.

## County of Strathcona Land Use Bylaw No. 44 - 80

### Part 4, Schedule 4, Section 3

#### Section 3 - Permitted Development

Advertisements specified in this section are deemed permitted and may be erected without application being made for a development permit, provided that the permission hereby granted in respect of any such advertisements specified below shall be subject to all other orders, bylaws and regulations affecting such advertisements:

- (1) Statutory and official notices and functional advertisements of local authorities and public transport.
- (2) Traffic and directional signs authorized by the Council.
- (3) Notices of identification in respect of the land or buildings on which they are displayed, and business and trade name plates relating to the occupants of the land or buildings on which they are displayed, provided that:
  - a) Each notice or name plate shall not exceed 0.2 square metres (2.2 square feet) in area;
  - b) There shall be a limit of one notice for each occupant or each firm or company represented within the building at one entrance on each different street.
- (4) Notice relating to the sale, lease or rental of the building, or land to which they are attached, provided that:
  - a) The notices shall not be illuminated;
  - b) Each notice shall not exceed 0.4 square metres (4.3 square feet) in area;
  - c) There shall be a limit of one notice for each side of the land or buildings on a different street.
- (5) Posters relating specifically to a pending election, provided that such posters shall be removed within 14 days after the election.
- (6) Notices on land or buildings used for religious, educational, cultural, recreational, medical or similar public or quasi-public purposes, and related to the use or occupants of the land or buildings on which they are displayed, provided that:
  - a) Each notice shall not exceed 1 square metre (10.8 square feet) in area;
  - b) There shall be a limit of one notice for each side of the land or buildings on a different street.
- (7) Advertisements of building contractors relating to constructional work in progress on the land on which such advertisements are erected, provided that:
  - a) Such advertisements shall be removed within 14 days of occupancy;

b)Such advertisements shall be limited in size to a maximum of 6 square metres (64.6 square feet), and in number to one advertisement for each boundary of the property under construction which fronts onto a public street.

(8)Temporary advertisements which are displayed on the interior or exterior of the building within which such sales will be or are being conducted, provided that:

a)The advertisements shall be constructed of paper, canvas, cardboard or other light materials or painted on glass and intended to be displayed for a short period of time only;

b)Such advertisements shall not be erected more than seven days before the commencement of the sale to which they refer, and shall be removed within three days of the completion of the said sale.

(9)Signs on merchandising aids are permitted, provided that:

a)Any device shall be placed wholly within the property lines;

b)The overall height of any advertisement shall not be greater than 2 metres (6.6 feet) above ground level;

c)The maximum area of any advertisement shall not exceed 1 square metre (10.8 square feet).

County of Strathcona Land Use Bylaw No. 44 - 80

Part 4, Schedule 4, Section 4

Section 4 - Details of Application

(1) Applications for a development permit shall be made to the Development Officer, and:

a) The application shall be:

i) made out on the official form provided by the Development Officer;

ii) supported by two copies of drawings drawn to scale, and in the case of a building, the scale shall not be smaller than 1:100 and in the case of a site plan, the scale shall not be smaller than 1:300;

b) The drawings shall indicate:

i) the location of the sign by elevation drawing or site plan of the property indicating front and side property lines, approaches or driveway locations and distances from existing buildings;

ii) the overall dimensions of the sign;

iii) size of the letter or letters;

iv) the amount of projection from the face of the building or above the building roof or parapet wall;

v) the height of a free-standing sign;

vi) the amount of projection over public property;

vii) the height of the sign above a public street or sidewalk or the height above the average ground level at the face of the building;\_

viii) manner of illuminating the sign and any form of animated or intermittent lights that may be embodied in the construction;

ix) the least distance that the sign will be erected from an intersection of one street with another, and also, the least distance from any device for the control of traffic at such an intersection.

(2) No person shall perform any work of erecting or of placing a sign differing from or enlarging the work for which a development permit has been issued. If, during the progress of the work, the applicant desires to deviate in any way from the terms of the original approved development permit, he shall notify the Development Officer and submit amended drawings and, if necessary, shall make application for approval of the plans as amended.

(3) A development permit shall not be required to clean, repair or repaint any sign.

County of Strathcona Land Use Bylaw No. 44 - 80

Part 4, Schedule 4, Section 5

Section 5 - General Provisions

(1) All proposed signs shall meet the following general provisions:

- a) No advertisement shall be permitted which is attached to a fence, pole, tree, or any object in a public roadway or place;
- b) No advertisement shall be permitted which is attached to or standing on the ground in any public roadway or place;
- c) No advertisement shall be erected so as to obstruct free and clear vision of vehicular and pedestrian traffic or any location where it may interfere with, or be confused with, any authorized traffic sign, signal or device;
- d) No advertisement shall emit audible sound or employ motion picture projections;
- e) Any person erecting, altering or relocating a permanent sign for which a development permit has been issued shall supply the Development Officer with photographs of the sign upon completion of the work. Failure to supply such photographs shall result in prosecution under Section 16 of this bylaw.

(2) Illumination of signs and billboards will be considered by the Development Officer according to the merits of each individual application. A permit may be granted, provided that:

- a) The advertisement conforms to all other regulations in this bylaw.,
- b) Any flasher, animator or revolving beacon will not be visible from any residential property within a distance of 90 metres (295.3 feet);
- c) Any illumination will not cause confusion or interference with traffic signal lights and will not create a hazard to traffic on any public roadway.

(3) Where, in the opinion of the Development Officer, it can be shown that a sign or signs which exceed, in aggregate, the maximum areas permitted by these regulations, will not detract from the appearance of the building or neighbourhood, nor interfere with the use of neighbourhood buildings or with other approved signs, then the Development Officer may approve such sign or signs, where they otherwise are in conformity with the requirements of those regulations and shall declare their reasons for approving or refusing the sign.

(4) Signs shall be provided to identify entrances and facilities for the handicapped in all public and quasi-public buildings, buildings designed or intended for use as a place of public assembly, education, recreation or entertainment with or without a charge for admission, buildings designed or intended for a use which includes business or commercial purposes, and transportation terminals or depots, as required by the Development Officer.

County of Strathcona Land Use Bylaw No. 44 - 80

Part 4, Schedule 4, Section 6

Section 6 - Fascia Signs

(1) In the areas defined on the Land Use Map, Schedule 1A of this bylaw, as Districts C-1, C-2 and C-3 and RI, IB, RC, GI and HI:

a) Fascia signs shall be erected so that they:

- i) do not project more than 1 metre (3.3 feet) above the top of the vertical face of the wall to which they are attached;
- ii) do not exceed in area the equivalent of 25% of the superficial area of the wall comprising the business frontage;
- iii) are located on a business frontage;

b) No painted wall signs shall be allowed on a flank or gable wall which is not a business frontage;

c) Fascia signs, other than painted wall signs, on a flank or gable wall which is not a business frontage, shall be considered by the Development Officer according to the merits of the individual application.

County of Strathcona Land Use Bylaw No. 44 - 80

Part 4, Schedule 4, Section 7

Section 7 - Marquee and Canopy and Roof Signs

(1) Marquee and canopy signs shall be considered as fascia signs according to the provisions of Section 6, provided that:

- a) They shall be attached to the edge of the marquee or canopy;
- b) No additional supporting wires or stays shall be attached to the canopy or wall;
- c) No portion of the sign shall project below the bottom edge or more than 1 metre (3.3 feet) above the top edge of the marquee or canopy;
- d) A sign not exceeding 0.3m x 1.2m (1 ft. x 3.9 ft.) in outside dimensions may be suspended below a marquee or canopy, provided no part of the sign shall be closer than 2.5 metres (8.2 feet) to the ground or sidewalk.

(2) Roof signs shall be considered as fascia signs according to the provisions of Section 6, where the following conditions are met:

- a) The sign shall be attached to the front edge of the roof;
- b) No additional supporting wires or stays shall be attached to the roof;
- c) No portion of a sign shall project more than 1 metre (3.3 feet) above the roof.

County of Strathcona Land Use Bylaw No. 44 - 80

Part 4, Schedule 4, Section 8

Section 8 - Projecting Signs

(1) In the areas defined on the Land Use Map, Schedule JA of this bylaw, as C-1, C-2 and C-3, a projecting sign shall be permitted with the approval of the Development Officer, provided that:

a) For any building located less than 6 metres (19.7 feet) from the property line, not more than one projecting sign 2.3 square metres (24.8 square feet) or less in area be erected;

b) No part of the sign shall:

i) extend more than 2 metres (6.6 feet) above the parapet of the building;

ii) extend more than 2 metres (6.6 feet) from the face of the building;

iii) be less than 3 metres (9.8 feet) above ground or sidewalk grade,

(2) In the areas defined on the Land Use Map, Schedule 1A of this bylaw, as C-3, RI, IB, RC, GI and HI, projecting signs shall be erected so that:

a) No part of the sign shall be less than 3 metres (9.8 feet) above the ground or sidewalk grade;

b) No part of the sign shall project more than 2.5 metres (8.2 feet) over public property, or come within 0.6 metres (2.0 feet) of the curb or edge of a roadway;

c) No part of the sign shall project more than 1 metre (3.3 feet) above the top of the vertical face of the wall to which it is attached;

d) The space between the sign and supporting wall shall not be more than 0.6 metres (2.0 feet);

e) There shall be only one projecting sign for each business frontage, provided that if a business frontage shall exceed 15 metres (49.2 feet), a further projecting sign be permitted for each additional 15 metres (49.2 feet) or portion thereof;

f) 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	2.5m	2m	1.8m	1.5m	1.2m	1 metre or less
(Feet)	(8.2)	(6.6)	(5.9)	(4.9)	(3.9)	(3.3)
Maximum Area of Sign	2.3m <sup>2</sup>	2.6m <sup>2</sup>	3.3m <sup>2</sup>	4.5m <sup>2</sup>	5.6m <sup>2</sup>	7m <sup>2</sup>
(Sq. Ft.)	(24.8)	(28.0)	(35.5)	(48.4)	(60.3)	(75.4)

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;

g) Supports shall not be provided by an A-frame.

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Part 4, Schedule 4, Section 9

Section 9 - Free-Standing Signs

(1) In areas defined on the Land Use Map, Schedule 1A of this bylaw, as C-2, C-3, RI, IB, RC, GI and HI, the free-standing identification signs shall be erected so that:

- a) No part of the sign shall be less than 1 metre (3.3 feet) or more than 9 metres (29.5 feet) above ground or sidewalk grade;
- b) No part of the sign shall project more than 0.6 metres (2.0 feet) beyond the property line;
- c) The area of the sign shall not exceed 8 square metres (86.1 square feet) for the first 15 metres (49.2 feet) of lineal frontage, plus 0.1 square metre (1.1 square feet) for each additional lineal foot of frontage to a maximum of 14 square metres (150.7 square feet). The area of the sign shall be computed exclusive of pylons, supports and structural members provided that such pylons, supports and structural members are free of advertising and are so constructed that they do not form part of the advertisement;
- d) There shall be not more than one free-standing sign for each business frontage.

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Part 4, Schedule 4, Section 10

Section 10 - Temporary Signs and Free Standing Portable Signs

(1) In areas defined on the Land Use Map Schedule 1A of this bylaw as C-I, C-2, C-3, RI, IB, RC, GI and HI, free standing portable signs shall be permitted provided that:

- a) All temporary portable signs shall be permitted for a period not exceeding 60 days during the opening of new business, temporary business, change in franchise or clearing out of a business;
- b) Only one temporary portable sign is permitted for each business establishment;
- c) No free standing portable sign shall be located closer than 1.5 metres (5.0 feet) from the property line;
- d) No free standing portable sign shall:
  - i) have an overall height greater than 1.5 metres (5.0 feet) above ground level;
  - ii) have a maximum area of more than 1 square metre (10.8 square feet).

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Part 4, Schedule 4, Section 11

Section 11 - Billboards

(1)The erection of billboards will be considered by the Development Officer on the merits of each application.

(2)Each application approved shall be subject to the conditions that:

- a)The structure shall not exceed 6 metres (19.7 feet) in height nor 15 metres (49.2 feet) in length;
- b)The vertical posts supporting the structure shall not project above the upper edge of the hoardings;
- c)Any additional bracing shall be contained between the front and rear faces of the vertical supports;
- d)The rear of any billboard which is plainly visible from a public thoroughfare shall be covered with wooden slats or trellis fixed against the rear face of the vertical supports and painted;
- e)No part of the structure shall project over public property;
- f)No billboard shall be erected less than 60 metres (196.8 feet) from any existing billboard;
- g)The structure shall, at all times, be kept in good order and repair.

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Part 4, Schedule 4, Section 12

Section 12 - Illuminated Roof and Sky Signs

(1) Illuminated roof and sky signs in commercial and industrial areas shall be considered by the Development Officer according to the merits of each individual application, provided that:

- a) The sign shall be attached to a flat roof on a building more than 10.5 metres (34.4 feet);
- b) The Development Officer shall be satisfied that the purpose of the sign cannot be achieved by another type of sign;
- c) No part of the sign shall be less than 1.2 metres (3.9 feet) or more than 5 metres (16.4 feet) above the level of the roof;
- d) The sign shall refer to the business conducted in the building on which it is erected;
- e) Where, in the opinion of the Development Officer, it can be shown that a roof sign not conforming with Subsections a) and c) will not detract from the appearance of the building or neighbourhood, nor interfere with the use of neighbouring buildings, nor with other approved signs, then the Development Officer may approve such a sign or signs where they otherwise are in conformity with these regulations.

1998 Fee Schedules

[DEVELOPMENT APPLICATION FEE SCHEDULE](#)

[REDISTRICTING FEE SCHEDULE](#)

## DEVELOPMENT APPLICATION FEE SCHEDULE

1. Residential and Residential Related Use Classes	1998 Fees
a) Accessory buildings, Minor Home Occupation, satellite signal receiving antennae, amateur radio antennae and support structures	\$20
b) Single Detached Housing & Mobile Homes & additions to	\$55
c) Garage Suites, Secondary Suites, Semi-detached, Duplex Housing, Foster Homes, (Limited) Group Homes	\$80
d) Overheight fences, recreational vehicle parking, Major Home Occupation	\$250
e) All other Housing not listed above	\$20
Plus, for each additional dwelling unit or Sleeping Unit over 4	\$5,000
Maximum Fee	
2. Commercial; Industrial; Basic Service; Community, Educational, Recreational and Cultural Services; Agriculture and Natural Resource Use Classes	\$250
a) For new buildings or additions to existing buildings:	\$10
i. For gross floor area up to 500 m <sup>2</sup> (5,381.95 sq.ft.)	\$5,000
Plus, for each additional 100 m <sup>2</sup> (1,076.39 sq. ft.) of gross floor area or part thereof	\$80
Industrial only	
ii. Maximum Fee	
b) Exterior alterations or renovations to existing buildings	\$80
3. Other	\$80
a) Minor Change of Use	\$160
b) Major Change of Use, Child Care Services, vehicular parking lots	\$25
c) Demolitions	
4. Sign Developments	\$40
a) Portable, Temporary, Fascia or Projecting Sign	\$100

DEVELOPMENT APPLICATION FEE SCHEDULE

b)Canopy, Roof, Freestanding Sign, or General Advertising Sign	\$20
c)Each additional Sign	\$200
d)Comprehensive Sign Design Plans or Maximum Fee	
5.Class "D" Design Review - Double the above fees, to a maximum of \$5,000.	Double
6.Existing without permits - Double the above fees.	Double
7.Compliance Certificates/Zoning Confirmation	\$45
a) Single Detached, Semi-detached or DuplexRegular Service	\$90
Express Service	\$110
b) OthersRegular Service	\$220
Express Service	
8.Leave as Built	\$110
a)Single Detached House, Semi-detached House, Duplex	\$80
b)Accessory buildings for house	\$220
c)Other than above	

REDISTRICTING FEE SCHEDULE

Proposed District

To:	1	2	3	4	5	6	7	8	9
From:									
1	581	696	1,038	1,274	1,386	696	1,199	522	2,883
2	696	522	1,038	1,038	1,386	696	1,687	870	2,883
Existing District 3	696	696	696	696	1,386	696	1,687	870	2,883
4	696	696	696	696	1,038	870	1,923	870	2,883
5	696	696	696	696	870	1,038	1,923	696	2,883
6	696	696	870	870	1,386	1,386	1,687	696	2,883
7	696	696	1,038	1,038	1,386	696	1,199	696	2,883
8	696	696	1,038	1,038	1,386	696	1,199	522	2,883
9	696	696	696	696	1,386	696	1,199	522	2,883

Category	Land Use District
1	A, AG, AGI, AGU, AP, RR, US
2	RF1, RSL, RF2, RPL, RF3, RF4, RMH, TTSDR, TTSLR
3	RF5, RF6
4	RA7, RA8
5	HDR, RA9, RMU, RMX
6	CNC, CSC
7	CB1, CB2, CCA, CHY, CMX, CMU, CO, DC1, DC3, DC4, EZ, HA, MSC
8	IB, IM, IH, MA, PU
9	DC2, DC5

Note: The applicant shall pay the difference in fees, prior to third reading of the amending Bylaw, for any application resulting in a District in a higher fee category than that initially applied for, whether the application was amended by the applicant, the Planning and Development Department, or City Council. If the resulting District is in a lower fee category no refund shall be made.