

RECORD OF TEXT AMENDMENTS TO CITY OF LEDUC LAND USE BYLAW 516-2002

Land Use Bylaw 516-2002 was adopted by City Council on May 13, 2002.

Following is a list of Bylaws adopted by Council subsequent to May 13, 2002 that amended the text of the Land Use Bylaw. This list does not include redistricting bylaws that amend Part XII, Section 79, The Land Use District Map.

<u>Adoption Date</u>	<u>Bylaw No.</u>	<u>Content</u>
<u>2002</u>		
November 25, 2002	530-2002	Amendment to Part XII, S. 95 – C-3 District, Clause f) – increasing maximum height of building to 20 m (65.6 ft.) and 5 storeys.
<u>2003</u>		
March 24, 2003	538-2003	<p>Amendment to Part I, S.8 – definition of Air-Supported and Fabric Covered Structures to include size and maximum time period for the structures.</p> <p>Amendment to Part IV, S.24, Clause c) – clarifying time period for filing an appeal.</p> <p>Amendment to diagram in Part VI, S.37 indicating the setbacks reflect the R-1C District.</p> <p>Amendment to Part VII, S.50, Clause a) ii) – hardsurfacing driveway access and off-street parking in the M-C, P-1, M-1 and M-2 Land Use Districts.</p> <p>Amendment to Part IX, S.61, Clause b) (3) – adding the maximum dimension of a directional sign.</p> <p>Amendment to Part IX, S.71, Clause a) ii) – clarifying time period for annual signs.</p> <p>Deletion of Part XII, S.84, Clause n) ii) – duplex dwellings will only be permitted on parcels where a residential building has been demolished.</p> <p>Amendment to Part XII, S.90 – R-3 Land Use District - addition of Townhouse Dwellings as a discretionary use.</p> <p>Deletion of the following discretionary uses from Part XII, S.96 – C-4 Land Use District: Auctioneering Establishments, Automotive & Minor Recreation Vehicle Sales/Rentals, Bus Depots, Equipment Rentals, Storage Space.</p> <p>Amendment to Part XII, S.96 – C-4 Land Use District – addition of Rapid Drive Through Vehicles Services as a discretionary use.</p>

March 24, 2003	538-2003 Cont'd	<p>Amendment to Part XII, S.101 – P-1 Land Use District – addition of Temporary Air Supported and Fabric Covered Structures for events approved by the Community Services Department of the City of Leduc.</p> <p>Amendment to Part XII, S.97 – M-1 and M-2 Land Use Districts – addition of Sea and Shipping Containers as a discretionary use.</p> <p>Amendment to Part XII, S. 97 – M-1 and M-2 Land Use Districts - addition of regulations for Sea and Shipping Containers.</p>
April 14, 2003	542-2003	Amendment to Part XII, S.95 – C-3 Land Use District – addition of C-3(2) modified short form.
<u>2004</u>		
May 10, 2004	565-2004	<p>Amendment to Part XII, S. 86 – R-1E Land Use District- addition of R-1E(2) modified short form.</p> <p>Amendment to Part XII, S.89 – R-2M Land Use District – addition of R-2M(2) modified short form.</p> <p>Amendment to Part XII, S.90 – R-3 Land Use District – addition of R-3(1) modified short form.</p> <p>Amendment to Part XII, S.92 – R-MHC Land Use District – addition of R-MHC(2) modified short form.</p>
<u>2005</u>		
June 13, 2005	606-2005	<p>Part I – Enactment, Interpretation and Definitions – amending various existing definitions and adding definitions.</p> <p>Part V – Enforcement – addition of Clause 26 j) to allow Development Officer to enter on the lands for inspection.</p> <p>Part VI, S. 32 – add clause h) that recreation vehicles shall not be parked in front yard from Oct 16 to April 30 of each year.</p> <p>Part VII, S.42 – Accessory Buildings, Garages and Decks – amend clause 3) iii) by addition rear and side property boundary that abuts private property.</p> <p>Part VII, S. 49, Clause I) ii) be amended by changing to six in-bound and one out-bound queuing spaces be provided.</p> <p>Part VII – that Secondary Suites be added as Section 49A.</p> <p>Part VIII – Parking and Loading Regulations – various amendments to S. 54.</p> <p>Part IX, S. 58 a) vii) – that reference to sign locations be deleted.</p> <p>Part IX, S.67 f) i) – that C-3 Land Use District be added to districts where billboards can be located.</p>

606-2005
Cont'd

Part XI, S. 77 – deletion of Major Right of Way Access Control and Setback and Schedule D.

Part XII – that Secondary Suite be added as a discretionary use to R-1A, R-1B, R-1C, R-1D and R-1E Districts.

Part XII, S. 82 – R-1A Land Use District – amendments to Clause i) minimum side yard setback.

Part XII, S. 83 – R-1B Land Use District – amendments to Clause i) minimum side yard setback.

Part XII, S. 84 – R-1C Land Use District – amend discretionary uses to be consistent with definitions in the Bylaw.

Part XII, S.84 – R-1C Land Use District – amendment to Clause h) – front yard setback on corner lots and amendments to Clause i) – minimum side yard setback.

Part XII, S.85 – R-1D Land Use District – amendment to Clause j) – front yard setback on corner lots and amendments to Clause k) – minimum side yard setback.

Part XII, S.86 – R-1E Land Use District – amendment to Clause f) – minimum floor area, amendment to Clause i) – front yard setback on corner lots, and amendments to Clause j) – minimum side yard setback.

Part XII, S. 87 – R-1R Land Use District – amendments to Clause j) – minimum side yard setback.

Part XII, S.88 – R-2 Land Use District – amendment to Clause h) – front yard setback on corner lots and amendments to Clause i) – minimum side yard setback.

Part XII, S. 89 – R-2M Land Use District – amendments to Clause k) – minimum front yard setback, Clause l) – minimum side yard setback and Clause n) – setbacks to projections.

Part XII, S. 90 – R-3 Land Use District – amendments to Clause l) – setbacks to projections.

Part XII, S. 91 – R-4 Land Use District – delete permitted use 'Show Home or Suite' and replace with 'Show Home'. Delete discretionary use 'Swimming Pool' and replace with 'Private Swimming Pool'. Clause m) – Amendments to setback to projections.

Part XII, S. 92 – RMHC Land Use District – delete the permitted use 'Modular Homes' and replace with 'Modular Dwellings'.

Part XII, S. 93 – C-1 Land Use District - amend permitted and discretionary uses to be consistent with definitions in the Bylaw and amend Clause e) – minimum front yard setback.

606-2005
Cont'd Part XII, S. 94 – C-2 Land Use District - amend permitted and discretionary uses to be consistent with definitions in the Bylaw and amendments to Clause j), k) and l).

Part XII, S. 95 – C-3 Land Use District - amend permitted and discretionary uses to be consistent with definitions in the Bylaw. Amendment to Clause e) iii) – landscaping. Add rear yard setback to a railway line as Clause l) v). Amend Clause o) – lighting.

Part XII, S. 96 – C-4 Land Use District - amend permitted and discretionary uses to be consistent with definitions in the Bylaw. Amendment to Clause e) iii) – landscaping. Amend Clause i) – lighting.

Part XII, S. 97 – M-1 Land Use District - amend permitted and discretionary uses to be consistent with definitions in the Bylaw. Amend Clause f) iii) – landscaping. Amend Clause j) iii) – side yard setback.

Part XII, S. 98 – M-2 Land Use District – delete permitted use 'Recycling Transfer Depot' and replace with 'Recycling Drop off Centre'. Amend Clause g) iii) – landscaping. Amend Clause h) – front yard setback.

Part XII, S. 99 – M-C Land Use District - amend permitted and discretionary uses to be consistent with definitions in the Bylaw.

Part XII, S. 100 – U-S Land Use District - amend permitted and discretionary uses to be consistent with definitions in the Bylaw.

July 25, 2005

613-2005 Part I, S. 8 – amending definition of Air Supported and Fabric Covered Structures.

Part VIII, S. 54 – addition of visitor stall requirement for multi-dwelling projects.

Part XII, S. 86 – R-1E Land Use District – amendment to Clause j) iv) (1) side yard setback on a corner site. Delete Clause l) iv).

Part XII, S. 90 – R-3 Land Use District – amend Discretionary Use, Townhouse Dwellings subject to R-2M provisions.

Part XII, S.92 – R-MHC Land Use District – Clause v)(4) – amendment to setback to carports. Clause vi) – amendment to parking pads located at the front of the dwelling unit.

Part XII, S. 99 – MC Land Use District – Clause b) – addition of Home Occupation Minor (Section 43) as a permitted use and Accessory Buildings (Section 42) and Home Occupation Major (Section 43) as a discretionary use.

613-2005
Cont'd Part XII, S. 100 – U-S Land Use District – Clause b) – addition of Active and Passive Recreation Facilities and Buildings as a discretionary use. Replace Private Service Clubs and Lodges with Private Clubs as a discretionary use.

Part XII, S. 101 – P-1 Land Use District – Replace Activities Approved by the Community Services Department of the City of Leduc with Passive Activities Approved by the Community Services Department of the City of Leduc.

2006

June 12, 2006

646-2006 Part IX , S.58) vii) – Sign Regulations – delete subsections (1), (2) and (3).

Part XI, S.76 – Business Revitalization Zone Overlay (BRZ) be renamed “Central Business District Overlay”.

Part XII, S.82 – R-1A Land Use District – deletion of Clause I) iv), addition of side yard setback to carports.

Part XII, S.83 – R-1B Land Use District – deletion of Clause I) iv), addition of side yard setback to carports.

Part XII, S.84 – R-1C Land Use District – delete Clause I) iv); addition of side yard setback for carports.

Part XII, S.85 – R-1D Land Use District - deletion of Clause n) iii); addition of side yard setback to carports. Amend Subsection o) provision of parking pad.

Part XII, S. 86 – R-1E Land Use District – amend Subsection n) (3) to refer to minimum setback from rear property boundary. Deletion of Subsection n) iii); addition of side yard setback to carports. Amend Subsection o) provision of parking pad.

Part XII, S.89 – R-2M Land Use District – Section 89 be renamed “R-2M(C) – Residential – Comprehensively Planned Multi Dwelling”. Amend general purpose of district.

Part XII, S.89 – R-2M Land Use District – replace Subsection p) with amended required private amenity spaces.

Part XII, S.89 – R-2M Land Use District – delete Subsection r)

Part XII – Add Section 89(a) - R-2M(S) – Residential – Street Oriented Multi-Dwelling.

Part XII, S.90 – R-3 – Residential – Medium Density Apartment – amend Subsection d) i) density.

	646-2006 Cont'd	Part XII, S.91 – R-4 – Residential – High Density – amend Subsection d) density.
		Part XII, S.92 – R-MHC – Residential – Manufactured Home Community, deletion of Subsection q) vi) (3).
September 25, 2006	651-2006	<p>Addition of definitions for Farm Vehicle and Equipment Sales and Service, Industrial Vehicle and Equipment Sales and Service and Provincially Supported Senior Citizens Self-Contained Housing Developments to Part I, S.8.</p> <p>Part VIII, S.54 – replace reference to ‘Senior Citizens Self-Contained Dwelling Units’ with ‘Provincially Supported Senior Citizens Self-Contained Housing Developments’.</p> <p>Part XII, S.86 – R-1E – Residential – Single Detached – addition of minimum lot width requirements for flanking and corner sites to Subsection h) i) (2).</p> <p>Part XII, S.89(a) – R-2M(S) – Residential – Street Oriented Multi-Dwelling – delete Subsection N0 (2) iii) (2).</p> <p>Part XII, S.90 – R-3 – Residential – Medium Density Apartment – amend maximum density of a site in Subsection p) ii) to 125 units per hectare with no underground parking.</p> <p>Part XII, S.95 – C-3 – Commercial – General Commercial – amend ‘Farm Equipment Sales and Services’ under Discretionary Uses to ‘Farm Vehicle and Equipment Sales and Service’.</p> <p>Part XII, S.97 – M-1 – Industrial – Light Industrial District – addition of ‘Farm Vehicle and Equipment Sales and Service to the Permitted Uses. Change ‘Industrial Vehicle and Equipment Sales and Rentals’ to ‘Industrial Vehicle and Equipment Sales and Service’. Addition of ‘Business Support Services’, ‘Parking Facilities’, ‘Storage Space in association with and subordinate to the principal use’ and ‘Warehouse Sales’ to the Discretionary Uses.</p> <p>Part XII, S.98 – M-2 – Industrial – Medium Industrial – addition of ‘Contractor Services’, ‘Equipment Rentals’, ‘Industrial Vehicle and Equipment Sales and Service’, and ‘Major Service Stations’ to the Permitted Uses. Delete ‘Minor Eating and Drinking Establishments’ from the Permitted Uses and add it to the Discretionary Uses. Subsection b) ii) (3) ii) be amended by indicating there may be an adverse effect to adjacent properties. Addition of ‘Business Support Services’ and ‘Uses similar to the permitted and discretionary uses listed above’.</p>

2007

June 25, 2007 681-3007 Part 1, S.8 – addition of definition for ‘Commercial Storage Facility’.

Part XII, S. 95 – C-3 – Commercial – General Commercial – addition of ‘Commercial Storage Facility’ as a discretionary use.

2008

January 1, 2008 693-2007 Part I, S.8 – addition of definitions for Indoor Recreation Service, Outdoor Participant Recreation Service, Temporary Outdoor Event, Passive Recreational Activity and Active Recreational Activity.

Part XII, - Deletion of ‘Utility Buildings’ as a Discretionary Use and addition it as a Permitted Use in all Land Use Districts except for DC.

Part XII, S.100 – Deletion of ‘Active and Passive Recreation Facilities and Buildings’ as a Discretionary Use. Addition of ‘Parks’, Passive and Active Recreational Activity’ and ‘Temporary Outdoor Event as a Permitted Use.

Part XII, S.101 – Deletion of ‘Passive Activities Approved by the Community Services Department of the City of Leduc’ as a Permitted Use. Addition of ‘Indoor Recreation Service’, Outdoor Participant Recreation Service’, ‘Passive and Active Recreational Activity’ and ‘Temporary Outdoor Event approved by the City’s Community Services Department’ as a Permitted Use.

2009

January 12, 2009 710-2008 Part I, S.8 – Definitions - amendment to definition for Adult Entertainment Facility, Boarding Facilities, Eating and Drinking Establishments – Major, Indoor Amusement Establishment, and Portable Sign.

Part VI, S.31 b) – General Regulations - amendment to fencing regulations.

Part VI, S.32, c) iii) – Objectionable Items in Yards - amend 4500 kg gross vehicle weight excepting Recreation Vehicles.

Part VI, S.32 – Objectionable Items in Yards - delete Subsection f), g) and h).

Part VI – Add Section 32A – Recreation Vehicles in Residential Districts.

Part VII, S. 46 c) – amendment to Radio Communication Facility Hobby.

Part VIII, S.54 b) ii) – Parking & Loading Regulations - amendment to on-site parking stalls for Places of Worship.

710-2008
Cont'd Part IX, S.58 – addition of Subsection ix) location of builder signs in residential neighborhoods.

Part IX, S. 71 g) – addition of C-4 Land Use District to Land Use Districts that allow portable, temporary and inflatable signs.

Part IX, S. 71 h) – addition of C-4 Land Use District to Land Use Districts that allow annual signs.

Part XII, S.86 n) iii) – R-1E – Residential – Single Detached - amendment to setbacks for carports attached to a dwelling.

Part XII, S.90 d) – R-3 – Residential – Medium Density – amendment to maximum density of a site.

Part XII, S.93 – C-1 – Commercial – Central Business District – deletion of Adult Entertainment Facility and Radio Communication Facility – Hobby as a discretionary use.

Part XII, S.94 – C-2 – Commercial – Neighborhood Retail and Service – deletion of Adult Entertainment Facility and Radio Communication Facility – Hobby as a discretionary use and addition of Drive in Food Services and Rapid Drive Through Vehicle Services as a discretionary use.

Part XII, S.96 – C-4 – Commercial – Shopping Centre – deletion of Adult Entertainment Facility and Radio Communication Facility – Hobby as a discretionary use.

Part XII, S.97 – M-1 – Industrial – Light Industrial – deletion of Adult Entertainment Facility and Radio Communication Facility – Hobby as a discretionary use.

Part XII, S98 – M-2 – Industrial – Medium Industrial - deletion of Adult Entertainment Facility and Radio Communication Facility – Hobby as a discretionary use.

May 11, 2009

722-2009 Part I. S.8 – Definitions - amending definition of Air Supported and Fabric Covered Structures. Addition of definition for Patio.

Part VII, S.42 – Accessory Buildings, Garages and Decks – Section rearranged and categorized under Land Use District and type of Accessory Structure. Amended heading of Section to Accessory Buildings/Accessory Uses. Amended height of detached garage to 4.3 m and height of exterior walls to 2.8 m. Allowing uncovered residential decks between dwelling and detached garage. Accessory Structures in Commercial and Industrial Land Use Districts shall have same setback and height restrictions as the principal building. Added regulations for decks and patios in Commercial Land Use Districts. Deleted reference to maximum size and time allowed on a site for fabric covered structures and added setback regulations.

		Part XII, S.97 and S.98 – replace b) ii) (1) with ‘Air Supported and Fabric Covered Structures (Section 42)’.
November 3, 2009	733-2009	<p>Part I, S.8 –added definitions for ‘Electric Message Display’, ‘Flashing Sign’, and ‘Illuminated Sign’.</p> <p>Part IX, S.60f) – clarification on objectionable signs to residents.</p> <p>Part IX, S.60h) – permitted Land Use Districts for flashing signs or signs with electronic message display.</p> <p>Part IX, S.60i) – message on permanent sign that doesn’t have an electronic message display shall relate to the use of the parcel it is located on or community event.</p> <p>Part IX – add as S.60j) that message on permanent sign that does have an electronic message display shall relate to use of the parcel or activities on other parcels or community events.</p> <p>Part IX – add as S.63A – regulations for signs with electronic message display.</p>
September 10, 2010	750-2010	<p>Part I, S.8 – added definition for ‘Construction Debris Management Plan’. Amended definition for ‘Setback’.</p> <p>Part III, S.10 – add as subsection iii) that there is no fee for portable, temporary, inflatable signs advertising special events.</p> <p>Part VI, S.29 – add as subsection c) that no person shall contravene the approved Construction Debris Management Plan.</p> <p>Part IX, S.58 – add as subsection a) x) and a) xi) regulations for signs on bus shelters, benches and on public transportation.</p> <p>Part IX, S.60 – add as subsection m) that the Development Officer shall determine the sign type and applicable controls if not clearly categorized in the Bylaw.</p> <p>Part IX, S.60 – add as subsection n) signs shall not contain statements, words or picture that are undesirable.</p> <p>Part IX, S.63A – replace subsection e) excepting portable electronic message boards sanctioned by the City.</p> <p>Part IX, S71 – replace subsection d) clarifying regulations for advertising special events.</p> <p>Part IX, S.71 – add subsection e) regulations for advertising special events on road rights-of-way.</p> <p>Part IX, S71 – replace subsection f)i) to clarify signs attached or displayed on parked vehicles or trailers.</p> <p>Part ix, S71 – delete subsection f)iii).</p>

June 27, 2011

769-2011

Part IX – adding Clause 78.1 – 50th Avenue/50th Street Gateway Overlay

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BYLAW NO. 516-2002

Being a Bylaw of the City of Leduc, in the Province of Alberta.

WHEREAS the Municipal Government Act authorizes the Council of a municipality to enact a Bylaw to regulate the use and development of land and building.

THEREFORE the Municipal Council on the date of the final passing of this Bylaw:

- (1) repeals Zoning Bylaw 340-94 as amended,
- (2) continues Direct Control District Bylaws as set out in Appendix 1, and
- (3) enacts the Land Use Bylaw as follows:

PART I – ENACTMENT, INTERPRETATION AND DEFINITIONS

1) SHORT TITLE

- a) This Bylaw may be referred to as the City of Leduc Land Use Bylaw.
 - i) This Land Use Bylaw is referred to as the Bylaw in this text.

2) PURPOSE

- a) The purpose of this Bylaw is to provide a means whereby the City of Leduc will:
 - i) achieve an orderly, economical and beneficial development, use of land and pattern of human settlement;
 - ii) maintain and improve the quality of the physical environment; and
 - iii) implement the policies of the Municipal Development Plan.

3) AMENDMENT

- a) The requirements and procedure for amendment or repeal of this Bylaw or any part thereof is established by the Municipal Government Act and in particular by Sections 230, 606, and 692 of the Act.
- b) Amendments to this Bylaw shall be in conformance, or lessen the difference, with the Municipal Development Plan and other Statutory Plans adopted by Bylaw.
- c) If it appears to the Development Officer that any proposed amendment is at variance, or cause greater variance, with the Municipal Development Plan or any other Statutory Plan, the applicant shall be advised in writing that amendment must be made to those Statutory Plans before the proposed Bylaw amendment can be enacted.
- d) The public will be notified of a public hearing dealing with an amendment to the Bylaw by an advertisement once per week on two consecutive weeks in the local paper and if the amendment changes the district designation of a parcel notice to effected property owners will be provided in accordance with section 692 of the Act.
- e) When application is made to Council for an amendment to this Bylaw it shall be accompanied by:
 - i) an application fee, in accordance with a policy adopted by resolution of Council; and
 - ii) the cost of advertising for the public hearing, which is to be borne by the applicant.
- f) Unless extended by motion of Council, an amending Bylaw which has been given first or second reading but which has not received third reading will become null and void after a period of two years from the date of first reading.

PART I – ENACTMENT, INTERPRETATION AND DEFINITIONS

4) COMPLIANCE WITH OTHER LEGISLATION

- a) A person is responsible for and is not excused from ascertaining and complying with:
 - i) the requirements of any Federal, Provincial or other Municipal Legislation or Regulation; and
 - ii) the condition of any easement, covenant, building scheme or agreement affecting the building or land.
- b) Where the proposed use of a building or land does not comply with any Federal, Provincial or other Municipal Legislation or with the conditions of any easement, covenant, building, scheme or agreement affecting the land or building, the Development Officer may refuse to grant a Development Permit therefore.
- c) Neither the Development Officer nor any City official is required to examine the title to any land or to make any enquiry to discover whether or not the use of a building or land is affected by any Federal, Provincial or other Municipal Legislation or with any condition of any easement, covenant, building scheme or agreement.
- d) Limitations set out in Part XI Provisions for Particular Areas and N.E.F. Contours as shown on the Land Use District Map of this Bylaw, are for convenience only. The actual A.V.P.A. Regulation must be used for legal interpretation and to determine the exact location of each contour line.

5) VALIDITY OF INDIVIDUAL SECTIONS

- a) Each provision of this Bylaw is independent of all other provisions, and if any provision of this Bylaw is declared invalid, all other provisions remain valid and enforceable.

6) INTERPRETATION

- a) In this Bylaw:
 - i) the word "shall" means the provision is mandatory;
 - ii) words used in the present tense shall also mean the future tense;
 - iii) words used in the singular shall also mean the plural;
 - iv) words used in the masculine gender shall also mean the feminine gender and the neuter; and
 - v) the words "use", "used", "occupy" or "occupied" applied to any land or building shall include anything done to or arranged, designed or intended for said land or building.

7) METRIC EQUIVALENTS

- a) This Bylaw is written in metric measurement, any reference to imperial measurement is for convenience only.

PART I – ENACTMENT, INTERPRETATION AND DEFINITIONS

8) DEFINITIONS

- a) Words not listed in this section but defined in the Act, shall have the same meaning in this Bylaw as in the Act.
- b) In this Bylaw:

ACCESSORY BUILDING –

means a building which is separate from the principal building on the site where both are located and which is normally subordinate to, and the use of which is incidental to that of, the principal building and includes portable buildings.

ACCESSORY USE -

means a use of a building or land, which is normally incidental to and subordinate to the principal use of the site on which it is located.

ACT -

means the Municipal Government Act S.A. 1994, C. M-26-1, as amended.

ACTIVE RECREATIONAL ACTIVITY –

means an informal leisure activity that takes place in a P-1 and U-S Land Use District and requires physical exertion and energy. Typical uses include unorganized and informal field games (soccer, baseball, football), use of play equipment, sledding, walking and jogging. This does not include Temporary Outdoor Events.

ADULT ENTERTAINMENT FACILITY -

means -

- i) development or part thereof where, for any consideration, live performances are held, the central feature of which is any specified act or specified body area;
- ii) any cinema where motion pictures, video tapes, video disks, computer disks, or similar electronic, photographic, or computer software reproductions are shown or displayed, the central feature of which is any specified act; or
- iii) any development where the main feature of more than 50% of the inventory of the business is used to display, for sale or rent any items the central feature of which is:
 - (1) any specified act or specified body area; or
 - (2) items, which stimulate or are reproductions of any specified body area.

Typical uses are adult mini theatres, strip clubs or shows, peepshows, adult massage parlours, exotic lounges, escort services and adult video stores. Adult massage parlours exclude those businesses that provide medical or therapeutic massage treatments given by a person duly licensed or registered as a massage therapist under the laws of the Province of Alberta.

AIR-SUPPORTED AND FABRIC-COVERED STRUCTURES –

means an accessory building where the outer shell is supported by artificially produced and constantly maintained air pressure above local atmospheric level or the outer shell is made of artificial fabric spanned across rigid trusses. This use class is excluded from all Residential Land Use Districts.

Notwithstanding the above, this accessory building may be located in Commercial and Industrial Land Use Districts when identified as a Discretionary Use.

PART I – ENACTMENT, INTERPRETATION AND DEFINITIONS

AMUSEMENT ESTABLISHMENT - OUTDOOR
see Outdoor Amusement Establishment

AMUSEMENT ESTABLISHMENT – INDOOR
see Indoor Amusement Establishment

AREA REDEVELOPMENT PLAN -
means a plan accepted or adopted by Council as an Area Redevelopment Plan pursuant to the Municipal Government Act.

AREA STRUCTURE PLAN -
means a plan accepted or adopted by Council as an Area Structure Plan pursuant to the Municipal Government Act.

AUCTIONEERING ESTABLISHMENT -
means development specifically intended for the auctioning of goods and equipment, including temporary storage of such goods and equipment.

AUTOMOTIVE AND EQUIPMENT REPAIR SHOP -
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 includes transmission shops, muffler shops, tire shops, automotive glass shops, and upholstery shops. This does not include body repair and paint shops.

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 includes automobile dealerships, car rental agencies and motorcycle dealerships. This does not include dealerships for the sale of trucks with a gross vehicle weight rating of 4500 kg or greater.

BAKERY -
means a factory for producing or baking bread or other bakery products, but does not include a restaurant or other premises where the product is made for the consumption on the premise, or a bakeshop.

BAKE SHOP -
means a retail store that sells baked goods produced on the same premises.

BOARDING FACILITIES -
means a development consisting of a single detached dwelling where lodging or sleeping accommodation, with or without meals, is provided for remuneration for not more than six persons. A minimum of one on-site parking stall per bedroom shall be provided. A Boarding Facility does not include a group Care Facility or a Family Care Facility.

BUILDING -
includes anything constructed or placed on in, over, or under land but does not include a highway or road or a bridge that forms part of a highway or road.

PART I – ENACTMENT, INTERPRETATION AND DEFINITIONS

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 skylight, a steeple, a chimney, a smoke stack, a firewall, a parapet wall, a flagpole or similar device not structurally essential to the building.

BUSINESS SUPPORT SERVICES -

means development used to provide support services to businesses. These services 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 facilities.

CAMPGROUNDS -

means development of land which has been planned and improved for the 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.

CANOPY -

means a projection extending from the outside wall of a building normally for the purpose of shielding a part of the building from the sun.

CANOPY SIGN -

see SIGN, CANOPY.

CARPORT -

means a roofed structure used for storing or parking of not more than two private vehicles and which has not less than 40 percent of its total perimeter open and unobstructed.

CASINO -

means a development ancillary to a principal use where the main activity is the playing of games of chance, but does not include a bingo.

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 include memorial parks, burial grounds and gardens of remembrance.

CHATTEL -

means a moveable item of personal property.

CITY

means the City of Leduc, in the Province of Alberta

CLINIC -

means an establishment in which medical, dental or other professional healing treatment is administered to persons, but does not include a hospital or other facility designed for overnight stay of patients.

PART I – ENACTMENT, INTERPRETATION AND DEFINITIONS

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. Typical uses include secretarial, business, hairdressing, beauty culture, and dancing or music schools.

COMMERCIAL STORAGE FACILITY –

means a single building storage facility in which all storage is indoors with an interior loading and unloading dock. Exterior storage is not permitted except for licenced vehicles that may be parked for extended periods of time, but does not include recreation vehicles. The building will be of a single or multi storey design with a higher exterior architectural standard suitable to a commercial usage area.

COMMUNITY FACILITIES -

means a use or building the intent of which is to provide a non-profit public service to the Community or to the City as a whole. A typical use would be a public library.

CONSTRUCTION DEBRIS MANAGEMENT PLAN –

means a plan prepared by the Developer of a new residential subdivision as required under the Development Agreement indicating how construction debris will be contained and disposed of within the subdivision area.

CONTRACTOR SERVICES -

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.

CORNER -

means the intersection of any two property lines of a site.

CORNER SITE -

see SITE, CORNER.

COUNCIL -

means the council of the Municipality of the City of Leduc.

CREMATION -

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 areas include crematoriums, mausoleums, cineraria, columbaria and other similar facilities.

CURB CUT -

means the lowering of a curb, sidewalk or boulevard to provide vehicular access to a parcel.

DAY CARE FACILITY -

means a facility used for the provision of care, maintenance and supervision for 4 or more children under the age of 15 years, by a person other than one related by blood or marriage, for periods of more than 3 but less than 24 consecutive hours, but does not include an institution operated by or under the authority of the Director of Child Welfare.

PART I – ENACTMENT, INTERPRETATION AND DEFINITIONS

DEVELOPER -

means an owner, agent or any person, firm or company required to obtain or having obtained a development permit.

DEVELOPMENT -

means the following:

- i) as defined in the Municipal Government Act, Section 616 (b)
 - (1) an excavation or stockpile and the creation of either of them;
 - (2) a building or an addition to or replacement or repair of a building and the construction or placing of any of them in, on, over, or under land.
 - (2) a change of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the use of the land or building; or
 - (3) a change intensity of the 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.
- ii) the erection of signs.

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 Bylaw.

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. A Development Permit is separate and distinct from a building permit.

DISCONTINUED -

means the time at which, in the opinion of the Development Officer, substantial construction activity, a non-conforming use, or a conforming use has ceased.

DISCRETIONARY USE -

means a use of land or building provided for in the District Schedules of this Bylaw, for which a development permit may be issued with or without conditions.

DOUBLE FRONTING SITE -

means a corner site on which a front yard setback is required onto more than one street, but also includes a site which abuts two public streets, (except lanes as defined in the Highway Traffic Act) which are parallel or nearly parallel where abutting the site.

DRIVE-IN BUSINESS -

means an establishment which services customers travelling in motor vehicles driven onto the site where such business is carried on, where normally the customer either remains in the vehicle for service, or parks the vehicle for a short period for the purpose of doing business on the premises. This could include a drive-in bank, but does not include drive-in food services, service stations, major service stations, or rapid drive-through vehicle services.

PART I – ENACTMENT, INTERPRETATION AND DEFINITIONS

DRIVE-IN FOOD SERVICES -

means development used for eating and drinking, which offers a limited menu produced in a manner that allows rapid customer service and includes one or more of the following features: car-attendant services, drive-through food pick-up services; or parking primarily intended for on-site consumption of food within a motor vehicle.

DWELLING -

means any building principally for human habitation and which is supported on a permanent foundation extending below ground level and includes multiple dwellings, apartments, horizontal multiple dwellings.

DWELLING - APARTMENT

means a building containing five or more dwelling units that may have access to an internal hallway.

DWELLING - SINGLE DETACHED -

means a building containing only one dwelling unit.

DWELLING - DUPLEX

means a building containing two dwelling units separated by one common wall or located on two or more floors each having a separate direct access from the finished grade.

DWELLING - FOURPLEX

means a building containing four dwelling units separated by one common wall or located on two or more floors each dwelling unit having a separate direct access from the finished grade.

DWELLING - MULTI-UNIT

means a building containing three or more dwelling units.

DWELLING - TOWNHOUSE

means a building containing three or more dwelling units each with a direct access from the finished grade.

DWELLING -TRIPLEX

means a building containing three dwelling units separated by one common wall or located on two or more floors each dwelling unit having a separate direct access from the finished grade.

DWELLING UNIT -

means a self-contained living premise with one cooking facility, eating, living, sleeping and sanitary areas for the domestic use of one or more individuals and has necessary parking and a private entrance.

EASEMENT -

means a right to use land, generally for access to other property or as a right-of-way for a public utility.

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 licensed restaurants, cafes, delicatessens, tearooms, lunchrooms, refreshment stands and take-out restaurants. This use class does not include Drive-In Food Services or Major Eating and Drinking Establishments.

PART I – ENACTMENT, INTERPRETATION AND DEFINITIONS

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 for large groups; and facilities primarily intended for the provision and consumption of alcoholic beverages which have a seating capacity for 100 or more persons. This Use does not include Adult Entertainment Facilities.

EQUIPMENT RENTALS -

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

EXCAVATION -

means any breaking of ground but does not include landscaping of a use for which a development permit has been issued, common ground care or agricultural cultivation.

FAMILY CARE FACILITY -

means a facility that provides resident service in a private residence to six or fewer individuals who are not related to the resident household. These individuals may be handicapped, aged, disabled, or in need of adult supervision and are provided services and supervision in accordance with their individual needs. This use includes foster or boarding facilities.

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. This does not include livestock operations.

FARM VEHICLE AND EQUIPMENT SALES AND SERVICE –

means development used for the retail sale, service and rental of new or used farm vehicles and equipment related to the agriculture community; including, but not limited to, tractors, harvesting or threshing machinery, spraying machinery for agricultural use, grain trucks, and all terrain vehicles.

FENCE -

means a vertical physical barrier constructed to prevent visual intrusion, sound abatement, or unauthorized access.

FLOOR AREA -

means the greatest horizontal area of a building above grade within the outside surface of exterior walls or within the glass line of exterior walls and the centerline 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.

FREE-STANDING SIGN -

see SIGN, FREESTANDING.

FRONT YARD -

see YARD, FRONT.

PART I – ENACTMENT, INTERPRETATION AND DEFINITIONS**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.

FUNERAL SERVICES -

means development used for the preparation of the dead for burial or cremation and the holding of funeral services. This use includes Funeral Homes and Undertaking Establishments. This use class does not include Cremation and Interment Services.

GAS BARS -

means development used for the retail sale of gasoline, other petroleum products, and incidental auto accessories. This use class does not include Major Service Stations.

GARAGE -

means an accessory building or part of the principal building, designed and used primarily for the storage of motor vehicles.

GENERAL INDUSTRIAL USES -

means development for the processing of raw or finished material; the manufacturing or assembling of goods, products or equipment; the cleaning, servicing, repairing or testing of materials, goods and equipment; the storage or transshipment of materials, goods and equipment; and the training of personnel in industrial operations. It may include as an accessory to the principal use, storage, display, sales, and office, technical or administrative support areas.

GOVERNMENT SERVICES -

means development providing municipal, provincial or federal Government Services directly to the public. This does not include schools. Typical uses include courthouses and detention and correction services.

GRADE -

means the ground elevation established for the purpose of regulating the number of storeys and the height of a building. The building grade shall be the elevation adjacent to the walls of the building if the finished grade is level. If the ground is not entirely level the grade shall be determined by averaging the elevation of the ground for each face of the building.

GREENHOUSES AND PLANT NURSERIES

means development used primarily for the raising, storage, basic processing and sale of fruits and vegetables, bedding, edible, household and ornamental plants.

GROSS FLOOR AREA -

means the total of the horizontal areas on each floor of the building contained within the outside surface of the exterior walls.

GROSS LEASABLE FLOOR AREA -

means that portion of the gross floor area designed exclusively for tenant use and does not include the horizontal areas devoted to mechanical rooms, utility rooms, public washrooms, stairwells, elevators, escalators, common walkways and non-leasable basement space.

GROUP CARE FACILITY-

means a business that is authorized and or licensed by a public authority to provide social care to 7 or more persons in a residential setting.

PART I – ENACTMENT, INTERPRETATION AND DEFINITIONS**HABITABLE ROOM -**

means a room or enclosed space used or usable for human occupancy, including but not limited to kitchens, bedrooms, living rooms, family rooms, and dens, excluding non-habitable rooms which include bathrooms, laundries, pantries, foyers, hallways, entry ways, storage areas and rooms in basements or cellars used only for recreational purposes or any space in a dwelling providing a service function and not intended primarily for human occupancy.

HALF STOREY -

see STOREY, HALF.

HARD SURFACING -

means a durable and dust-free surface constructed of concrete, asphalt, paving bricks or similar material used for a parking lot or driveway.

HIGHWAY-

means a highway as defined by section 616(h) of the Act.

HOME OCCUPATION - MINOR

means an accessory use to the residential use of a dwelling for the purpose of a business which: does not require business associated visits; does not require any non-resident persons employed within the dwelling; is not detectable from outside the dwelling; does not extend the business activity to the garage or outside yard; and does not require parking of commercial vehicles.

HOME OCCUPATION - MAJOR

means an accessory use to the residential use of a dwelling for the purpose of a business which: does not require more than 15 business associated visits per week; does not require more than one non resident person to be employed in the dwelling; is not detectable from outside the dwelling; some business activities may extend to the garage; and does not use any outside yard for any type of business activity.

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 food and beverage facilities, meeting rooms, and personal services shops.

INDUSTRIAL VEHICLE AND EQUIPMENT SALES AND SERVICE –

means development used for the retail sale, service and rentals of industrial vehicles and equipment; including, but not limited to, heavy duty trucks, dump trucks, vacuum and welding trucks, cargo and flatbed trailers, and lifts

INDOOR AMUSEMENT ESTABLISHMENT -

means development providing facilities where patrons are normally, but not necessarily participants. Typical uses include billiard parlours, electronic games, arcades, bowling alleys, theatres, and athletic/recreation clubs. This Use does not include Adult Entertainment Facilities.

INDOOR RECREATION SERVICE –

Means a development used for sports or recreation within an enclosed building owned by or under the direction and control of the City, providing facilities which are available to the public at large for sports and active recreation conducted indoors and any related accessory development for the users of the principal facilities, but does not include a pool hall, bingo hall or casino.

PART I – ENACTMENT, INTERPRETATION AND DEFINITIONS

Typical uses include but are not limited to an athletic club, health and fitness club, curling, skating or hockey rink, swimming pool, bowling alley, and racquet courts. Typical accessory uses include but are not limited to a Minor Eating and Drinking Establishment, pro-shop and Indoor Amusement Establishment.

INTERIOR SITE -
see SITE, INTERIOR.

KENNEL -
means any premises on which dogs or cats are maintained, boarded, bred, trained or cared for in return for remuneration or kept for purposes of sale.

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 and includes marking for parking spaces.

LANE -
means a public thoroughfare for vehicles, the right-of-way of which does not exceed 10 m (32.80 ft.) and is not less than 6 m (19.68 ft.) in width, and which provides a secondary means of access to a parcel or parcels.

LINTEL -
means a horizontal structural member or beam that supports the load over an opening such as a door or window.

LIVING ROOM -
means any room, including a great room, in a dwelling unit used primarily for the social activities of the occupants and which is designed for general living whether or not combined with specific activities such as dining, food preparation or sleeping.

LOADING SPACE -
means an off-street space on the same site as a building or group of buildings, for the temporary parking of a commercial vehicle while commodities are being loaded or unloaded.

LOT -
means a part of a parcel of land the boundaries of which are separately described in a certificate of title that may or may not be shown on a registered plan of subdivision.

MAJOR -
means, where added as a prefix to a permitted or discretionary use, a use that due to its nature or size will, in the opinion of the Development Officer, have a city-wide or regional impact, and which is intended to serve the entire municipal area or region rather than serve a small or local area.

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, in the opinion of the Development Officer, have a limited impact on surrounding uses, and which is intended to serve a small or local area rather than a major or municipal area.

PART I – ENACTMENT, INTERPRETATION AND DEFINITIONS**MANUFACTURED HOME -**

means a transportable single family dwelling unit, including a modular home and mobile home as defined in section 284(n.1 and n.2) of the Act providing that it is: built according to Alberta Building Code standards; suitable for permanent occupancy; designed to be transported on its own wheels or dollies; and ready for occupancy upon arrival at the site at which it is to be located apart from incidental operations such as joining of units, placement on foundation, basements or supports, and connection to utilities.

MANUFACTURED HOME LOT -

means a lot held in fee simple in a manufactured home subdivision.

MANUFACTURED HOME COURT -

means a parcel of land: designated R- MHC under this Bylaw; held under one title or distinctive titles under a bareland condominium plan of subdivision; and with defined sites intended to accommodate manufactured homes.

MANUFACTURED HOME - SINGLE-WIDE -

means a manufactured home consisting of a single unit designed to be towed in a single load.

MANUFACTURED HOME SITE -

means a readily identifiable parcel in a manufactured home court capable of accommodating on a permanent basis one manufactured home dwelling containing connections to services and permanent access.

MANUFACTURED HOME STAND -

means an area upon which a manufactured home is intended to be placed or which is intended to be covered by a manufactured home within a manufactured home court or on a manufactured home lot.

MODULAR DWELLING –

means a home that is constructed from a number of pre-assembled units that are intended for delivery to and assembly at a residential site.

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 food and beverage facilities and personal service shops.

MUNICIPALITY -

means the Corporation of the City of Leduc, or the area contained within the boundaries of the City of Leduc, in the Province of Alberta.

MUNICIPAL DEVELOPMENT PLAN –

means a plan adopted by Bylaw under section 632 of the Act.

NATURAL RESOURCE DEVELOPMENT

means the removal, extraction, and primary processing of raw materials found on or under the lot, or accessible from the lot. Typical uses include gravel pits, sandpits, clay pits, oil and gas wells, coal mining, and stripping of topsoil. This does not include the processing of raw materials transported to the lot.

PART I – ENACTMENT, INTERPRETATION AND DEFINITIONS

NON-CONFORMING BUILDING -

means a building:

- i) that is lawfully constructed or lawfully under construction at the date that a Land Use Bylaw or any amendment thereof affecting the building or land on which the building is situated becomes effective; and
- ii) 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:

- i) being made of land or a building or intended to be made of a building lawfully under construction, at the date a Land Use Bylaw or any amendment thereof affecting the land or building becomes effective; and
- ii) 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 uses permitted in the Land Use Bylaw.

NON PROFIT SOCIETY -

means an organization whose purpose is to promote charity and the general welfare of the community and includes a:

- i) church or other religious society;
- ii) community, veteran or youth association;
- iii) service club; and
- iv) social sport or fraternal association or club.

OCCUPANCY -

means the use or intended use of a building or part thereof for the shelter or support of persons or property.

OCCUPANCY PERMIT -

means a permit permitting occupancy.

OFF-SITE SIGN -

see SIGN, OFF-SITE.

OFF-STREET PARKING LOT -

means an off-street facility for the parking of three or more vehicles.

OUTDOOR AMUSEMENT ESTABLISHMENT -

means development providing facilities where patrons are normally, but not necessarily participants. Typical uses include amusement parks, go-cart tracks and miniature golf establishments.

PART I – ENACTMENT, INTERPRETATION AND DEFINITIONS**OUTDOOR PARTICIPANT RECREATION SERVICE –**

means a development, owned by or under the direction and control of the City, providing facilities which are available to the public at large for sports and active recreation conducted outdoors. This Use Class does not include Indoor Recreation Services and Outdoor Amusement Establishments. Typical uses include but are not limited to sports fields, outdoor tennis courts, unenclosed ice surfaces or rinks, athletic fields, outdoor swimming pools, bowling greens and skateboard parks.

PARAPET WALL -

means that part of an exterior, party wall or firewall extending above the roofline or a wall that serves as a guard at the edge of a balcony or roof.

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.

PARK -

means an area of land, with or without buildings, set aside for the use and enjoyment of the public and may include active and passive recreational activities.

PARKING FACILITY-

means the area set aside for the storage and parking of vehicles and includes parking stalls, parkades, loading spaces, aisles, entrances and exits to the area, and traffic islands where they are part of the parking facility.

PARKING STALL -

means a space set aside for the parking of one vehicle.

PASSIVE RECREATIONAL ACTIVITY –

means an informal leisure activity that takes place in a P-1 or U-1 Land Use District that is not active in nature. Typical uses include but are not limited to sitting, viewing, conversing and contemplating. This Use Class does not include Temporary Outdoor Events.

PATIO –

means a hard surfaced brick, concrete or wood outdoor area flush with or resting at grade.

PENTHOUSE -

means a structure built on a roof to conceal or cover machinery.

PERMITTED USE -

means the use of land or a building provided for in the District Schedules of this Bylaw for which a development permit shall be issued with or without conditions upon an application having been made that conforms to the Land Use Bylaw.

PERSONAL SERVICES -

means 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 includes, but is not limited to; barbershops, hairdressers, beauty salons, tailors, dressmakers, shoe repair shops, dry cleaning establishments and laundromats, but does not include clinics, service stations, or retail stores.

PART I – ENACTMENT, INTERPRETATION AND DEFINITIONS

PLACES OF WORSHIP -

means development owned by a religious organization used for worship and related religious, philanthropic, or social activities including related rectories, manses, classrooms, dormitories and accessory buildings. Typical uses include churches, chapels, mosques, temples, synagogues, parish-halls, convents and monasteries.

PLAN OF SUBDIVISION

Means a plan of survey prepared in accordance with the Land Titles Act for the purpose of effecting a subdivision.

PLANTING -

see LANDSCAPING.

PRINCIPAL BUILDING -

means a building, or buildings where the Bylaw allows more than one building, which:

- i) constitutes by reason of its use the primary purpose for which the site is used;
- ii) is the chief or main building among one or more buildings on the site; or
- iii) occupies the major or central portion of a site.

PRINCIPAL LIVING ROOM WINDOW -

means the main or largest window in the living room.

PRINCIPAL USE -

means the primary purpose for which a building or site is occupied. There shall be no more than one principal use on each site unless specifically permitted otherwise in this Bylaw.

PRIVATE CLUBS -

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

PROFESSIONAL, FINANCIAL AND OFFICE SERVICES -

means development primarily used for the provision of professional, management, and administrative, consulting, and financial services. Typical uses include the offices of lawyers, accountants, engineers, planners, doctors and architects, offices for real estate and insurance firms, clerical, secretarial, employment, telephone answering, and similar office support services; banks, credit unions, loan offices and similar financial uses.

PROJECTING SIGN -

see SIGN, PROJECTING.

PROVINCIALY SUPPORTED SENIOR CITIZENS SELF-CONTAINED HOUSING DEVELOPMENTS –

means a place of residence for senior citizens that complies with the Alberta Housing Act RSA 2000, as amended, and where an independent lifestyle is maintained with little to no assistance required.

PART I – ENACTMENT, INTERPRETATION AND DEFINITIONS**PUBLIC PLACE –**

means any land or buildings owned by the City of Leduc, including lands that are used as utility lots, playgrounds, recreational areas, public parks, municipal reserves, buffers, boulevards, parkways, ornamental areas or squares.

PUBLIC ROADWAY –

means the right-of-way of the following thoroughfares:

- i) an avenue;
- ii) a street;
- iii) a local road;
- iv) a collector road;
- v) an arterial road; and
- vi) a lane.

RADIO COMMUNICATION

means any transmission, emission or reception of signs, signals, writing, images, sounds or intelligence of any nature by means of wireless technology.

RADIO COMMUNICATION FACILITY -

means any structure, facility, apparatus or other thing that is used or is capable of being used for radio communication or for any operation directly connected with radio communication and includes transmission facilities and does not require the specific site approval of Industry Canada.

RADIO COMMUNICATION FACILITY HOBBY -

means any structure, facility, apparatus or other thing that is used or is capable of being used for radio communication for the personal use of a resident in a dwelling.

RADIO COMMUNICATION FACILITY INDUSTRY CANADA APPROVED -

means any structure, facility, apparatus or other thing that is used or is capable of being used for radio communication or for any operation directly connected with radio communication and includes transmission facilities and which requires the specific site approval of Industry Canada.

RADIO COMMUNICATION SATELLITE RECEPTION DISH -

means any structure, facility, apparatus or other thing greater than 1.2 m (3.9 ft.) in diameter that is used or is capable of being used for receiving radio communication signals for the personal use of a resident in a dwelling.

RAPID DRIVE-THROUGH VEHICLE SERVICES -

means development providing rapid cleaning, lubrication, maintenance or repair services to motor vehicles, including tire shops, 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.

REAR YARD -

see YARD, REAR.

PART I – ENACTMENT, INTERPRETATION AND DEFINITIONS**RECREATION BUILDING -**

means any permanent building, the intended use of which is for either active or passive recreation.

RECREATIONAL VEHICLE -

means a portable structure designed and built to be carried on a vehicle, or a unit designed and built to be transported on its own wheels to provide temporary living accommodation for travel and recreational purposes and/or motorized sports activities conducted outdoors on both land and water and includes such vehicles as a motor home, a camper, a travel trailer, a tent trailer, motor bikes, snowmobiles, boats, and utility trailers but does not include a manufactured home.

RECYCLING DEPOT -

means use of property for the buying and temporary storage of bottles, cans, newspapers and similar household goods for re-use.

RECYCLING DROP OFF CENTRE -

means a development used for the collection and temporary storage of recyclable materials, including bottles, cans, newspapers and similar household goods for transfer. Recyclable material left at the Drop-Off Centre shall be periodically removed and taken to larger permanent recycling operations for final recycling. All storage shall be contained within enclosed storage containers or within a fenced compound.

RETAIL STORES -

means development used for the retail sale of groceries, beverages, household goods, furniture and appliances, clothing, hardware, printed matter, confectionery, tobacco, pharmaceutical and personal care items, pets, automotive parts and accessories, office equipment, stationary and similar goods, as well as animal grooming, from within an enclosed building.

ROOF SIGN -

see SIGN, ROOF.

SECONDARY SUITE -

means development consisting of a self-contained dwelling unit located in a structure in which the principal use is single detached dwelling. A secondary suite has cooking, food preparation, sleeping and bathing facilities, which are separate from those of the principal dwelling unit 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 unit, either from a common indoor landing or directly from the exterior of the structure. This includes conversion of basement space to a dwelling unit, or the addition of new floor space for a secondary suite to an existing single detached dwelling. This does not include duplex dwelling, or apartment, where the structure was initially designed for two or more dwelling units.

SEPARATION SPACE -

means the horizontal open space provided around a dwelling to ensure no conflict of visibility from dwellings and adequate light, air, and privacy, for activities undertaken within the dwelling. Unless otherwise specified in this Bylaw, a separation space may be partially or entirely outside the lot boundaries of a dwelling unit.

PART I – ENACTMENT, INTERPRETATION AND DEFINITIONS**SERVICE STATION - MINOR**

means development used for the routine washing, servicing and repair of vehicles within a building containing not more than three service bays; and for the sale of gasoline, petroleum products and a limited range of automotive parts and accessories, including gas bars, and is not a major service station.

SERVICE STATION - MAJOR

means development used for the servicing, washing and repairing of vehicles; and the sale of gasoline, other petroleum products and a limited range of vehicle parts and accessories. Major service stations may include eating and drinking establishments. Typical uses include truck stops and highway service stations.

SETBACK -

means the minimum horizontal distance set out in this Bylaw between the property line and the nearest portion of the exterior wall of a building or structure

SHOPPING CENTRE -

means two or more commercial establishments planned, developed and managed as a unit, on one or more parcels, served by off-street parking, and includes the total site upon which the building are located.

SHORT FORM -

means the symbol used on the Land Use Map to identify districts for example R1A.

SHORT FORM - MODIFIED

means the symbol used on the Land Use Map to identify parts of districts that are subject to special regulations R1C(1).

SHOW HOME -

means an uninhabited residential dwelling unit constructed for the purpose of displaying the housing product to be offered for sale within the subdivision or development area.

SIGN -

means an object or device intended for the purpose of advertising or calling attention to any business, person, matter, thing or event.

A-BOARD SIGN (Sandwich Board) –

means an A-shaped sign set upon the ground without external supporting structure.

ADDRESS SIGN -

means the sign displaying the municipal address for a dwelling unit and the name and municipal address of a commercial or industrial tenant in a multi-tenant project.

ANNUAL SIGN -

means a portable sign for on-site advertising only and that is assessed on an annual basis.

BILLBOARD SIGN -

means a freestanding sign supported by one or two uprights, braces or pylons. The copy area is leased out and the message is changed from time to time. Advertising shall be for goods and services or facilities existing on a site other than the sign's location and which occur on sites within the boundaries of the City of Leduc or is a national advertising product.

PART I – ENACTMENT, INTERPRETATION AND DEFINITIONS

CANOPY SIGN -

means a sign that is part of or attached to the outside edge of a canopy.

COPY AREA -

means that area of the sign covered by a single figure drawn around the extremities of the copy contained on the sign and shall:

- (i) also include separate areas displaying logos or other identification symbols;
- (ii) in the case of a double-face or multi-face sign, the average of the total area of all sign faces; and
- (iii) shall not include the landscaping associated with the sign.

ELECTRONIC MESSAGE DISPLAY –

means that part of a sign that is electronically controlled and displays information in multiple-coloured, video format or animation.

FACIA SIGN -

means a sign attached to or placed flat against the exterior wall or surface of any building, no portion of which projects more than 0.1 m from the wall, but which may or may not project above the roof or parapet.

FLASHING SIGN –

means a sign which contains an intermittent or flashing light source, but does not include an electronic message display.

FREE-STANDING PERMANENT SIGN -

means a sign supported by one or more uprights, braces or pylons and which stands independently of a building.

IDENTIFICATION SIGN FOR PROJECTS -

means a sign displaying the name and municipal address of a commercial, industrial institutional multi-unit residential project. Typical projects include; apartments, manufactured home parks, shopping centres, and similar developments.

ILLUMINATED SIGN –

means any sign that uses internal or exposed illumination including, but not limited to, electric lamps, neon tubing, light emitting diodes and liquid crystal displays. Illuminated Signs shall not employ the use of strobe lighting.

INFLATABLE SIGN -

means an inflated three-dimensional device that incorporates a sign and is anchored to a building or a site.

OFF-SITE SIGN -

means a temporary or portable sign that advertises goods, products, services or facilities or directs persons to a different location from where the sign is located. Such a sign is not located on the site of the goods, products, services or facilities advertised.

PART I – ENACTMENT, INTERPRETATION AND DEFINITIONS

PORTABLE SIGN -

means a sign mounted on a stand or similar support and which together with the support can be relocated to another location on or off a site and may include copy that can be changed manually through the use of attachable characters.

PROJECTING SIGN -

means a sign that is affixed to any building or part thereof and extends beyond the building wall or parts thereof by more than 0.30 m. This does not include a sign attached to the ground.

ROOF SIGN -

means any sign erected upon, against or directly above a roof or on top of or is entirely above the parapet wall of a building.

TEMPORARY PORTABLE SIGN -

means a sign that is not permanently anchored to a footing extending below grade or permanently affixed to, or painted on, a building. Temporary signs may advertise construction sites, specific community events, seasonal businesses, or businesses waiting for the installation of a permanent sign.

UNDER-CANOPY SIGN -

means a sign that is attached to the bottom face of a canopy.

WALL SIGN -

means a sign attached to or placed flat against the exterior wall or surface of any building, no portion of which projects more than 0.1 m (.33 ft.) from the wall and may not project above the roof or parapet.

SITE -

means one or more lots or parcels each of which is described in a certificate of title or identified on a registered plan of subdivisions and includes a quarter section.

SITE AREA -

means the total area of a site.

SITE BOUNDARIES -

means those property boundaries that may or may not be described in a certificate of title or identified on a registered plan of subdivisions.

SITE, CORNER -

means a lot at the intersection of two abutting streets provided that the intersection of the two streets is less than one hundred and thirty-five (135) degrees. A site abutting on a curved street or streets shall be considered a corner site if the arc of the inside boundary of the street is less than 45 m in radius over an angle of more than 135 degrees.

SITE COVERAGE -

means the portion of a site covered by buildings measured at 0.6 m (2 ft.) above grade but does not include open decks, step, or other similar projections.

SITE DEPTH -

means the average horizontal distance between the front and rear site boundaries.

PART I – ENACTMENT, INTERPRETATION AND DEFINITIONS

SITE, INTERIOR -

means a site that is bounded by only one street.

SITE WIDTH -

means the average horizontal distance between the side boundaries of a site or, where the site width would be shorter, the distance between the side boundaries of the site at the minimum permissible front yard setback measured parallel to the street or at right angles to the tangent on a curved street.

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.

STATUTORY PLAN -

means a Municipal Development Plan, Intermunicipal Development Plan, Area Structure Plan, or Area Redevelopment Plan pursuant to the Act.

STORAGE FOR VEHICLES AND EQUIPMENT

means development used exclusively for 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 vehicle or equipment storage compounds.

STORAGE SPACE -

means the area set aside for the storage of goods in association with, and subordinate to the principal commercial use.

STOREY -

means the habitable space between the upper face of one floor and the next above it. The upper limit of the top storey shall be the ceiling above the topmost floor. A basement or cellar shall be considered a storey in calculating the height of a building if the upper face of the floor above it is more than 1.8 m above grade.

STOREY HALF -

means that part of any building wholly or partly within the framing of the roof, where the habitable floor area is not more than seventy percent of the ground floor.

STREET -

means a right-of-way no less than 10 m (32.80 ft.) in width for a public thoroughfare and designed for the use of vehicular or pedestrian traffic, but does not include a lane.

STRUCTURE -

means anything constructed or erected on the ground, or attached to something on the ground and includes all buildings.

SUBDIVISION AND DEVELOPMENT APPEAL BOARD -

means the Subdivision and Development Appeal Board appointed pursuant to the Act.

SURVEILLANCE SUITE -

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

PART I – ENACTMENT, INTERPRETATION AND DEFINITIONS**TEMPORARY BUILDING -**

means a structure that has been permitted to exist for a limited time only.

TEMPORARY OUTDOOR EVENT –

means an organized public activity in a P-1 or U-S Land Use District that is temporary in nature and does not adversely impact adjacent land uses. Typical uses may be active or passive in nature and include but are not limited to organized sporting events, community festivals, farmers markets and outdoor church services. This Use Class does not include Outdoor Amusement Establishments.

THEATRES -

means development providing facilities within an enclosed building specifically intended for live theatrical, musical or dance performances; or the showing of motion pictures. This does not include entertainment developments associated with bars and pubs. Typical uses include auditoria, cinemas, theatres and concert halls.

TRAFFIC ISLAND -

means an area or space officially set aside within a street, lane or parking lot, prohibited for use by motor vehicles and which is marked or indicated by construction so as to be plainly visible at all times.

TRUCK AND RECREATION VEHICLE SALES/RENTALS -

means development used for the sale or rental of new or used trucks, motor-homes, and automobiles, together with incidental maintenance services and the sale of parts and accessories. Typical uses include truck dealerships and recreation vehicle sales and services.

USE -

means a use of land or a building as determined by the Development Officer.

UTILITY -

means the components of a sewage, storm-water or solid waste disposal system or telephone lines, cable television lines, electrical power, water, gas or petroleum distribution system.

UTILITY BUILDING -

means a building in which the proprietor of a utility company houses any equipment used in connection with the utility.

VEHICLE AND EQUIPMENT SALES/RENTALS -

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 does not include truck and mobile home sales/ rentals.

VETERINARY CLINIC -

means a facility for the medical care and treatment of animals and includes provision for their overnight accommodation, but does not include kennels, outdoor pens, runs or enclosures.

VETERINARY HOSPITAL -

means a facility for the medical care and treatment of animals and includes provision for their overnight accommodation and confinement in outdoor pens, runs and enclosures.

PART I – ENACTMENT, INTERPRETATION AND DEFINITIONS

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 includes developments where principal goods being sold are such bulky items as furniture, carpet, major appliances and building materials. This 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.

YARD -

means the required open space that is unoccupied and unobstructed by any structure except a structure that the bylaw permits to be located in a yard.

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 front exterior wall of the building.

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 rear exterior wall of the building.

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.

YARD – Zero Side Yard

means a case in which a development is permitted to be built on the side lot line, with no required side yard setback.

PART II - ESTABLISHMENT OF THE DEVELOPMENT AUTHORITY**9) DEVELOPMENT AUTHORITY**

- a) The Development Authority is established by Bylaw 359-95.
- b) The Development Officer shall be:
 - i) a person or persons appointed as Development Officer by City Manager, or
 - ii) any person delegated the authority to perform the duties of the Development Officer in accordance with the City's policy dated December 14, 1993 for Delegation of Development Officer's Responsibility.
- c) The Development Officer shall:
 - i) receive, consider and approve or disapprove applications for a Development Permit, and
 - ii) make available for inspection during regular municipal office hours:
 - (1) a copy of this Bylaw as amended;
 - (2) a register of all applications including the decisions rendered on them and the reasons therefore; and
 - (3) ensure that copies of this Bylaw can be purchased by the public at a reasonable cost.
 - iii) carry out the duties as prescribed in the Municipal Government Act with regard to appeals; and
 - iv) perform such duties required to enforce this Bylaw in conformance with the Municipal Government Act.
- d) The Development Officer shall not approve a Development Permit on a property if the provisions of a previous development permit approved for the property have not been met unless:
 - i) the Development Officer is satisfied that the proposed new Development Permit will result in meeting the requirement of the approved Permit; and
 - ii) that security is in place that will insure the completion of the new Permit.

PART III - DEVELOPMENT PERMITS

10) PERMIT APPLICATION FEES

- a) The Development Permit application fee must be submitted with each development application.
- b) A Development Permit Application fee is non-refundable.
- c) Development Permit application fees are set out below and may be amended by Council by Bylaw.
 - i) A \$40.00 notification fee will be charged for discretionary uses requiring notification under the Act.
 - ii) A fee will be charged for an amendment to a Development Permit application that is under consideration by the Development Authority. This fee will be levied at the Development Officer's discretion, but in no case will it exceed the original permit application fee.
 - iii) The Development Permit application fees are:

Permitted Temporary Building not exceeding 30 days	- No Fee
Single Dwellings	- \$50.00
Manufactured home in a Manufactured Home Court	- \$30.00
Accessory Buildings Over 18.58 m² (200 sq.ft.)	- \$20.00
Duplexes	- \$50.00 per unit or suite
Multi-Unit Dwelling	- \$45.00 per unit or suite
Motels/Hotels	- \$45.00 per unit or suite
Commercial/Industrial	- \$150.00 plus \$.25/\$1000 value
Signs	- \$25.00 portable/temporary sign - \$50.00 permanent/variable facia/ annual and all other signs - No Fee –portable, temporary, inflatable sign advertising special events and general public interest such as charity drives, health and safety campaigns, amateur athletic and sports events and city-wide celebrations
Home Occupancy	- \$50.00
Yearly re-assessment	- \$25.00
Radio Communication Facilities Sect. 46(a)	- \$200.00 for the cost of circulation
All other permits	- \$50.00 plus \$.25/\$1000 value

11) WHERE A PERMIT IS REQUIRED

- a) Except as provided in Section 12 below no person shall commence any development unless he has been issued a Development Permit in respect thereof.

PART III - DEVELOPMENT PERMITS**12) WHERE A PERMIT IS NOT REQUIRED**

- a) A Development Permit is not required for development of the type described below:
- i) The maintenance or repair of any building if the work does not include structural alterations.
 - ii) The completion of a development which was under construction in accordance with a lawful Development Permit issued at the effective date of this Bylaw provided that the development is completed within the time limit of such a permit or within twelve months of the effective date of this Bylaw whichever is earlier.
 - iii) 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 building or land.
 - iv) The erection or placement of a temporary building or sign, the sole purpose of which is incidental to the erection of a building for which a Development Permit has been granted, provided the temporary building or sign is removed within thirty days of substantial completion or as determined by the Development Officer.
 - v) The erection of a fence or gate which is no higher than 1.82 m (6 ft.) in height provided that there is no contravention of this or any other Bylaw 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.
 - vi) Landscaping where the proposed grades will not adversely affect the subject or adjacent properties, except where landscaping forms part of a development that requires a Development Permit.
 - vii) Family care or boarding facilities provided that facilities are large enough and programs that may be needed are adequately organized meeting Provincial Regulations.
 - viii) Radio communication satellite reception dishes less than 1.2 m (4 ft.) in diameter.
 - ix) The resumption or commencement of a permitted use of developed land and/or building, provided that:
 - (1) if the use resumed is non-conforming, it has not been discontinued for a period of six months or more;
 - (2) the number of parking stalls required pursuant to Section 54) of this Bylaw is the same or fewer than would be required for the previous use;
 - (3) no structural addition has been made to the building;
 - (4) no change has been made to the area of the site; and
 - (5) a Development Permit has been issued for the building at some time in the past.

PART III - DEVELOPMENT PERMITS**13) GRANTING OF VARIANCES**

- a) The Development Officer, pursuant to section 640 of the Act, may approve or conditionally approve an application for a development that does not comply with this Bylaw only if in the opinion of the Development Officer:
 - i) the proposed development would not:
 - (1) unduly interfere with the amenities of the neighbourhood, or
 - (2) materially interfere with or affect the use, enjoyment, safety or value of neighbouring properties;
 - ii) and the proposed development conforms with the use prescribed for that building or land in the district that applies to it.
- b) In particular the Development Officer, subject to a) above, may approve:
 - i) a development on a lot which does not meet the regulations of the Bylaw in terms of width, depth or land area, provided that the lot was legally registered and existing at the time of final passage of this Bylaw, and that the development meets all other requirements of this Bylaw;
 - ii) a development which does not comply in terms of yard setbacks or site coverage, provided that:
 - (1) the development does not encroach on any easement; unless an encroachment agreement has been granted in respect of it, and the development meets all other requirements of this Bylaw; and
 - (2) the development does not encroach on any property line, nor create drainage problems.
- c) In granting a variance, the Development Officer may request written acceptance of the proposed variance from adjacent or affected landowners.

PART III - DEVELOPMENT PERMITS**14) APPLICATION FOR DEVELOPMENT PERMIT**

- a) Every application for a Development Permit shall:
- i) be submitted in the form prescribed by the Municipality;
 - ii) 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;
 - iii) state the proposed use or occupancy of all parts of the land and building, and such other information as may be required by the Development Officer;
 - iv) include site plans in duplicate (or at the discretion of the Development Officer in triplicate) at a scale satisfactory to the Development Officer, showing all of the following:
 - (1) front, side and rear yards;
 - (2) outlines of the roof overhangs on all buildings;
 - (3) north point;
 - (4) legal description of property;
 - (5) location of existing and proposed municipal and private local improvements, principal buildings and other structures including accessory buildings, garages, carports, fences, driveways, paved areas, and major landscaped areas including buffering and screening areas where provided;
 - (6) the grades and locations of the adjacent streets, lanes, sewers and utilities servicing the property;
 - (7) the height and horizontal dimensions of all buildings, existing and proposed;
 - (8) the finished floor elevations in the basement and main floor in the principal and accessory building where applicable;
 - (9) on a vacant parcel in a residential district, the suggested location for a future driveway and garage or carport, if the application itself does not include such building as part of the proposal; and
 - (10) any other pertinent information or tests required by the Development Officer respecting the site or adjacent lands.

PART III - DEVELOPMENT PERMITS

- b) 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.
- c) The Development Officer may require:
 - i) irrevocable letters of credit or bonds from the Developer to secure performance of any of the conditions of a Development Permit;
 - ii) information on the environmental, social, economic or financial impact or influence of the development;
 - iii) photographic prints showing the site in its current condition;
 - iv) how the form, mass and character of the proposed development will relate to neighbouring development;
 - v) how the exterior finish of the building will relate to existing or planned facades of neighbouring buildings;
 - vi) a parking or transportation study;
 - vii) a noise evaluation study;
 - viii) information showing that the Applicant has discussed the proposal with nearby property owners; and
 - ix) any other information required by the Development Officer to determine how a proposed development may affect land use in the area.
- d) An application for a Development Permit shall be considered by the Development Officer who shall:
 - i) approve, with or without conditions, an application for a permitted use where the proposed development conforms to this Bylaw;
 - ii) approve, with or without conditions, or refuse an application for a discretionary use; and
 - iii) refuse an application for a use that is neither a permitted use nor a discretionary use.
- e) For an application for a Development Permit in a Direct Control District the Development Officer shall:
 - i) where Council has delegated the decision to the Development Authority the Development Officer shall consider the application and may approve the application providing it meets the directions set out by Council; and
 - ii) where Council has not delegated the decision to the Development Authority the Development Officer shall refer the development application to Council recommending approval with or without conditions or recommending refusal.

PART III - DEVELOPMENT PERMITS

- f) The Development Officer may impose such conditions on the approval of an application as, in his opinion, are necessary:
- i) to uphold the intent and objectives of the Municipal Development Plan under preparation or as adopted;
 - ii) to uphold the intent and objectives of an Area Structure Plan, or Area Redevelopment Plan under preparation or as adopted;
 - iii) to meet the applicable requirements of this Bylaw, and
 - iv) to ensure the orderly and economical development of land within the Municipality.
- g) The Development Officer may as a condition of issuing a Development Permit, require with respect to the development that the applicant pay an off-site levy or redevelopment levy imposed by Bylaw or, the applicant enter into an agreement with the Municipal Council to do all or any of the following:
- i) to construct or pay for the construction of:
 - (1) a public roadway required to give access to the development;
 - (2) a pedestrian walkway system to serve the development;
 - (3) 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;
 - (4) utilities that are necessary to serve the development;
 - (5) off-street or other parking facilities; and
 - (6) loading and unloading facilities.
 - h) The erection of a building on any site may be prohibited where it would otherwise be permitted under the Bylaw when, in the opinion of the Development Authority, satisfactory arrangements have not been made by the Developer for the supply of required improvements as specified in Subsection g) including the payment of the costs of installing or constructing any such improvements or facilities by the Developer.
 - i) Where an application for a Development Permit is approved with conditions the Development Authority 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. Pursuant to Section 650(2) of the Act such an agreement may be protected by caveat under the Land Titles Act registered by the Municipality against the certificate of title for the land that is subject to the development.

PART III - DEVELOPMENT PERMITS**15) RE-APPLICATION FOR A DEVELOPMENT PERMIT**

- a) 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.

16) NOTICE OF PROPOSED DEVELOPMENT

- a) Prior to an application being considered for a discretionary use, or for a development in a direct control district, the Development Officer may require as a condition, prior to consideration of the application, that the applicant display for no less than seven days 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 a form prescribed by the Development Officer.
- b) The notice required by the Development Officer pursuant to Subsection a) shall state:
 - i) the proposed use of the building or site;
 - ii) that an application respecting the proposed use will be considered by the Development Officer; and
 - iii) that any person who objects to the proposed use of the site may deliver to the Development Officer a written statement of his objection to such use indicating:
 - (1) his full name and the address for service of any notice to be given to him in respect of the objection, and
 - (2) the reasons for his objection to the proposed use. The statement must be received by the Development Officer not later than the day specified in the notice.

17) NOTICE OF DECISION

- a) The decision of the Development Officer on an application for a Development Permit shall be given to the applicant in the form prescribed by the Municipality.
- b) If a Development Officer refuses an application for a Development Permit, the notice of decision shall contain the reasons for the refusal.
- c) When an application for a Development Permit is approved for a discretionary use or is for a development in a Direct Control District a notice shall be mailed forthwith to all assessed owners of residential properties within 60 m (196.9 ft.) of the site or greater at the discretion of the Development Officer and to those assessed property owners who in the opinion of the Development Officer may be affected, except where in the opinion of the Development Officer the permit issued is of a minor nature and does not have any adverse affect on adjacent property owners.

PART III - DEVELOPMENT PERMITS

- d) The Development Officer shall forthwith require that a notice be published in a newspaper circulating in the City stating the location of the property for which the application has been made and the use approved. This notice shall indicate:
 - i) the date the Development Permit was issued; and
 - ii) that an appeal may be made by a person affected by the decision by serving written notice of the appeal on the Subdivision and Development Appeal Board within fourteen days after the date the Development Permit was issued.

18) EFFECTIVE DATE OF PERMIT

- a) Where an appeal on a permit granted pursuant to this Bylaw can be considered by the Subdivision and Development Appeal Board, the permit does not come into effect until 15 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.
- b) Where an appeal is made to the Subdivision and Development Appeal Board against a Development Permit that has been approved, the Permit shall not come into effect until the Subdivision and Development Appeal approves, with or without conditions, the issuance of the Permit.

19) PERMIT VALIDITY

- a) A Development Permit shall lapse after one year from the date of issuance unless:
 - i) significant development has commenced on the site; or
 - ii) the Development Officer has granted an extension.
- b) A development once commenced is not to be discontinued or suspended for a period or periods totalling more than six months unless the applicant requests in writing an extension and the Development Officer has notified the applicant 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.

20) ISSUANCE OF DEVELOPMENT PERMIT AND START OF CONSTRUCTION

- a) The Development Officer shall issue a Development Permit to the applicant immediately after:
 - i) approval or conditional approval of the application by the Development Officer, or approval or conditional approval given by the Subdivision and Development Appeal Board after an appeal, and

PART III - DEVELOPMENT PERMITS

- b) Before any building permit is issued and before any construction is started the applicant shall:
- i) deliver to the City an irrevocable letter of guarantee or an irrevocable letter of credit, if required pursuant to Section 14(c);
 - ii) execute and deliver to the City the agreement if required pursuant to Section 14)(g)i); and
 - iii) pay the Development Levy required under this Bylaw or other Bylaw of the City of Leduc.

21) CONDITIONS OF DEVELOPMENT PERMIT

- a) 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.
- b) The person to whom a Development Permit has been issued shall notify the Development Officer:
 - i) when the preliminary layout of the site is complete, but prior to the commencement of actual development thereon, and
 - ii) when the project of an approved Development Permit is complete.
- c) The Development Officer may require that further to Subsection (b)(i), the applicant arrange with the Development Officer for an on-site inspection before commencing construction.
- d) 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.
- e) 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.
- f) Subsections (d) and (e) may be enforced pursuant to Section 24. Any costs incurred as a result of neglect to public property may be collected where letters of credit have been required pursuant to Section 14(c).
- g) The Development Officer may require a surveyor's certificate relating to the building for which a permit has been applied.
- h) No building or use shall be used or occupied and no change in the existing occupancy classification of a building shall be made until the Development Officer is satisfied that the project is substantially complete in accordance with the Development Permit issued.
- i) Where any on-site services or improvements, or any off-site local improvements are required to service a proposed development, a person shall not begin the excavation for the foundation nor commence the development until the Development Officer is satisfied that such services or improvements will be undertaken.

PART III - DEVELOPMENT PERMITS

- j) Where public sewer and water services are available development will be required to connect to these services.
- k) No Development Permit shall be issued for a development to be served by private sewer and water systems until the systems have been approved by the appropriate Municipal and Provincial Departments.

22) ON-SITE INFORMATION

- a) A person to whom a Development Permit is issued shall, during development, keep:
 - i) 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
 - ii) on site at all times of development activity, a copy of the approved drawings and specifications to which the permit pertains.

23) LETTER RESPECTING COMPLIANCE WITH THE LAND USE BYLAW

- a) The applicant for a Letter Respecting Compliance 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.
- b) In determining whether a Letter Respecting Compliance can be issued for a site, the Development Officer shall rely on the Surveyor's Certificate or Real Property Report provided by the applicant.
- c) The Development Officer may issue a Letter Respecting Compliance when, in his opinion, the building located on a site, and shown on the Surveyor's Certificate or Real Property Report, is 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 Letter Respecting Compliance shall only cover those buildings and structures, or parts thereof, shown on the Surveyor's Certificate or Real Property Report submitted by the applicant.
- d) The Development Officer may refuse to issue a Letter Respecting Compliance when, in his opinion, he does not have sufficient information from the applicant to determine if a building located on a site is 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.
- e) The Development Officer shall not be liable for any damages arising from the use of a Letter Respecting Compliance containing errors where the errors are the result of incorrect or incomplete information on the Surveyor's Certificate or Real Property Report.

PART IV - APPEALS**24) DEVELOPMENT APPEALS**

- a) The person applying for the permit or affected by the Stop Order, or any person affected by a decision or Order may appeal the decision to the Subdivision and Development Appeal Board when a Development Officer:
 - i) refuses or fails to issue a Development Permit to a person;
 - ii) issues a Development Permit subject to conditions;
 - iii) issues a Development Permit where the provisions of the Bylaw were relaxed; and
 - iv) issues a Stop Order under section 645 of the Act.
- b) An application for a Development Permit shall, at the option of the applicant, be deemed to be refused when the decision of the Development Officer is not made within forty days of receipt of the application unless the applicant has entered into an agreement with the Development Officer to extend the forty (40) day period.
- c) An appeal must be filed with the City of Leduc Subdivision and Development Appeal Board within 14 consecutive days from the date in which the person is notified of the order or decision or issuance of the development permit.
- d) An appeal may be launched by filing a notice with the City of Leduc Subdivision and Development Appeal Board providing the following:
 - i) the legal description of the property and/or the municipal address;
 - ii) the address of the appellant;
 - iii) the reasons for the appeal and the issue, condition in the decision, or order that are the subject of the appeal; and
 - iv) the fees prescribed by the Subdivision and Development Appeal Board Bylaw.
- e) The development appeal will be considered, and the public hearing will be held by the Subdivision and Development Appeal Board in the manner prescribed in the Subdivision and Development Appeal Board Bylaw, and pursuant to the requirements of the Act.
- f) In determining an appeal the Subdivision and Development Appeal Board must:
 - i) comply with the Provincial Land Use Policies, the Municipal Development Plan other statutory plans, and with the uses prescribed in the Bylaw;
 - ii) have regard to but is not bound by the Subdivision and Development Regulation; and
 - iii) decide the appeal within section 687 of the Act.

PART V - ENFORCEMENT**25) PURPOSE**

- a) The purpose of this Part is to ensure:
 - i) that the development within the City of Leduc is orderly, economical and beneficial; and
 - ii) that the requirements of this Bylaw are enforced fairly and consistently.

26) BYLAW ENFORCEMENT

- a) A person is guilty of an offence pursuant to Section 557 of the Act when allowing or commencing any development:
 - i) that contravenes, or does not comply with, the provisions of this Bylaw;
 - ii) that requires a Development Permit in the Bylaw that has not been issued;
 - iii) that is contrary to a Development Permit that has been issued, a subdivision approval that has been given or a condition of the Permit or approval; and
 - iv) that contravenes a Stop Order under c) below.
- b) The fines for an offence against the Land Use Bylaw pursuant to Section 566 of the Act are:
 - i) First offence \$500.
 - ii) Second offence \$750.
 - iii) Third and additional offences \$1250.
- c) When an offence has been or is being committed, the Development Officer may issue a Stop Order under Section 645 of the Act or levy a fine as prescribed in b) above.
- d) When issuing a Stop Order the written notice shall order the owner, the person in possession of the land or building, or the person responsible for the contravention or any or all of them to:
 - i) stop the development or use of land that is contrary to the Bylaw;
 - ii) demolish, remove or bring the development into compliance with the Bylaw;
 - iii) carry out any other actions required by the notice so that the development complies with the provisions of this Bylaw;
 - iv) complete the actions in the notice before a date set out in the notice; and
 - v) the option to launch an appeal to the Subdivision and Development Appeal Board.

PART V - ENFORCEMENT

- e) If the Stop Order is appealed to the Subdivision and Development Appeal Board then the Development Officer shall provide, at the hearing, any information required by the Board.
- f) If a person fails or refuses to comply with the order under section 645 or an order of the Subdivision and Development Appeal Board under section 687 the Designated Officer take action under sections 542, 543, 545, 646 of the Act.
- g) If a person fails or refuses to comply with the order of f) above the Designated Officer may:
 - i) obtain an injunction from an Alberta Court to enforce the Bylaw;
 - ii) register a caveat under the Land Titles Act in respect of the order;
 - iii) enter into or upon the land or building pursuant to Section 542 of the Municipal Government Act, and take any action necessary to carry out the order under section 545 of the Act; and
 - iv) the cost of action or measure will be:
 - (1) charged to the registered owner of the land; and
 - (2) collected in like manner as taxes owing against a property.
- h) If the Development Officer levies a fine the notice shall be mailed or delivered by hand to the owner or the person in possession of the land or building and the notice shall state:
 - i) the amount of the fine, whether this is a first, second or third offence, state a time within which the property must be brought into conformity with the Bylaw; and
 - ii) the Development Officer will inspect the property after the stated time and levy a second or third fine, each stating a time within which the property must be brought into conformity.
- i) The Development Officer is authorized and directed to take whatever action required to collect fines levied for offences of the Bylaw.
- j) After reasonable notice (generally to mean 48 hours notice) to the owner or occupant in accordance with the Municipal Government Act, a designated officer of the municipality or his delegate may enter property at reasonable times (generally to mean 7:30 a.m. to 10:00 p.m.) to ascertain if Bylaw requirements are being met.

27) NON-CONFORMING USES, BUILDINGS, AND LOTS

- a) The Municipal Government Act Section 643 shall apply in the case of non-conforming uses and non-conforming building.
- b) A development may be permitted in any district on a non conforming lot which does not meet the requirements of this Bylaw provided:
 - i) that such lot was registered at a Land Titles Office of Alberta at the time of final passage of this Bylaw;
 - ii) there is no adverse effect on adjacent parcels;

PART V - ENFORCEMENT

- iii) all other regulations of this Bylaw are adhered to; and
- iv) Section 13 regulations are met.
- c) A building, which does not satisfy the regulations of this Bylaw, may be deemed to conform to this Bylaw pursuant to Section 13. Where a building is deemed to conform such building may be enlarged or added to, any enlargement or addition shall meet all of the requirements of this Bylaw.

PART VI – GENERAL REGULATIONS

28) EMERGENCY ACCESS TO BUILDINGS

- a) Sites shall be so designed that streets and access routes for fire fighting equipment shall be provided in accordance with the requirements of the Safety Codes Act.

29) POLLUTION CONTROL

- a) No storage or activity may be undertaken in any District, which, in the opinion of the Development Officer constitutes a danger or annoyance to persons on public property, or on any other sites, by reason of the generation of:

noise	radiation hazards
vibration	fire and explosive hazards
dust and other particulate matter	heat, humidity and glare
smoke	refuse matter
odour	waste or waterborne waste
toxic and noxious matter	water or steam
traffic	electrical interference

- b) Sites and buildings in all Districts shall be maintained in a clean and tidy condition free from all rubbish and debris.
- c) No person shall contravene the approved Construction Debris Management Plan for a residential subdivision area.

PART VI – GENERAL REGULATIONS

30) LANDSCAPING AND AMENITY AREAS

- a) The purpose of the landscaping section of the Bylaw is to enhance the visual appearance of the City of Leduc whenever any new development takes place or when existing development is substantially enlarged. The amount of the site to be devoted to landscaping is set out in each District. The regulations contained in this section will ensure consistent standards that will be met by all persons developing with the City of Leduc.
- b) Required landscaping areas shall be planted with:
 - i) 1 tree for every 30 m² (322.6 sq. ft.) of landscaping area in all districts excluding industrial districts;
 - ii) 1 tree for every 45 m² (483.9 sq. ft.) of landscaping areas in an industrial District; and
 - iii) three shrubs may be substituted for one tree.
- c) All planting material shall be:
 - i) 50 mm (2 inch) minimum calliper for deciduous trees;
 - ii) 2 m (6.6 ft.) minimum height for coniferous trees;
 - iii) 600 mm (2.0 Ft.) height and a spread of 400 mm (1.3 ft.) shall be the approximate minimum size of shrubs at the time of planting;
 - iv) hardy to the Leduc Region and to the location on the site where they are planted. The Alberta Horticultural Guide shall be used as a reference in selecting plants; and
 - v) the proportion of deciduous to evergreen trees shall be approximately 60:40 unless otherwise approved by the Development Officer.
- d) Existing trees and large shrubs shall be preserved, protected, or replaced. Trees, which are removed or damaged by development shall be replaced with a tree of similar species and size or as follows:
 - i) deciduous trees over 116 mm (4 in.) in caliper shall be replaced with similar tree with a minimum caliper of 116 mm (4 in.); and
 - ii) coniferous trees over 1.82 m (6.0 ft.) in height shall be replaced with similar trees with a minimum height of 1.82 m (6.0 ft.).
- e) Where a landscaping plan is required, no landscaping work shall be commenced unless the landscaping plan is approved by the Development Officer.

PART VI – GENERAL REGULATIONS

- f) A landscaping plan shall contain the following information for the site and adjacent boulevards:
 - i) all physical features, existing or proposed; including shrubs, trees, flower beds, berm contours, walls, fences, outdoor furniture, surface utilities and decorative paving; and
 - ii) all shrubs and trees, whether existing or proposed, labelled by their common name, botanical name, and size.
- g) Required landscaped areas shall be developed in accordance with a landscape plan and meet the following requirements and standards:
 - i) all areas of a site not covered by buildings, parking or vehicular manoeuvring areas shall be landscaped; and
 - ii) existing shrubs and trees retained on a site may be considered as partial or total fulfilment of the total landscaping requirement.
- h) The quality and extent of the landscaping established on a site shall be the minimum standard to be maintained on the site for the life of the development. Adequate means of irrigating and maintaining the landscaping shall be provided.
- i) As a condition of the Development Permit, all landscaping and planting required, including land between the property line and the edge of the street must be carried out to the satisfaction of the Development Officer and within one growing season (weather permitting) of occupancy or commencement of operation of the proposed development.
- j) In the event that planting material required in an approved development is inappropriate or fails to survive, a Development Officer may allow or require alternative materials to be substituted.
- k) The Development Officer may require, as a condition of Development Permit approval, that the applicant provide an irrevocable letter of credit in the amount of 125% of the estimated landscaping cost. If the landscaping is not completed in accordance with the development permit within one growing season after the completion of the development the Development Officer may arrange the landscaping by a third party and pay the costs from the letter of credit.
- l) The owner of the property, or his successors or assignees, shall be responsible for landscaping and proper maintenance. If the landscaping required by this bylaw does not survive a one-year maintenance period, the applicant must replace it with similar type and calliper. If the applicant fails to replace the landscaping, the Development Officer may arrange the remedial landscaping by a third party and pay the costs from the letter of credit under subsection k).
- m) A trash collection area, an open storage area, or an outdoor service area; including any loading, unloading and 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 shall be fenced or have screen planting. The location, length, thickness and height of such fence or screen planting shall be in accordance with the landscaping plan approved by the Development Officer. Such fence or screen planting shall be maintained to provide effective screening from the ground to a height of 1.82 m (6.0 ft.).

PART VI – GENERAL REGULATIONS**31) FENCING**

- a) No person shall construct a fence or wall, or permit a hedge to grow on public property.
- b) No person shall construct a fence or wall, or permit a hedge to grow in the front yard in any District except industrial, agricultural or urban reserve Districts higher than:
 - (i) For internal lots – 1.8 m (6.0 ft.) for that portion of the fence that does not extend beyond the foremost portion of the principal building and 1.0 m (3.3 ft.) for that portion of the fence that does extend beyond the foremost portion of the principal building on the lot.
 - (ii) For corner lots – 1.8 m (6.0 ft.) for that portion of fence that does not extend beyond the foremost portion of the principal building abutting the front yard on the narrow frontage and 1.8 m (6.0 ft.) on the side yard abutting a public road and lane if, in the opinion of a Development Officer, it will not prejudice the safety or amenities of the adjoining lots”.
- c) where a property in a residential District abuts or faces an arterial roadway or a railway line the Development Officer may approve a fence height greater than 1.8 m (5.9 ft.).
- d) No person shall construct a fence or wall, or permit a hedge to grow in the side or rear yard in any Districts except industrial, agricultural or urban reserve districts higher than 1.8 m (5.9 ft.).
- e) Where a property is located in an industrial, agricultural or urban reserve District, except for a boundary adjacent to a residential District, the height of the fence shall be:
 - i) as approved by the Development Officer; and
 - ii) barbed wire may be permitted above 1.8 m (5.9 ft.).
- f) No electrification of fences will be permitted.
- g) The height of the fence shall be measured from grade. Where grades differ between properties, the average of the two elevations measured 0.3 m (1.0 ft.) from fence shall be used.

32) OBJECTIONABLE ITEMS IN YARDS

- a) The purpose for this section is to maintain a minimum standard for operation of property in the City of Leduc.
- b) In any commercial, industrial, multi dwelling residential development all:
 - i) garbage shall be stored in weather proof and animal proof containers and screened from adjacent sites and public thoroughfares and shall be in a location easily accessible for pickup; and
 - ii) outside storage areas shall be screened from adjacent sites and thoroughfares.

PART VI – GENERAL REGULATIONS

- c) In any residential District no person shall keep outside his dwelling or garage:
 - i) any vehicle that does not have a valid licence plate;
 - ii) any dismantled or wrecked vehicle for more than fourteen successive days;
 - iii) any vehicle weighing in excess of 4500 kg gross vehicle weight for longer than is reasonably necessary to load or unload such a vehicle, excepting Recreation Vehicles; and
 - iv) any object or chattel which, in the opinion of the Development Officer, is unsightly or tends to adversely affect the amenities of the District.
- d) No excavation, storage or piling up of materials required during the construction stage is permitted unless all necessary safety measures are undertaken. The owner of such materials or excavations must assume full responsibility to ensure the situation does not prevail any longer than reasonably necessary to complete a particular stage of construction work.
- e) No vehicle may be parked in the front yard unless:
 - i) the vehicle has a valid licence plate; and
 - ii) the vehicle is parked on an approved driveway.

32A) RECREATION VEHICLES IN RESIDENTIAL DISTRICTS

- a) On any lot that has access to a lane no person shall park or permit to be parked a Recreational Vehicle or other vehicles in a front yard.
- b) On a lot that has no access to a lane a person may park a Recreational Vehicle in the required front yard setback on a hard-surfaced driveway or pad from May 1st to October 15th of each calendar year providing:
 - i) no complaints are received from immediate adjoining or opposite landowners;
 - ii) Recreational Vehicles are parked a minimum of 0.6 m (2.0 ft.) from property boundaries; and
 - iii) the hard-surfaced pad is an extension of the driveway providing:
 - (1) the total width of the driveway on public land does not exceed 7.5 m (24.6 ft); and
 - (2) the total width of the driveway does not exceed 40 % of the lot width.
 - iv) a person shall not park a Recreational Vehicle in the required front yard setback from October 16th to April 30th of each calendar year.
- c) On a lot that has access to a lane a person may park a Recreational Vehicle year round on a hard-surfaced pad within the rear yard setback or on the driveway to a detached garage.
- d) On a lot that has no access to a lane where there is available space between the side property boundary and the dwelling to access the rear yard from the front roadway, a person may park a Recreational Vehicle year round on a hard-surfaced pad within the rear yard.

PART VI – GENERAL REGULATIONS

- e) On corner lots permission to park a Recreational Vehicle in the rear yard is at the Development Officer's discretion, taking under consideration access and adjacent properties."

33) PUBLIC UTILITY BUILDINGS AND USES

- a) Utility buildings, facilities, equipment, lots and easements are permitted uses in all Districts.
- b) A public utility building, facility or equipment located in any District shall:
 - i) as far as possible have the appearance and aesthetic of the uses permitted in the District;
 - ii) meet the setback requirements of the District or meet setback requirements that are satisfactory to the Development Officer; and
 - iii) have landscaping that reflects the typical landscaping in the District.

34) UTILITY EASEMENTS

- a) Subject to the terms in a utility easement, no structure other than a fence shall be constructed or placed on that utility easement unless:
 - i) written consent has been obtained from the person for whose use the easement has been granted; and
 - ii) the proposed structure does not restrict access to the utility easement for the purpose of installation and maintenance of the utility in the opinion of the Development Officer.
- b) Setback from the Rimbey Pipeline Right-of-Way 3762MC
 - i) Notwithstanding any other provisions of this Bylaw, a minimum setback of 15 m (49.21 ft.) to the dwelling and 7.5 m (24.6 ft.) to any other permanent structure shall be required within any lands immediately adjoining the Rimbey Pipeline right-of-Way Plan 3762MC located in the SE and SW ¼ Sec. 30-49-25-W4th, the NW ¼ Sec. 19-49-24-W4th, Lot A, Plan 9623541, and the SE and SW ¼ Sec. 24-49-25-W4th.

35) BUILDING EXTERIORS

- a) The purpose of this section is to ensure that each new development adds to the quality and aesthetic appearance of the neighbourhood in which it is proposed to be located.
- b) No single detached dwellings of identical (or similar in the opinion of the Development Officer) roof or front elevations on either side of a street shall be located within six sites from each other, unless the dwelling is part of a single project which has been proposed and designed to be built under one Development Permit.
- c) No commercial buildings shall be erected unless the architectural quality of the design meets or exceeds the standard of buildings existing in the area.
- d) The exterior finish on all buildings shall be of permanent material and shall be of a character satisfactory to the Development Officer.

PART VI – GENERAL REGULATIONS**36) SITE GRADING**

- a) Site grading shall be established to prevent drainage flow from one site to another; unless:
 - i) a subdivision grading plan or site grading plan has been adopted by the City and according to the City grading policy, then
 - (1) the grades shall be in accordance with the plan;
 - (2) drainage flow shall be by way of a drainage path located at the property line common to adjoining lots; unless
 - ii) a drainage swale is to be constructed on a site in accordance with a subdivision grading plan, in which case sites adjoining the easement/right of way may drain to the swale.
- b) The developer of a site shall be responsible to ensure that grading is completed to provide effective site drainage and conforms to the grading plan.
 - i) Where the developers of adjacent sites agree to alter the design grades at a common property line, the owners of the affected properties shall submit written verification of acceptance of the grade change to the Development Officer for consideration.
- c) When required for a specific development, an engineered site grading and/or storm water management design shall be submitted for acceptance by the Development Officer. The developer shall:
 - i) be responsible to ensure that site grading and storm water management are completed in accordance with the engineered design;
 - ii) when required by the Development Officer, provide verification from a professional engineer to show that the site grading and storm water management system conforms to the approved plans.
 - iii) provide all elevations derived from geodetic datum; and
 - iv) provide certificates of as built grades of residential sites prepared by an Alberta Land Surveyor.
- d) Site grading and the submission of a certificate of as built grades is the responsibility of the developer to whom the development permit was issued.
 - i) The responsibility for the site grading may only be transferred from the developer to another person based on a written request and subject to approval of the Development Officer.
- e) Prior to submission of a certificate of as built grades, the developer shall conduct a review of the site and ensure that site drainage effectively conveys drainage to the municipal drainage system and does not negatively impact adjacent sites
- f) Site grades shall not be altered from the grades represented on the certificate of as built grades submitted to the Development Officer for final acceptance.

PART VI- GENERAL REGULATIONS

- g) The owner of a site shall be responsible to ensure that grading is maintained to continue to provide effective site drainage;
 - i) Where maintenance of a common drainage path at property line is required, the responsibility for maintenance lies with the owners of both sites.
 - ii) Where a drainage swale is established within an easement/right of way on a site, swale grades shall be maintained and the swale shall be kept free from any obstructions by the owner of the site.

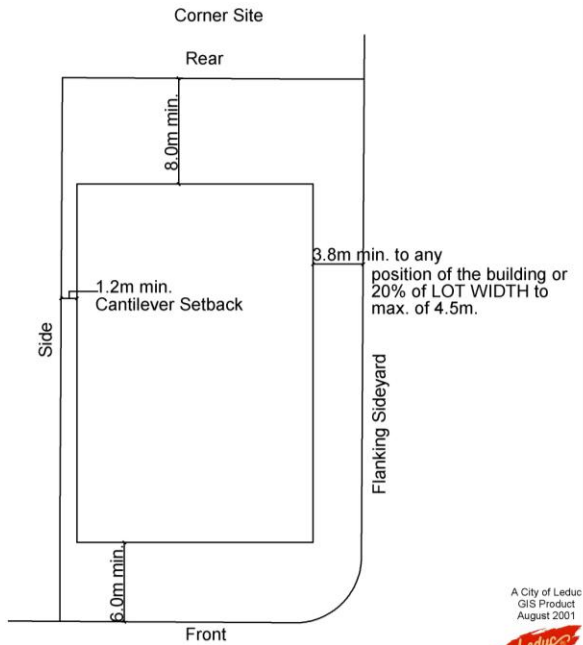
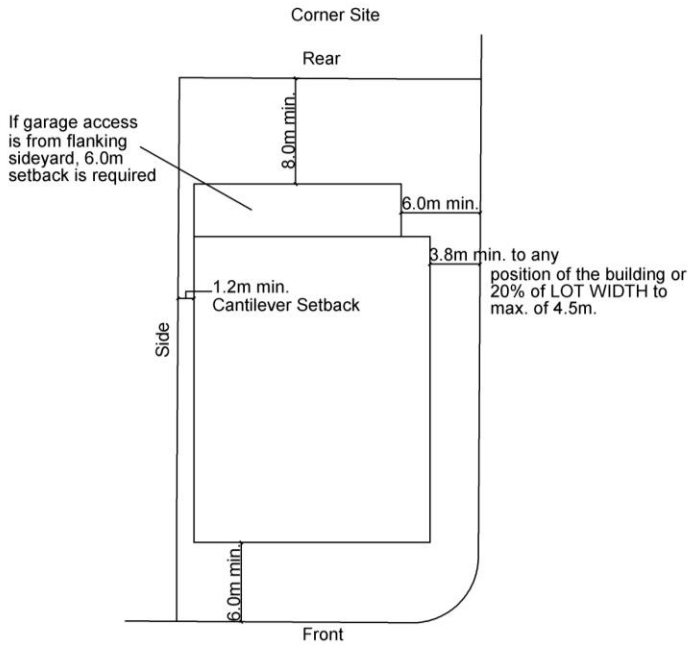
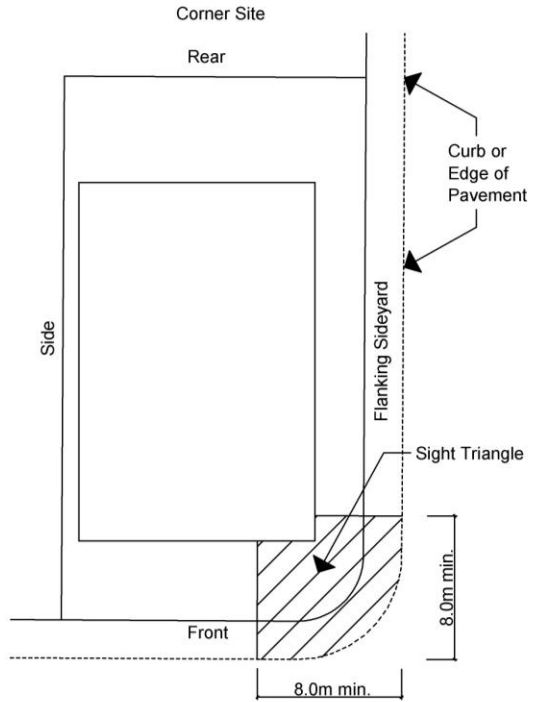
37) CORNER LOT AND SIGHT TRIANGLE PROVISIONS

- a) In residential areas, a site abutting onto two streets or more shall have a front yard in accordance with the front yard requirements of this Bylaw, and the side yard adjacent to the flanking street shall be 3.8 m (12.5 ft.).
- b) The Development Officer may apply a flanking setback on double fronting lots where, in his opinion, there would be no adverse affect to adjacent neighbours.
- c) No person shall place or maintain any object, structure, fence, hedge, shrub or tree more than 1 m (3.3 ft.) in height in or on that part of a corner site located within any District other than commercial, which lies within a sight triangle formed by a straight line drawn between two points on the closest roadway curbs of the intersecting streets or lanes 8 m (26.2 ft.) from the point where the curbs would intersect if extended in a straight line. (see sketch page 48).
- d) In every District the location of buildings on corner sites shall be subject to approval by the Development Officer who shall take into account:
 - i) the location of existing adjacent buildings;
 - ii) the permitted setback on adjacent sites; and
 - iii) the need to ensure safe traffic movement through the intersection.

PART VI- GENERAL REGULATIONS

CITY OF LEDUC

SETBACK REQUIREMENTS FOR CORNER PARCELS IN RESIDENTIAL DISTRICTS



PART VI- GENERAL REGULATIONS

38) LIGHTING AND ILLUMINATION OF PARCELS

- a) Except for courtesy lighting, illumination of steps or an entrance to a building or a parcel, no person shall light or illuminate a parcel outside a building unless:
 - i) the lighting or illumination is directed on to the applicable parcel and does not unduly light or illuminate any abutting parcels; and
 - ii) the lighting does not light any adjacent residential parcels nor shall any amenity or building on the residential parcel be adversely affected by the lighting.

39) REMOVAL AND INSTALLATION OF FUEL TANKS

- a) A Development Permit is required for installation or removal of fuel tanks.
- b) After installation or removal, the site must be regraded and landscaped as required by the Development Officer.
- c) As required under the Provincial Fire Code, the Fire Department must be notified of the intent to remove or install fuel tanks. The Fire Department will require that all contaminants are removed from the site and that the site conforms to Provincial Regulations.

PART VII – REGULATION FOR PARTICULAR USES**40) PLACES OF WORSHIP**

- a) Minimum site dimensions for Place of Worship sites shall be:
 - i) width 30 m (98.4 ft.);
 - ii) area of sites with a clergy residence 1440 m² (15,484 sq. ft.);
 - iii) site area without a clergy residence 900 m² (9,677 sq. ft.); and
 - iv) front, side and rear yards shall be as required within the District in which the site is located.
- b) Where the height restriction of the District is exceeded the yard setback requirement shall be at the discretion of the Development Officer.
- c) Landscaping and parking shall meet the requirements of sections 30 and 54.

41) SWIMMING POOLS, HOT TUBS AND WHIRLPOOLS IN RESIDENTIAL DISTRICTS

- a) Private swimming pool, hot tub or whirlpool will be permitted in a residential District provided:
 - i) the facility is secured against entry by the public other than owners, tenants or their guests in accordance with the requirements of the Safety Codes Act; and
 - ii) the method and degree of treatment of water is to the satisfaction of the Health Officer.
- b) Swimming pools, hot tubs or whirl pools shall:
 - i) not be located within any required front yard;
 - iii) have the water surface be a minimum of 1.5 m (4.9 ft.) from a property boundary; and
 - iii) not have diving boards, slides and other accessory uses encroach on the setback requirements.

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42) ACCESSORY BUILDINGS/ACCESSORY USES

- a) Where an accessory building is attached to the principal building by an open or enclosed roofed structure it is to be considered a part of the principal building and subject to the setbacks required for the principal building.
- b) Any accessory building not specifically identified below shall meet the minimum height and setback requirements as required for a residential detached garage.
- c) Residential Land Use Districts:
 - i) Detached Garage:
 - (1) shall not exceed one storey or 4.3 m (14.1 ft.) in height;
 - (2) shall have a maximum height of vertical exterior walls of 2.8 m (9.18 ft.);
 - (3) where a site requires vehicular access to a garage from the front street to a garage at the rear of the property, one side yard setback to the dwelling must be a minimum of at least 3.2 m (10.5 ft.);
 - (4) shall be separated a minimum of 2 m (6.6 ft.) or more from the principal building;
 - (5) shall be 0.6 m (2.0 ft.) or more from a rear and side property boundary that abuts a lane or other public property;
 - (6) shall be 1.0 m (3.3 ft.) or more from a rear and side property boundary that abuts private property;
 - (7) where vehicle doors of a garage face a lane the garage shall be no closer than 5.0 m (16.4 ft.) from the rear property boundary unless otherwise specified in a Land Use District;
 - (8) shall not face sideways unless the lot has a width greater than 15.2 m (49.9 ft) to allow for a minimum 7.0 m (23.0 ft.) turning radius;
 - (9) where the garage is proposed on a rear yard of a corner lot which is also the side yard of an adjacent parcel, the garage shall be no closer than 1.52 m (5.0 ft.) from the property line;
 - (10) shall be located 1.0 m (3.3 ft.) or more from the side property line unless:
 - (a) zero side yard development is permitted in the Land Use District Regulations; and
 - (b) an agreement exists between the owners of adjoining properties to build their garages centred on the property line and a fire wall is constructed to the current building regulations;
 - (11) shall have a roof overhang not closer than 0.3 m (1.0 ft.) to the side and rear property boundary; and
 - (12) shall have a greater setback to protect utilities and utility rights-of-way as may be required by the Development Officer.
 - ii) Shed:
 - (1) shall not exceed one storey or 4 m (13.1 ft.) in height;
 - (2) shall have a maximum height of vertical exterior walls of 2.7 m (8.9 ft.);
 - (3) shall be separated a minimum of 2.0 m (6.6 ft.) or more from the principal building;

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- (4) shall be 0.6 m (2.0 ft.) or more from a rear and side property boundary that abuts a lane or other public property;
 - (5) shall be 1.0 m (3.3 ft.) or more from a rear and side property boundary that abuts private property;
 - (6) where the shed is proposed on a rear yard of a corner lot which is also the side yard of an adjacent parcel, the shed shall be no closer than 1.52 m (5.0 ft.) from the property boundary;
 - (7) shall be located 1.0 m (3.3 ft.) or more from the side property boundary;
 - (8) shall have a roof overhang not closer than 0.3 m (1.0 ft.) to the side and rear property boundary; and
 - (9) shall have a greater setback to protect utilities and utility rights-of-way as may be required by the Development Officer.
- iii) Deck:
- (1) Attached and unattached decks must be located to preserve the privacy on adjacent properties and:
 - (a) shall require a Development Permit if the elevation above grade is in excess of 0.6 m (2.0 ft.);
 - (b) decks requiring a permit shall be a minimum of 5.0 m (16.4 ft.) from the rear property boundary;
 - (c) uncovered decks shall be permitted between the dwelling and detached garage;
 - (d) unattached decks higher than 0.6 m (2.0 ft.) above grade in the rear yard shall not be any closer than 1.0 m (3.3 ft.) from the side and rear property boundary;
 - (e) an open, hard surfaced brick, concrete or wood and uncovered patio is permissible in any side yard subject to:
 - (f) maintaining a 3.2 m (10.5 ft.) access from the front street to a detached garage located at the rear of the property; and
 - (g) no such patio shall project onto any required front yard more than 2.5 m (8.2 ft.).
- iv) Play Equipment:
- (1) A playhouse, play equipment, or any combination of playhouse, play equipment and storage in residential Land Use Districts shall:
 - (a) not be located less than 1.0 m (3.3 ft.) from the side or rear property boundaries;
 - (b) not encroach on front yard or side yard setbacks;
 - (c) not be located less than 1.5 m (4.9 ft.) from the principal building; and
 - (d) not be more than 3.0 m (9.8 ft.) in height.
- v) Parking pads in residential Land Use Districts shall be gravelled or hard surfaced.
- d) Commercial Land Use Districts:
- i) Accessory Structures shall have the same height and setback requirements as for the principal building of that Land Use District.

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- ii) Notwithstanding the above Accessory Structures shall not be located in front of the principal building;
- iii) Covered decks, hard surfaced brick, concrete or wood terrace or patio shall not be located in any approved front or side yard setback;
- iv) Uncovered decks below 0.6 m (2.0 ft.) from grade, hard surfaced brick, concrete or wood terrace or patio may be located within a required setback subject to:
 - (1) the area being used by clientele on a seasonal basis;
 - (2) access to the area shall be from the principal building only;
 - (3) the area shall be fenced off from the general public.
- e) Industrial Land Use Districts
 - i) Accessory Structures shall have the same height and setback requirements as for the principal building of that Land Use District.
 - ii) Notwithstanding the above Accessory Structures shall not be located in front of the principal building;
 - iii) Air Supported and Fabric Covered Structures shall:
 - (1) be permitted in Industrial Land Use Districts located east of the CP north/south railway only;
 - (2) not exceed the maximum height requirement for that Land Use District;
 - (3) not be located in front of the principal building.

43) HOME OCCUPATIONS

- a) A home occupation minor and a home occupation major permit is liable for recall on 30 days notice where the regulations of this Bylaw or the permit conditions have not been met. A permit will be assessed annually at the time of re-issuance of the business licence. The Development Officer shall not re-issue a permit if the regulations of this Bylaw or the permit conditions have not been met.
- b) Home occupation minor and home occupation major may be permitted providing:
 - i) pollution control is maintained in accordance with Section 29 of this Bylaw;
 - ii) pedestrian or vehicular traffic or parking, in the opinion of the Development Officer, is characteristic of the District in which it is located;
 - iii) the use is not a cause of inconvenience to adjacent landowners or tenants;
 - iv) there is no outside storage of material, equipment or products nor is business conducted on the lot outside the dwelling unit;
 - v) goods sold are made in the home and the service permitted provided in the home;
 - vi) there is no display of any exterior sign or advertisement except a sign from inside the dwelling to a maximum size of 46 cm x 13 cm (18" x 5");
 - vii) there are no major alterations to the dwelling or accessory building. Minor alterations may be permitted at the discretion of the Development Officer; and

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- viii) there is absolutely no maintenance or repairs to vehicles or equipment.
- c) Home occupation minor shall:
 - i) require approval of a Development Permit;
 - ii) a business licence;
 - iii) no persons, other than the family members residing in the dwelling, shall be employed in the occupation within the dwelling; and
 - iv) no business related vehicle shall be parked on the lot at one time.
- d) Home occupation major shall:
 - i) require approval of a Development Permit;
 - ii) a business licence;
 - iii) a person performing a service to the community, or instruction of arts or crafts, shall not permit more than six students or customers to be in attendance at any one time;
 - iv) not more than one persons, other than family members residing in the dwelling, shall be employed in the occupation within the dwelling; and
 - v) not more than one business related vehicle shall be parked on the lot at one time.

44) SHOW HOMES AND SALES OFFICES

- a) A person wishing to use a site for a show home shall make application to the Development Officer for a second Development Permit allowing the use of the building as a show home. Such an application shall be accompanied by information indicating:
 - i) the location and area intended as a show home site;
 - ii) parking provisions;
 - iii) any exterior lighting, and
 - iv) any signs which may be permissible.
- b) The building shall not be operated as a show home or sales office for a period in excess of twelve months without the renewal of the Development Permit.
- c) The appearance of the building shall, in the opinion of the Development Officer, be compatible with the character of other buildings in the vicinity.

PART VII - REGULATION FOR PARTICULAR USES**45) VETERINARY CLINICS, VETERINARY HOSPITALS AND KENNELS**

- a) Veterinary Clinics, Veterinary hospitals and Kennels shall:
 - i) be adequately protected to suppress annoying emissions and pens, rooms and runs shall be adequately soundproofed;
 - ii) be equipped with an adequate number of indoor exercise runs relative to the maximum number of animals that can be housed overnight; and
 - iii) have a separate air exchange system in the animal holding area where heating and air conditioning that is not shared with other businesses.
- b) Kennels are not permitted:
 - i) in a residential District except the R-1R Rural District; and
 - ii) in area located closer than 35 m (114.8 ft.) to a residential District.

46) RADIO COMMUNICATION FACILITIES

- a) Telecommunication Facility Industry Canada Approved does not require the issuance of a Development Permit but will require a Municipal Land Use Consultation Attestation. The Development officer shall only issue the Attestation providing that a written request for an Attestation has been made, the required fee paid, and further providing that the structure and /or apparatus:
 - i) requires Industry Canada approval;
 - ii) is camouflaged and as far as possible have the appearance and aesthetic of the buildings permitted in the District;
 - iii) is to be located at least 200 m (656 ft.) from the nearest residential District;
 - iv) meets the setback requirements of the District or meets setback requirements that are satisfactory to the Development Officer;
 - v) is not located in the front yard between the principal building and the street; and
 - vi) has landscaping that reflects the typical landscaping in the District.
- b) Radio Communication Facility where permitted as a discretionary use under this Bylaw, requires an application for a Development Permit and may be approved provided that the structure and apparatus:
 - i) are camouflaged and as far as possible have the appearance and aesthetic of the buildings permitted in the District;
 - ii) will be located a minimum of 200 m (656 ft.) from the nearest residential District;
 - iii) meet the setback requirements of the District or meet setback requirements that are satisfactory to the Development Officer;

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- iv) is not located in the front yard between the principal building and the street; and
 - v) have landscaping that reflects the typical landscaping in the District.
- c) Radio Communication Facility Hobby shall:
- i) follow the regulations of Industry Canada including public consultation as required;
 - ii) be limited to a maximum height of 18.0 m (59.0 ft.) at its highest point. The height of a ground-mounted antenna and support structure shall be determined by measurement from the point at which the support structure enters the typical ground surface to the top of the antenna at its highest position;
 - iii) be a free-standing, ground-mounted unit;
 - iv) be located in a rear yard only;
 - v) meet the setback requirements of the District;
 - vi) 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;
 - vii) be landscaped to screen the base of the antenna and reduce the negative visual impact on adjacent properties. The Development Officer may require screening and 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 adjacent properties.
- Notwithstanding iii) above, a roof-mounted unit shall be allowed where the applicant can demonstrate that a ground-mounted unit would prohibit adequate transmission or reception of radio signals. The antenna and support structure of a roof-mounted unit shall be installed on the roof of a building to a maximum combined height of 18.0 m (59.0 ft.) from the typical ground surface to its highest point.
- d) Radio Communication Satellite Reception Dish where permitted as a discretionary use under this Bylaw, requires an application for a Development Permit and may be approved providing the structure and apparatus:
- i) meet the height restriction of the District;
 - ii) meet the setback requirement of the District;
 - iii) is not located in the front yard between the principal building and the street; and
 - iv) only Radio Communication satellite reception dishes where the diameter is less than 1.2 m (3.9 ft.) may be permitted in all residential Districts.

47) RECYCLING TRANSFER DEPOT

- a) A recycling transfer depot shall comply with the following regulations:
 - i) maximum area of this use classification on a given site shall not exceed 500 m² (5,376 sq. ft.);

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- ii) the area of the recycle transfer depot shall be surrounded by a fence or wall of 1.82 m (6.0 ft.) in height. The fence shall be constructed to the satisfaction of the Development Officer;
- iii) the recycle transfer depot shall have two gates in the fence suitable for vehicular access and egress; and
- iv) landscaping shall be at the discretion of the Development Officer. However, the landscaping shall screen the recycle transfer depot from adjacent roadway(s) and residential Districts and meet requirements of Section 30 of this Bylaw.

48) CARNIVALS AND FAIRS

- a) Regulations governing the location of carnivals and fairs shall be at the discretion of the Development Officer. Carnivals and Fairs are not permitted in residential Districts.

49) VEHICLE-ORIENTED USES

- a) In the Districts where permitted or discretionary uses include the classes listed below developments of the following use classes shall comply with the special regulations of this section:
 - i) Drive-In Food Services;
 - ii) Drive-In Businesses;
 - iii) Gas Bar;
 - iv) Service Stations And Major Service Stations; And
 - v) Rapid Drive-Through Vehicle Services.
- b) The Development Officer may also require that developments not included in the use classes listed in a) 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.
- c) Site Location
 - i) A vehicle-oriented business may be located only:
 - (1) where it can be shown that it does not inhibit safe traffic movement; or
 - (2) where it is provided within a shopping centre site.
 - ii) 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.
- d) Site Area and Coverage
 - i) The minimum site area of Service Stations shall be 600 m² (6,452 sq.ft.) and the maximum site coverage shall be 20%. Where a service station includes a car wash, the minimum site area shall be 1,120 m² (12,043 sq. ft.).

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- ii) Where a Service Station forms part of a shopping centre development, the minimum site area and maximum building coverage may be varied at the discretion of the Development Officer.
- iii) The minimum site area and coverage for a Gas Bar as an independent development shall be determined on the basis of 60 m² (645 sq. ft.) of space not covered by buildings or structures for each fuel pump.
- iv) The minimum site area for Drive-in Food Services shall be 930 m² (10,000 sq. ft.) and the maximum site coverage shall be 15%.
- v) The minimum site area and coverage for a:
 - (1) Rapid Drive-through Vehicle Services development shall be determined on the basis of 140 m² (1,505 sq. ft.) of space not covered by buildings or structures for each service bay; and
 - (2) Complete Service Car Wash shall be determined on the basis of 370 m² (3,978 sq. ft.) of space not covered by buildings or structures for each car wash bay.
- e) Development Regulations
 - i) The minimum frontage shall be 30 m (98.4 ft.).
 - ii) Service Stations and Rapid Drive-Through Vehicle Services shall have a minimum lot depth of 30 m (98.4 ft.).
- f) Curb Cuts
 - i) The nearest edge of a curb cut to the nearest curb line of the street intersection shall not be less than 12 m (39.4 ft.).
 - ii) The maximum width of the curb cut shall not exceed 10 m (32.8 ft.).
 - iii) The angle subtended between the curb and the edge of the driveway shall not be less than thirty degrees nor more than sixty degrees.
 - iv) The minimum distance between curb cuts on the same boundary of the site shall not be less than 6 m (19.7 ft.). The Development Officer may increase this minimum distance when in his opinion, an increase would be necessary for reasons of public safety or convenience.
- g) Setback of Buildings
 - i) Minimum front yard requirements shall be as prescribed for the District in which the building is located, but in no case shall be less than 3 m (9.8 ft.).
- h) Site and Building Requirements
 - i) All parts of the site to which vehicles may have access shall be paved and drained to the satisfaction of the Development Officer.
 - ii) The site and all improvements thereon shall be maintained in a clean and tidy condition, free from rubbish and debris. Receptacles for the purpose of disposing of rubbish and debris shall be provided as required by the Development Officer.

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- iii) A minimum of 10 percent of the site area of a vehicle-oriented use shall be landscaped to the satisfaction of the Development Officer.
- iv) Fencing, landscaping and screening requirements shall be as specified under Sections 30 and 31 of this Bylaw.
- v) On-site storage space for vehicles intending to use the site and the layout of vehicular circulation patterns shall be to the satisfaction of the Development Officer.
- i) Queuing Space Shall be Provided as Follows:
 - i) For Drive-In Food Services, and other developments having a drive-up service window, a minimum of six in-bound queuing spaces shall be provided for vehicles approaching the drive-up service window. One out-bound 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.
 - ii) For Rapid Drive-Through Vehicle Services, a minimum of six in-bound and one out-bound queuing spaces shall be provided for each service bay.
 - iii) All queuing spaces shall be a minimum of 6.5 m (21.3 ft.) long and 2.75 m (9.0 ft.) wide. Queuing lanes shall provide sufficient space for turning and manoeuvring.
- j) Additional Regulations - Gas Bars and Service Stations and Major Service Stations
 - i) All pump islands shall be located at least 6 m (19.7 ft.) from any boundary of the site, parking area on the site, or laneways intended to control traffic circulation on the site.
 - ii) A canopy over a pump island may extend to within 3 m (9.8 ft.) of the boundary of the site. The canopy area shall not constitute part of the site coverage for the purpose of this section.

49A) SECONDARY SUITES

- a) The floor area occupied by a Secondary Suit shall be considered as part of the principal use of the structure for the purpose of calculating site coverage;
- b) There shall be no more than one Secondary Suite developed in conjunction with a principle dwelling;
- c) In developing a Secondary Suite, the owner shall comply with all relevant requirements of the Alberta Building Code, as amended from time to time;
- d) On-site parking shall be required in accordance with Part VIII of this Bylaw;
- e) The number of unrelated persons occupying a Secondary Suite shall not exceed three; and
- f) The single detached dwelling use in the structure intended to contain the secondary suite shall exist prior to the application for the development permit for the Secondary Suite.

PART VIII – PARKING AND LOADING REGULATIONS

50) PARKING LOT STANDARDS

- a) All parking lots containing four or more parking stalls shall:
 - i) have the necessary curb cuts located and flared to the satisfaction of the Development Officer;
 - ii) be paved or hard surfaced;
 - (1) in the M-C and P-1 Districts this requirement applies only to the access driveway portion including the whole area contained within the abutting City-owned land that is part of the road right-of-way;
 - (2) every off-street parking or loading space provided in an industrial zone, and the access thereto, shall be hard surfaced 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 off-street parking or loading space need not be hard surfaced, but shall be of such a surface that shall minimize the carrying of dirt or foreign matter upon the abutting road;
 - (3) in the M-1 District adjacent to Sparrow Drive every off-street parking space provided at the front of the principal building, and the access thereto, shall be hard surfaced. Any area at the side of the principal building required for off-street parking shall be hard surfaced;
 - iii) have adequate lighting for the entire parking facility. Such lighting shall be directed away from public roads and meet the standard of section 38;
 - iv) have grades and drainage to dispose of surface water. In no case shall grades be established that would permit surface drainage to cross any sidewalk or site boundary without the approval of the Development Officer; and
 - v) provide curbs, medians, marking the parking spaces, signs and landscaping to the satisfaction of the Development Officer.

51) ACCESS FROM STREETS AND LANES

- a) Except in commercial Districts, no direct access shall be permitted from a lane to a parking stall in a parking facility of more than 3 stalls unless special circumstances are judged by the Development Officer to warrant it. Where any parking stall has direct access from a lane, the front of the stall shall be no less than 7.5 m (24.6 ft.) from the closest boundary of the lane.

52) LANDSCAPING FOR PARKING LOTS AND LOADING FACILITIES

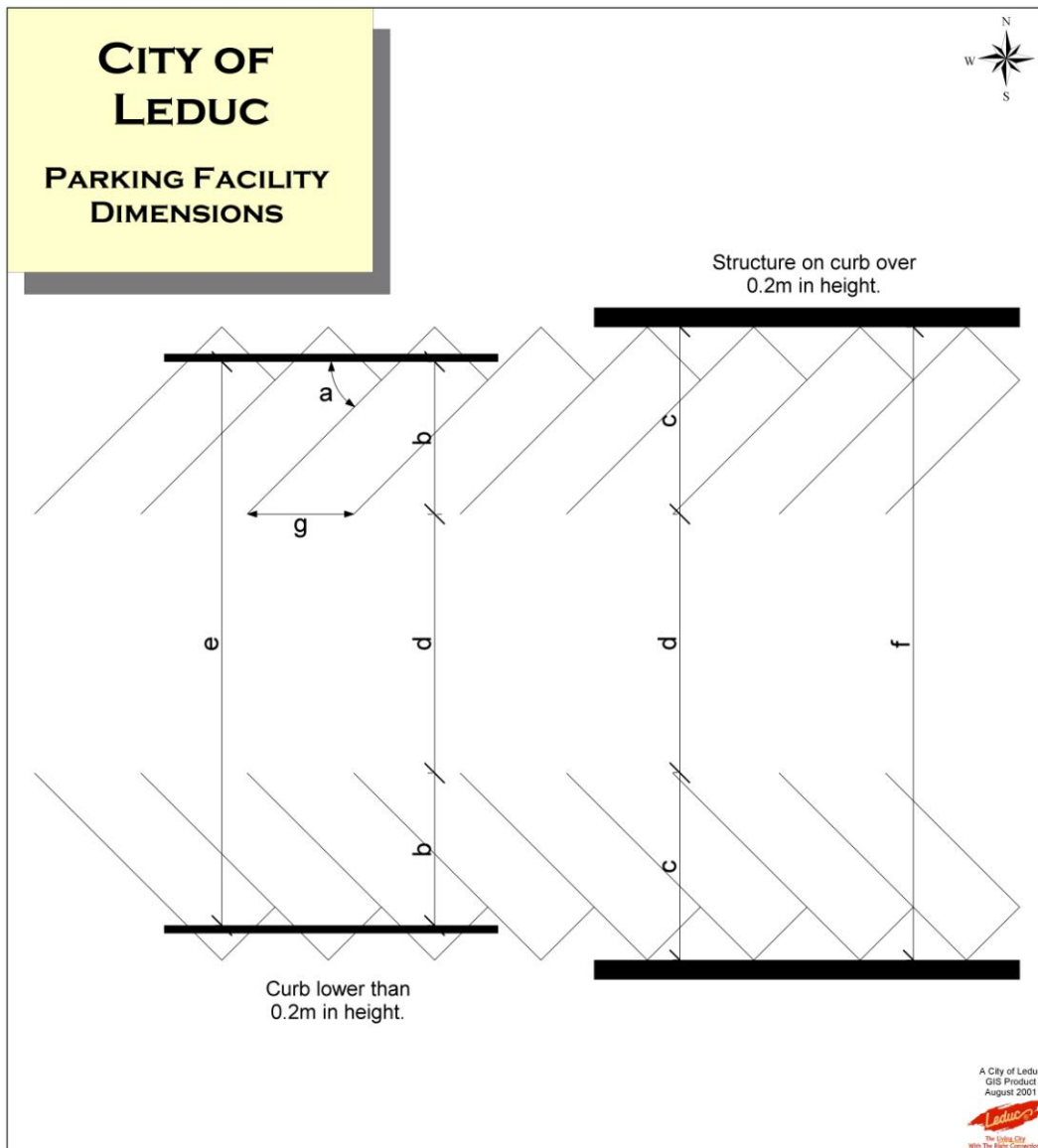
- a) All off-street parking facilities shall be separated from streets by a landscaped area of at least 1.82 m (6.0 ft.) in width from the property line to parking stall and shall have suitable barriers to prevent motor vehicles from encroaching onto landscaped areas and to protect fences, walls or buildings.
- b) Parking lots containing room for 25 or more vehicles shall have landscaped open space within the parking area in the minimum amount of 1.7 m² (18.3 sq. ft.) for each parking space. To provide visual relief the required landscaping shall not be located in one area.

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- c) A parking area having 8 or more parking spaces and which is visible from an abutting site in a residential District or from a major roadway shall be screened by a wall, fence, earth berm, or hedge constructed or maintained at not less than 1.2 m (3.9 ft.) in height.
- d) Off-street loading spaces in any commercial District adjoining or fronting on any residential property in a residential District must be screened on each side by a wall, fence, earth berm or hedge of not less than 2 m (6.56 ft.) in height to the satisfaction of the Development Officer.

53) MINIMUM PARKING STALL DIMENSIONS

- a) The minimum dimensions of a parking stall shall be as shown on the table on the opposite page and illustrated in the sketch below:



PART VIII - PARKING AND LOADING REGULATIONS

Parking Facility Dimensions

A PARKING STALLS (stall width – g = 2.75 m)						
a	b	c	d		e	f
Parking Angle in Degrees	Depth of stall in Meters (curb overhang)	Depth of Stall in Meters (abutting structure or curb over 0.2 m in height)	Aisle Width in Meters		Centre to Centre in Meters (curb overhang)	Centre to Centre in Meters (abutting structure or curb over 0.2 m in height)
			One Way	Two Way		
0	2.8	2.8	3.4	6.7	--	--
30	3.9	4.9	3.6	--	11.4	13.6
45	4.9	5.8	3.6	--	13.6	15.2
50	5.1	6.0	4.3	--	14.5	16.3
55	5.3	6.1	4.9	--	15.5	17.1
60	5.5	6.2	5.5	--	16.5	17.9
90	5.5	5.5	7.0	7.0	18.0	18.0

B SMALL CAR STALLS (stall width – g = 2.50 m)						
a	b	c	d		e	f
Parking Angle in Degrees	Depth of stall in Meters (curb overhang)	Depth of Stall in Meters (abutting structure or curb over 0.2 m in height)	Aisle Width in Meters		Centre to Centre in Meters (curb overhang)	Centre to Centre in Meters (abutting structure or curb over 0.2 m in height)
			One Way	Two Way		
0	2.5	2.5	3.4	6.7	--	--
30	3.5	4.6	3.6	--	10.6	12.8
45	4.3	5.2	3.6	--	12.6	14.0
50	4.6	5.4	4.3	--	13.5	15.1
55	4.7	5.5	4.9	--	41.3	15.9
60	4.9	5.5	5.5	--	15.3	16.5
90	4.9	4.9	7.0	7.0	16.8	16.8

PART VIII - PARKING AND LOADING REGULATIONS**54) NUMBER OF OFF-STREET PARKING STALLS REQUIRED**

- a) A property shall not be used unless the parking requirements are met to the satisfaction of the Development Officer.
- b) The minimum number of off-street parking stalls required for each use shall be as set out in table below.

i) RESIDENTIAL	
Single detached, duplex, triplex, secondary suite and townhouses with street frontage.	2.0 per dwelling unit
Multi- dwelling project with four or more dwellings (not including townhouses with street frontage).	1.5 per dwelling unit. A minimum of one stall shall be assigned to each unit. In addition to the above, one stall for every 8 units shall be clearly marked Visitor Parking.
Provincially Supported Senior Citizens Self-Contained Housing Developments	0.6 per dwelling unit.
ii) COMMERCIAL	
Professional, financial and office services, and government services	1 per 35 m ² of gross leasable floor area.
Retail and personal services.	1 per 25 m ² of gross leasable floor area.
Eating and drinking establishments including cocktail bars and beer parlours.	1 for each 5 seating spaces.
Drive-in food services.	1 for each 20 m ² of gross leasable floor area.
Hotels, motels and apartment hotels.	1 per sleeping unit additional stalls as required for gross floor area for the uses listed above.
Warehousing, wholesale and storage buildings and yards, and servicing and repair establishments within a commercial land use district.	1 parking space per 100 m ² of gross floor area provided this is not less than 3 parking spaces per tenant or establishment.
Places of worship	1 for each 3 seating spaces.
Indoor and outdoor amusement establishments, theatre, and recreational buildings.	1 per 6 m ² of gross floor area.

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iii) SCHOOLS	
Public or private elementary and junior high schools.	2 per classroom.
Public or private senior high schools	10 per classroom
(iv) RECREATIONAL FACILITIES	
Components with fixed seating.	1 per 5 seating places.
Ball court components.	3 per court.
Other meeting, assembly or lounge area components.	1 per 6m ² of seating or standing space.
Curling rinks.	10 per curling sheet of ice
Parkland developed for ball diamonds, soccer fields, etc.	Shall be determined by the Development Officer.
vii) INDUSTRIAL	
Any industrial use such as manufacturing and industrial plants, warehousing, wholesale and storage buildings and yards, servicing and repair establishments, research laboratories, and public utility buildings.	1 per 100 m ² of gross floor area provided this is not less than 3 parking spaces per tenant or establishment.
viii) HOSPITALS AND SIMILAR USES	
Hospitals, sanatoriums, convalescent homes, group care facilities, senior citizens' lodges and nursing homes.	1 per 100 m ² of gross floor area or 1 per 4 beds whichever is the greatest.

PART VIII - PARKING AND LOADING REGULATIONS

- c) Where a development on a parcel falls within more than one use of a building or development, the required number of stalls shall be the sum of the requirements for each of the uses as specified under subsection 54)b).
- d) In the case of a use not specified in subsection 54)b), the number of stalls provided shall be the same as for a similar use, as determined by the Development Officer.
- e) Where there is a fractional number of parking stalls required by this Bylaw, the next highest number of stalls shall be provided.
- f) Parking stalls shall not be included in the loading bay area.
- g) The number of parking stalls required may be reduced where, in the opinion of the Development Officer, the parking required by the various users on a site will vary according to time so that all needs as defined in this Bylaw can be met at any given time by a reduced number of stalls.

55) COMMUNAL PARKING FACILITIES

- a) Parking may be provided at a site other than the site of the principal building use provided that it is in accordance with the following regulations:
 - i) on property, other than residential, and subject to the approval of the Development Officer an owner of land or a group of such owners may pool his or their required off-street parking stalls within one or more communal parking facilities and may thereby collectively fulfil the requirements of Section 54;
 - ii) where a group of uses is served by a communal parking facility, the requirement for such facility shall be the sum of the off-street parking requirements for each of the uses served by the parking facility;
 - iii) where two or more parties agree to combine parking under this Section, a joint parking agreement is required with the City of Leduc being a third party; and
 - iv) where two or more parties agree to combine parking under this Section, with joint access, a cross-easement agreement is required with the City of Leduc being a third party.

PART VIII - PARKING AND LOADING REGULATIONS**56) OFF-STREET LOADING**

- a) Where a proposed development will, from time to time, require pick up or delivery of commodities, adequate space for the loading and unloading shall be provided and maintained on the site.
- b) All loading spaces shall be contained entirely on the site and shall not encroach on a public road. Each loading space shall be designed so that the loading activity does not cause interference in the movement of traffic or pedestrians on adjacent public roadways, lanes, sidewalks or boulevards.
- c) A Loading Space shall:
 - i) have a minimum width of 4 m (13.1 ft.);
 - ii) have a minimum depth of 8 m (26.2 ft.);
 - iii) be so graded and drained as to dispose of all surface water. In no case shall grades be established that would permit drainage to cross site boundaries or sidewalks without the approval of the Development Officer;
 - iv) be hard surfaced; and
 - v) have adequate lighting to the satisfaction of the Development Officer in accordance with Section 40.
- d) Loading spaces adjoining or fronting on any residential property or residential District must be screened on each side by a wall, fence, earth berm or hedge of not less than 2 m (6.6 ft.) in height to the satisfaction of the Development Officer.
- e) Loading spaces shall be posted, 'No Parking'.

PART IX - SIGN REGULATIONS**57) SIGN PERMITS REQUIRED**

- a) The purpose of this part is to ensure:
 - i) the visual attractiveness of the City of Leduc;
 - ii) the opportunity for businesses to advertise their wares and services; and
 - iii) that all persons meet the standards of this Bylaw.
- b) No person shall erect or allow to be erected a sign within the City of Leduc unless a sign permit has been issued by the Development Authority or the Bylaw exempts the sign from the permit.

58) SIGN PERMITS NOT REQUIRED

- a) No permit is required for the following signs providing the sign complies with all other regulations of this Bylaw:
 - i) Address signs may be erected in any District providing:
 - (1) the location and size meet the requirement of the City of Leduc Address Bylaw.
 - ii) Campaign signs for federal, provincial, municipal, school board or hospital board elections provided that:
 - (1) the sign is placed for no more than thirty days, or such other time as regulated under provincial or federal legislation and the signs are removed within three days after the election date;
 - (2) when being part of an existing sign, the maximum area of any such sign shall be 6.0 m² (64.5 sq. ft.);
 - (3) when the sign is placed on private property the consent of the property owner or occupant is obtained;
 - (4) such signs do not obstruct or impair vision or traffic;
 - (5) such signs are not attached to fences, trees or utility poles,
 - (6) such signs indicate the name and address of the sponsor and the person responsible for removal, and
 - (7) such signs are not placed on a road median.

PART IX - SIGN REGULATIONS

- iii) One for sale or rent sign, or two signs on corner lots, advertising the property to which it pertains during the time the property is being offered for sale or rent providing:
 - (1) the sign is be removed within 48 hours after possession date or occupancy;
 - (2) the sign has an area no larger than 0.6 m² (6.5 sq.ft.); and
 - (3) the sign is no closer than 3 m (9.8 ft.) to a public right-of-way.
- iv) Signs in commercial developments located inside the building behind a window.
- v) One A-board (sandwich board) sign per commercial occupancy may be displayed on the private property to which it pertains providing the sign:
 - (1) is not located on property in a BRZ zone;
 - (2) is not higher than 1.2 m (3.9 ft.) high;
 - (3) is not greater than 0.9 m (3.0 ft.) wide;
 - (4) shall not impair vision or traffic; and
 - (5) the sign advertises the business on the property.
- vi) The erection of bench signs in commercial areas on private land provided:
 - (1) Bench signs shall not be permitted within the Business Revitalization Zone Overlay Area on private or public property.
- vii) The erection of signs displaying the address or location of a yard sale, garage sale, basement sale or other similar type of sale providing the sign is placed in locations designated for this use by the Director of Public Services not more than four days prior to the sale date and are removed at the end of the sale date.
- viii) Temporary signs that are being used to identify a development under construction or awaiting installation of a permanent sign. The sign permit for the permanent signs will require, as a condition of approval, removal of all temporary signs.
- ix) Builder signs (including flags) that are being used to identify a builder within a residential subdivision. The sign shall be restricted to the boulevard on collector roadways within the subdivision area in locations acceptable to the Development Officer.
- x) Advertising signs displayed on bus shelters, seats and benches located at bus stops along streets that are subject to an agreement with the City.
- xi) Signs located on public transportation.

PART IX - SIGN REGULATIONS**59) APPLICATIONS FOR PERMANENT SIGN PERMIT**

- a) Applicants must provide the following information for an application for a permanent sign permit:
 - i) all dimensions of the sign structure; including height and projection of the signs attached to the building;
 - ii) area of copy face(s);
 - iii) design of copy face(s);
 - iv) details of sign illumination and/or animation;
 - v) type of construction and finishing to be utilized;
 - vi) method of support;
 - vii) site plan showing sign location in relation to property boundaries and buildings; and
 - viii) the fees required for the permit.

60) GENERAL REGULATIONS FOR SIGNS

- a) The Development Officer may require the removal of any permanent sign which in his opinion is, or has become unsightly, or is in such a state of disrepair as to constitute a hazard.
- b) 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.
- c) Signs for a place of worship, school or other public institution are permitted on their property subject to the following provisions:
 - i) one sign of not more than 18 m² (193.5 sq. ft.) located in any District, other than a residential District;
 - ii) one sign of not more than 2 m² (21.5 sq. ft.) located in any residential District; and
 - iii) no sign will be located closer than 1.5 m (4.9 ft.) to boundary of a residential property.
- d) Quality, aesthetic appearance, finishing of sign and landscaping shall reflect the standard in the district to the satisfaction of the Development Officer.
- e) Except as otherwise specified in this Bylaw, the maximum area of any sign shall be 35 m² (376.8 sq. ft.) and no part of a sign shall be more than 9 m (29.5 ft) above ground or sidewalk grade, excluding wall signs.
- f) Where, in the opinion of the Development Officer, a proposed sign may be objectionable to a resident in an adjacent residential District the Development Officer may impose such other requirements or conditions, which in the opinion of the Development Officer, are necessary to protect the interests of the residents.

PART IX - SIGN REGULATIONS

- g) A sign may not be erected, operated, used or maintained if, in the opinion of the Development Officer:
 - i) its position, shape, colour, format or illumination may be confused with an official traffic sign, signal or device or other official signs; and
 - ii) its location detrimentally affects adjacent housing or residential Districts.
- h) Flashing signs or signs employing an electronic message display may only be permitted in commercial and industrial Districts, and urban service and park Districts that are adjacent to arterial roadways at the discretion of the Development Officer.
- i) The message on any permanent sign that does not incorporate an electronic message display shall relate to the use of the parcel on which the sign is located and may relate to a community event or not-for-profit event that has significance to the City of Leduc.
- j) The message on a permanent fee-standing sign that incorporates an electronic message display shall relate to the use of the parcel on which the sign is located, and may relate to activities and services on other parcels, to a community event or to a not-for-profit event that has significance to the City of Leduc.
- k) No trees or plant material shall be removed or damaged to prepare a site for a sign unless new trees are planted or landscaping is introduced to improve the site.
- l) The use of the land or buildings to which a proposed sign refers shall be approved prior to the issuance of a sign permit except for billboard signage.
- m) When a sign cannot be clearly categorized as one of the sign types defined in this Bylaw, the Development Officer shall determine the sign type and applicable controls.
- n) Signs shall not contain statements, words or pictures that are undesirable, offensive or contrary to the amenities of the neighbourhood.

61) GENERAL REGULATIONS FOR SIGNS ON PUBLIC PROPERTY

- a) No signboard, billboard or other advertising device shall be placed upon any wall or fence or elsewhere on or adjacent to a public roadway or public place unless authority has been granted by City Council pursuant to a permit with terms and conditions set by the Municipality.
- b) The Development Officer may approve placement of directional signs on public property subject to the following conditions:
 - i) Directional signs for new subdivisions:
 - (1) the maximum duration of display for each directional sign location shall be 3 years;
 - (2) no directional signs advertising the same development shall be located within 800 m (2,624.7 ft.) of each other. Distance between directional signs located at a public roadway intersection will be at the Development Officer's discretion. No directional sign shall be located within 100 m (328.1 ft.) of another developer's directional sign. Directional signs on collector and local roads will be approved by the Development Officer; and

PART IX - SIGN REGULATIONS

- (3) the maximum dimension of a directional sign shall be 5.94 m² (64 sq.ft.);
- (4) the location and design of all directional signs shall be at the Development Officer's discretion.

62) ENFORCEMENT OF GENERAL REGULATIONS FOR SIGNS ON PUBLIC PROPERTY

- a) Any signboard, billboard or other advertising device placed on any wall or fence or elsewhere on or adjacent to a public roadway or public place without a permit shall be liable for removal and damages incurred by the City without any notice or warning to the owner thereof.
- b) Any signboard, billboard or other advertising device removed in accordance with this section must be claimed within 60 days of its removal by the City. A charge of \$150.00 shall be levied for its recovery.
- c) Any signboard, billboard or other advertising device not claimed within the time limited by Sub clause b) becomes the property of the City and the City may dispose of the property as provided in Section 610 of The Municipal Government Act.

63) FREE-STANDING PERMANENT SIGNS

- a) One free-standing sign shall be allowed per site, except:
 - i) where a site has in excess of 60 m (196.9 ft.) frontage, one additional free-standing sign may be erected for each additional 60 m (196.9 ft.) or portion thereof of street frontage abutting the developed portion of the said parcel; and
 - ii) where a site is considered to be double fronting by the Development Officer, each frontage may have freestanding signs provided that the signs are no closer than 90 m (295.3 ft.) apart.
- b) Freestanding signs may rotate at no more than six revolutions per minute.
- c) The total area of all freestanding signs on each site shall not exceed 0.3 m² (3.2 sq. ft.) in area for each metre of street frontage of the developed site, to a maximum of 19 m² (204.3 sq. ft.) for each sign.

63A) SIGNS WITH ELECTRONIC MESSAGE DISPLAY

- a) Signs with an electronic message display that are between 1.0 m² (10.76 sq.ft.) and 2.3 m² (24.75 sq.ft.) shall be spaced a minimum of 100.0 m (328.0 ft.) from any other sign with an electronic message display. Signs with an electronic message display that are larger than 2.3 m² (24.75 sq.ft.) shall be spaced a minimum of 200.0 m (656.16 ft.) from any other sign with an electronic message display.
- b) No part of an electronic message display shall be less than 2.5 m (8.2 ft.) above grade.
- c) In the case of a one-sided electronic message display, or where the rear of the display is visible to the public, it shall be finished with a material suitable to the Development Officer.
- d) All electronic message displays must include a dimming feature that will automatically reduce the brightness level to adapt to the ambient light level.

PART IX - SIGN REGULATIONS

- e) An electronic message display shall only be permitted on a freestanding permanent sign excepting portable electronic message boards sanctioned by the City.

64) PROJECTING SIGNS

- a) No private sign shall project over public property or across title boundaries unless permission in writing has been granted as a condition of a development permit issued. In no case shall projecting signs for the same development be located closer than 90 m (295.3 ft) to each other, except on corner lots where the signs are located around the corner from each other. The absolute limits of projection shall be 3 m (9.8 ft.) past the property line and 0.6 m (2.0 ft.) back from the existing or proposed curb. No sign shall have less than 3 m (9.8 ft.) clearance between the bottom of the sign and the ground level immediately below it.
- b) Projecting signs shall not extend beyond the building wall or parts thereof by more than 30 cm (12.0 inches) for each 1.0 m (3.3 ft.) of frontage to a maximum of 2.5 m (8.9 ft.) with a horizontal distance from a public roadway of 0.6 m (2.0 ft.).
- c) On a two storey or higher building the projecting sign shall not extend more than 0.76 m (2.5 ft.) above the floor of the second storey nor higher than the window sill level of the second floor.
- d) Visible means of support for projecting signs shall be designed to integrate with the building upon which they are located to the satisfaction of the Development Officer.

65) ROOF SIGNS

- a) In Districts where roof signs are permitted, roof signs may be installed providing:
 - i) they are manufactured in such a way that they appear as an architectural feature or as a penthouse;
 - ii) are finished in such a manner that the visual appearance from all sides makes them appear to be part of the building itself;
 - iii) no supporting structure shall be visible to the public unless finished in an aesthetically pleasing manner to the discretion of the Development Officer;
 - iv) signs shall be set back at least 1 m (3.3 ft.) from the edge of the building; and
 - v) signs shall not exceed the maximum building height limit of the land use District in which they are proposed to locate, nor 3 m (9.8 ft.) above the height of the building.

66) WALL SIGNS

- a) Wall signs are permitted in industrial and commercial Districts in addition to other signs providing:
 - i) not more than 20% of the wall is covered by the sign.

PART IX - SIGN REGULATIONS**67) BILLBOARD SIGNS**

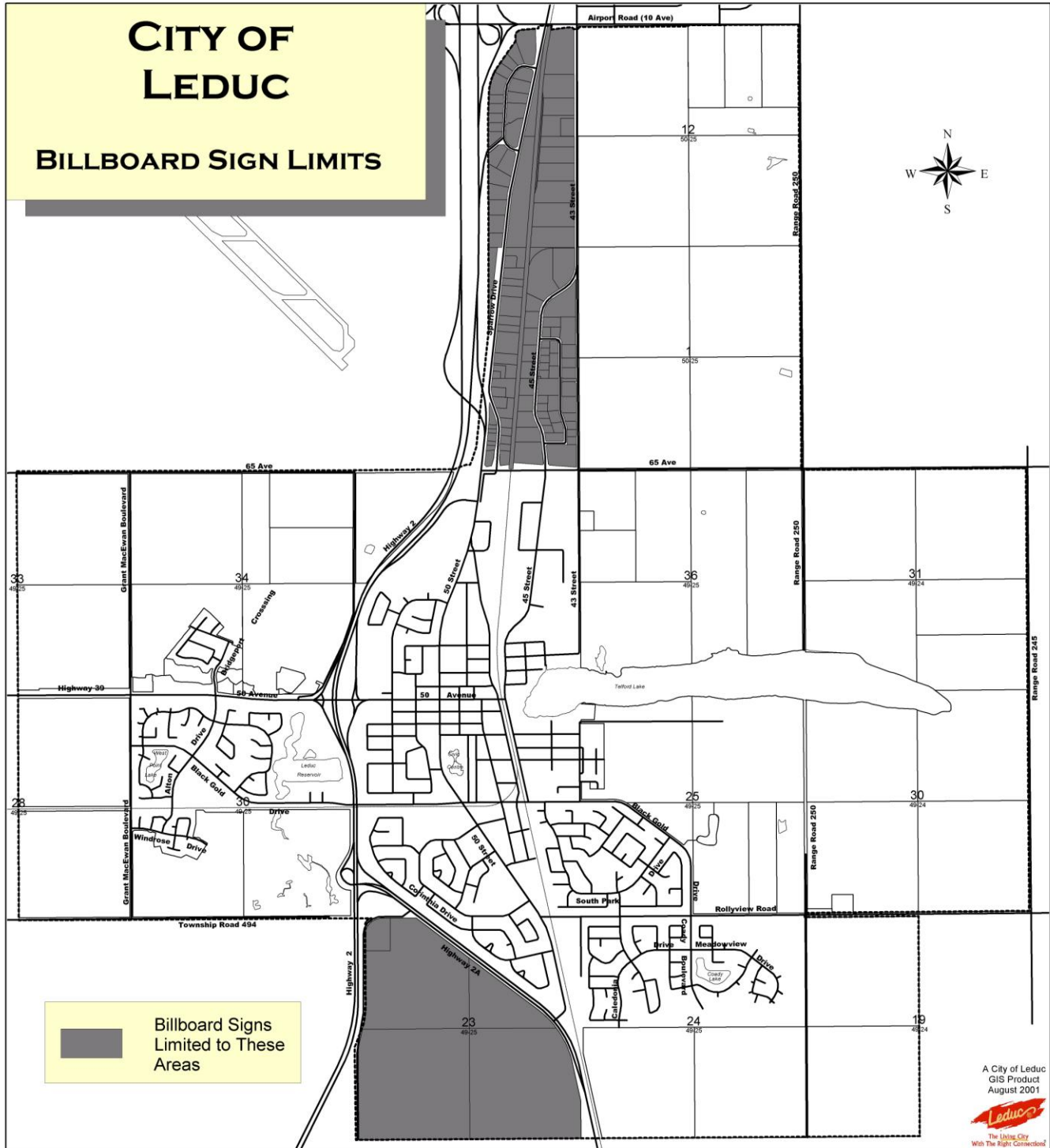
- a) The maximum area of a billboard sign shall be 19 m² (204.5 sq.ft.) and no part of a sign shall be more than 9 m (29.5 ft.) above ground or sidewalk grade.
- b) Illumination of a billboard sign shall not, in the opinion of the Development Officer, adversely affect passing motorists by glare or movement.
- c) If a billboard sign is not two-sided, the back of the sign shall be covered with lattice or other material to obscure the structural members of the sign to the satisfaction of the Development Officer. The same type of covering shall be applied to the space between the two faces of a two-sided or V-shaped billboard sign.
- d) The appearance of a structure supporting a billboard sign shall match the appearance of the City's street furniture and coloured red.
- e) The maximum duration of a billboard sign shall be three years, upon which re-assessment and permit approval must be obtained. Should the permit not be re-issued, the owner of the billboard sign has six months to remove the sign. This removal period applies also in situations where the subject parcels are redistricted to a land use category that does not permit billboard signs.
- f) The location of billboard signs in the City is regulated as follows:
 - i) Billboard signs are not permitted except on property in M-1 Light Industrial, M-2 General Industrial, C-3 General Commercial and Urban Reserve U-R Urban Reserve Districts in the:
 - (1) area bounded by the rights-of-way of Highway 2, Airport Road (85 Avenue), 43 Street and 65 Avenue; and
 - (2) area bounded by the rights-of-way of Highway 2, Highway 2A and the southern City limits.
 - ii) No billboard sign may be located with a focus toward Highway 2 traffic. Any billboard located near Highway 2:
 - (1) shall be oriented toward Sparrow Drive, Airport Road (85 Avenue), 65 Avenue or Highway 2A to the satisfaction of the Development Officer; and
 - (2) the billboard sign shall be located within 25 m (82 ft.) from the rights-of-way of Sparrow Drive, Airport Road (85 Avenue), and 65 Avenue or Highway 2A .
 - iii) The placement of a permanent freestanding sign does not prevent the placement of a billboard sign on the same parcel, nor does the placement of a billboard sign prevent the erection of a permanent freestanding sign or any other permitted sign subject to the required minimum distances.
 - iv) The minimum distance for billboard signs shall be:
 - (1) between signs 100 m (328 ft.);
 - (2) between billboard signs and permanent free-standing signs 25 m (82.0 ft.);

68) PART IX - SIGN REGULATIONS

- (1) between the billboard sign and the principal building on a parcel 10 m (32.8 ft.); and
 - (2) from an intersection shall 30 m (98.4 ft.).
- ii) No portion of a billboard sign shall project beyond the property boundary of the parcel upon which it is located.
 - iii) The location of a billboard sign on any parcel shall be to the satisfaction of the Development Officer who may take into consideration any apparent constraints; including, but not limited to, location of utilities, buildings, property lines, and potential distraction to passing motorists.

PART IX - SIGN REGULATIONS

Map showing location where billboards are permitted



PART IX - SIGN REGULATIONS

69) IDENTIFICATION SIGNS FOR RESIDENTIAL PROJECTS

- a) A multi dwelling unit development may erect a project identification sign providing:
 - i) the sign architecturally complements the exterior of the principal building;
 - ii) the sign copy area:
 - (1) does not exceed 6 m² (64.5 ft.²); and
 - (2) is not higher than 1.3 m (4.3 ft.);
 - iii) if the sign is detached from the building, the top of the sign is no more than 2 m (6.6 ft.) above grade; and
 - iv) the sign is suitably landscaped.

70) IDENTIFICATION SIGNS FOR NON RESIDENTIAL PROJECTS

- a) In addition to the signs permitted elsewhere a commercial, industrial, cottage industrial, institutional and recreational development may erect an project identification sign providing:
 - i) the sign architecturally complements the exterior of the principal building;
 - ii) the sign copy area:
 - (1) does not exceed 6 m² (64.5 ft.²); and
 - (2) is not higher than 1.3 m (4.3 ft.);
 - iii) if the sign is detached from the building, the top of the sign is no more than 2 m (6.6 ft.) above grade; and
 - iv) the sign is suitably landscaped.

70) PERMIT FOR PORTABLE, TEMPORARY, INFLATABLE AND ANNUAL SIGNS

- a) A sign permit must be obtained before a **portable, temporary, inflatable or annual sign** is placed at a location. To obtain a permit a complete application, together with the required fee, must be submitted to the City.
- b) Where a **portable, temporary, inflatable or annual sign** contravenes the regulations of this Bylaw or the terms of the permit issued, the owner, 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 written or verbal notification from the City.
- c) Application for a permit for the use of a **portable, temporary or inflatable sign** shall be submitted by the owner of the sign, the advertiser or the owner of the property upon which the sign is proposed to be placed, and there shall be signed consent from the owner of the sign and the owner or tenant of the property.

PART IX - SIGN REGULATIONS

- d) Applications for a permit for the use of an **annual sign** shall be submitted by the owner of the sign or the owner of the property upon which the sign is proposed to be placed, and there shall be signed consent from the owner of the sign and the owner of the property.
- e) The following information shall be submitted on the appropriate application form for a **portable, temporary, inflatable or annual sign** development:
 - i) the municipal address and legal description of the land or building where the sign is to be located;
 - ii) a plan showing the exact location of where the sign is to be located on the property;
 - iii) the applicant's name, address and telephone number;
 - iv) an indication of whether the site where the sign is to be located is a single business occupancy or multiple business occupancy development;
 - v) the length of time the sign is to be displayed at the location address;
 - vi) the signature of the tenant, owner or his agent of the property where the sign is to be located authorizing the placement of the sign;
 - vii) the signature of the owner of the sign, his name, address and telephone number; and
 - viii) the size, height and nature of the sign.
- f) The removal of **portable, temporary, inflatable or annual sign**:
 - i) a **portable, temporary, inflatable or annual sign** shall be removed on or before the expiry date specified in the development permit; and
 - ii) temporary signs not requiring a development permit shall be removed within two (2) days after the close of the event or activity to which they refer;

71) REGULATIONS FOR PORTABLE, TEMPORARY, INFLATABLE AND ANNUAL SIGNS

- a) The maximum duration of display shall be:
 - i) 90 consecutive days for a portable, temporary or inflatable sign and following each removal of a sign the general location, or parcel shall remain free of portable, temporary or inflatable signs for a minimum of 15 consecutive days; and
 - ii) a total of 365 days for each **annual sign**.
- b) The Development Officer shall, in the case of a development permit for a **portable sign, temporary, inflatable or annual sign**, specify the length of time that permit remains in effect in accordance with the time limitations for such signs.
- c) When a **portable, temporary, inflatable, or annual sign** as required has been removed a new a new sign application is required for permission to erect a **portable, temporary, inflatable or annual sign**.

PART IX - SIGN REGULATIONS

- d) **Temporary, portable and inflatable signs** shall be allowed on private property for advertising special events and general public interest such as charity drives, health and safety campaigns, amateur athletic and sports events and city-wide celebrations provided that they are to be displayed for no more than 30 days prior to the event and provided that they are removed from the site within two days of the completion of the event.
- e) **Portable or temporary signs** shall be allowed within a road right-of-way or on any other public property provided it shall be used only for public notice for special events held in the City and for general public interest such as charity drives, health and safety campaigns, amateur athletic and sports events and city-wide celebrations provided that they are to be displayed for no more than 30 days prior to the event and provided that they are removed from the site within two days of the completion of the event.
- f) **Temporary, portable, inflatable or annual signs** may only be used to advertise product, services or activities that occur on sites within the boundaries of the City of Leduc.
- g) **Temporary, portable, inflatable or annual signs** shall:
- i) not to be attached, affixed or displayed on any parked vehicle or trailer not normally used in the daily activity of the business and that is visible from a road so as to act as a sign for the advertisement of products or to direct people to a business or activity excepting portable electronic message boards initiated by the City.
 - ii) be a minimum of 61 m (200 ft.) apart provided also that one only **portable, temporary or inflatable or annual sign** shall be permitted on any lot;
 - iii) not be placed upon a site so as to conflict with parking, loading or walkway areas as required by this Bylaw or as approved under a development permit unless approval is given by the Development Officer;
 - iv) not interfere with access to or from a site; and
 - v) not be located at any location the intent of which is to have the sign seen from Highway 2 or a ramp to Highway 2.
- h) **Portable, temporary, inflatable signs** shall be allowed only in the following Districts:
- C-1 - Commercial
 - C-2 - Commercial
 - C-3 - Commercial
 - C-4 - Commercial
 - M-1 - Industrial
 - M-2 - Industrial
 - P-1 - Recreation (at Development Officer's Discretion)
 - U-S - Urban Service (at Development Officer's Discretion)
- i) **Annual signs** shall be allowed only in the following Districts:
- C-1 - Commercial
 - C-2 - Commercial
 - C-3 - Commercial
 - C-4 - Commercial
 - M-1 - Industrial

PART IX - SIGN REGULATIONS

- M-2 - Industrial
- P-1 - Recreation (only adjacent to an institutional development)
- U-S - Urban Services (only adjacent to an institutional development)

- j) **Annual signs** shall not be permitted on a parcel that does not have a principal building.
- k) **Portable or annual signs** shall not exceed:
 - i) maximum area of 7 m² (75.3 sq. ft.);
 - ii) maximum height of 3 m (9.8 ft.); and
 - iii) maximum copy area on one face 2.5 m² (26.9 sq. ft.).
- l) **Inflatable signs** must meet the following regulations:
 - i) they may be illuminated, but may not contain flashing lights or animation devices, or any device designed to intensify or vary the illumination of lighting;
 - ii) an inflatable sign which is located less than 30 m (98.4 ft.) from a residential district shall not be illuminated between the hours of 9:00 p.m. and 8:00 a.m.; and
 - iii) the maximum vertical dimension of an **inflatable sign** shall be:
 - (1) 8 m (26.2 ft.);
 - (2) 5 m (16.4 ft.) when the sign is placed on a roof, or
 - (3) 5 m (16.4 ft.) when the sign is located within 30 m (98.4 ft.) of a residential District.
 - iv) inflatable signs shall not be permitted on a structure with five or more storeys.
 - v) inflatable signs shall be securely fastened to the ground or roof structure and to the satisfaction of the Development Officer.

72) UNLAWFUL AND ABANDONED SIGNS

- a) The Development Officer must notify the person in possession of the land or buildings, the person responsible for a sign, and the applicant to which a development permit was issued that:
 - i) a sign that requires a permit has been erected without a permit;
 - ii) a sign contravenes a provision of this Bylaw;
 - iii) a sign is abandoned or vacant for an excessive period of time; and
 - iv) a sign is improperly installed so as to be dangerous, loose or disorderly.

PART IX - SIGN REGULATIONS

- b) The notice in writing, must be sent to the registered owner setting out the contravention and directing:
 - i) the owner to remove the sign within such time as specified in the notice, and
 - ii) the owner to take such measures as specified in the notice to alter the sign so that it complies with the provisions of this Bylaw.
- c) Any person who fails to comply with a notice given by the Development Officer under Subsection a) or b) shall be guilty of an offence and subject to the penalty as prescribed by Section 26 of this Bylaw.
- d) Failure to remove the sign from the property within the specified time may also result in the Development Officer refusing to issue a sign permit on the site for a period of three months.

PART X - ZERO SIDE YARD DEVELOPMENTS**73) ZERO SIDE YARD DEVELOPMENTS**

- a) Where developments are proposed with a zero side yard, the regulations of this section and the regulations of the land use district in which the development is proposed shall apply.
- b) Prior to the approval of any zero side yard development, plans showing grading, drainage on adjacent sites and Landscaping and Amenity Areas, required by Section 30 must be submitted and must be deemed acceptable to the Development Officer.
- c) Easements Required
 - i) Where a zero side yard is permitted, an easement shall be provided on the site abutting that side yard for site drainage, the maintenance of all principal and accessory buildings and for any overhang of principal or accessory buildings onto that adjacent site. The Development Officer may require that easement plans be registered in addition to the normal plan of subdivision. The minimum easement shall be 2.5 m (8.2 ft.) or as required by the Alberta Building Code.
 - ii) Clause (a) does not apply where adjacent owners are permitted pursuant to this Bylaw to construct attached dwellings, principal buildings or accessory buildings (including garages) which are attached at the lot boundary or which will face each other at the lot boundary.
 - iii) Where, an accessory building is permitted to have a zero side yard abutting a lot, the applicant will be responsible for the negotiation and registration of any easements required pursuant to Subsection (i) prior to the issuance of a development permit for the zero side yard development proposal.
- d) Provisions for Future Zero Side Yard Development
 - i) Where a plan is accepted for a zero side yard project or zero side yard site, and where that plan indicates the location or alternative locations for future accessory buildings (including garages) on the site, easements required under Subsection (2) shall be provided for all possible alternative future locations of accessory buildings at, or prior to the time of the development of the principal building.
- e) Side Yard Setbacks shall be:
 - i) zero for one side, except where a lot in which the principal and accessory building is permitted to have a zero side yard abuts another land use District, in which case the minimum side yard setback from the boundary abutting the adjacent District shall be 1.5 m (4.9 ft.) except where a greater distance is required in the opinion of the Development Officer;
 - ii) 3 m (9.8 ft.) except that where a parking space is provided in the required side yard and adjacent to a zero side yard of another unit, the minimum side yard setback where the parking space is provided shall be 3.5 m (11.5 ft.); and
 - iii) no part of any structure or building shall be erected within 5 m (16.4 ft.) of the street boundary flanking a zero side yard lot.

PART X - ZERO SIDE YARD DEVELOPMENTSf) **Surveyed Boundaries**

- i) Notwithstanding other sections of this Bylaw, at the discretion of the Development Officer, approval may be given and a development permit may be issued on a zero side yard development prior to the registration of a plan of subdivision for the development, where a development is in conformance with a site plan that proposes future subdivision to accommodate the zero side yard development provided that:
 - (1) a drainage plan as specified in (2) has been submitted and approved;
 - (2) subdivision approval has been previously given on the proposed site by the subdivision approval authority;
 - (3) preliminary survey plan has been undertaken and marked in the field to establish the location of buildings proposed;
 - (4) after the registration of the linen plan, the development will be in conformance with all regulations of this Bylaw; and
 - (5) the Developer will be held responsible under Part V of this Bylaw for any development that is undertaken which is not in conformance with the Bylaw prior to, or after the registration of the linen plan of subdivision.
- ii) When a permit has been issued under clause i) the plan of subdivision must be prepared and registered immediately upon the completion of foundations and, at the discretion of the Development Officer, prior to any further development taking place on the site.

PART XI – REGULATIONS FOR PARTICULAR AREAS

74) AIRPORT APPROACH ZONE OVERLAY

- a) No Development Permit will be issued that is contrary to the Edmonton International Airport Vicinity Protection Area (AVPA) Regulations as amended from time to time.
- b) The Development Officer shall, in considering applications for development, take into consideration Transport Canada policies and requirements on land use in the Vicinity of Airports and may place conditions on land uses where in his opinion an application does not conform to Federal guidelines respecting land use in the vicinity of Airports.
- c) Notwithstanding the land uses permitted in the Districts within the Airport Approach Zone Overlay of the Land Use Districts Map, the Development Officer may place conditions with regard to such issues as the siting of buildings or development requirements to prevent the outside storage of garbage, or he may refuse a building or use where in his opinion an application does not conform to federal guidelines respecting land use in the vicinity of Airports or where in his opinion comments from Transportation Canada respecting the application should be taken into account.
- d) The NEF contours shown on the Land Use District Map are provided for convenience only. For accurate reference the Alberta Regulation 63/81 EDMONTON INTERNATIONAL AIRPORT VICINITY PROTECTION AREA REGULATIONS as amended, should be consulted.

75) DOWNTOWN PARKING OVERLAY

- a) The regulations of this section apply to those lands shown as Downtown Parking Overlay on the Land Use District Map.
- b) The minimum number of off-street parking stalls required, on lands within the Downtown Parking Overlay shall be calculated by multiplying the number of stalls normally required under Section 53 for the proposed use or building by 0.66. Where there is a fractional number of parking stalls required, the next highest number of stalls shall be provided.
- c) The Development Officer may waive the landscaping requirements of each District in the area of the Downtown Parking Overlay.

76) CENTRAL BUSINESS DISTRICT OVERLAY

- a) The regulations of this section apply to those lands shown as the Central Business District Overlay on the Land Use District Map.
- b) The parking and loading requirements of Part VIII of this bylaw are waived for developments within the Central Business District Overlay providing:
 - i) a loading area provided is designed to ensure that vehicles loading and unloading do not interfere with the free movement of the lane and to and from other sites; and
 - ii) where a mixture of commercial and residential uses is proposed there shall be no less than 1 parking space for every 3 dwelling units.
- c) Where a building abuts a lane there shall be a setback required of at least 6.1 m (20 ft) to ensure adequate parking, loading and garbage pickup space.

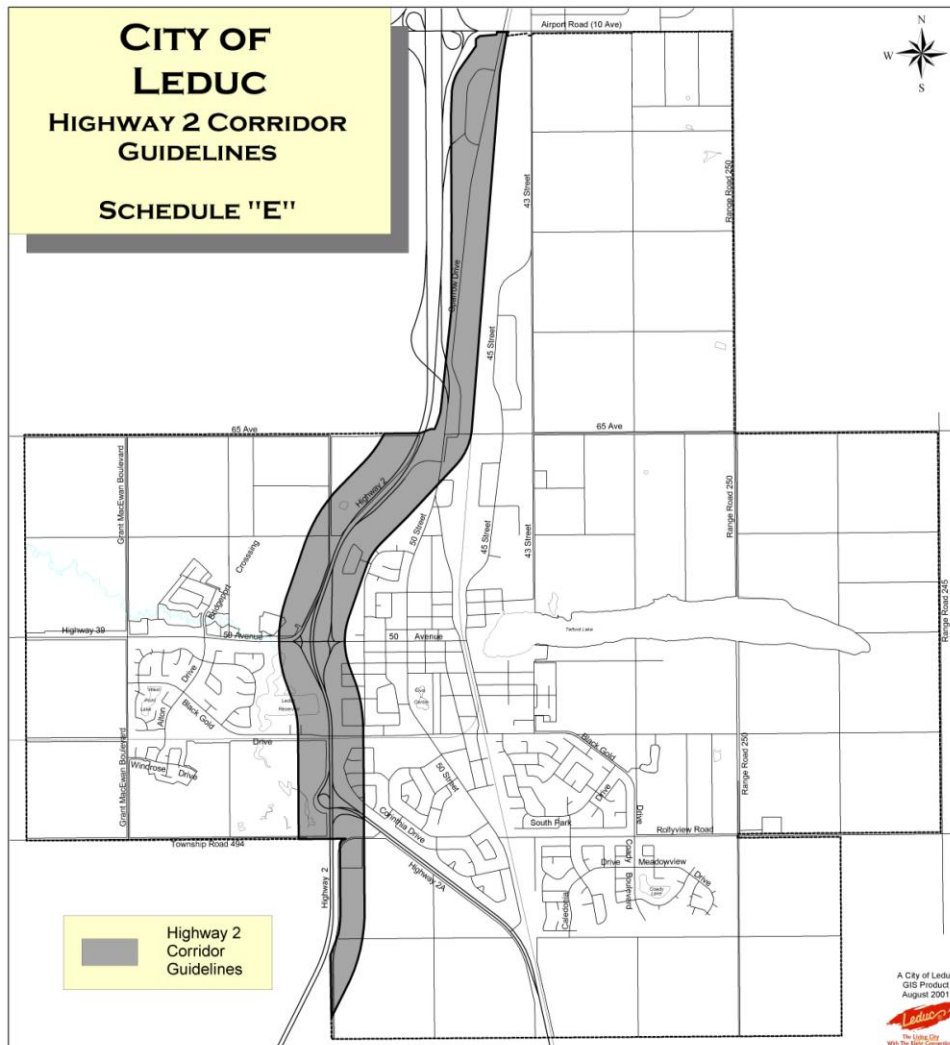
PART XI - REGULATIONS FOR PARTICULAR AREAS

- d) Where a building does not abut a lane, one yard as determined by the Development Officer shall have a setback of at least 6.1 m (20 ft.) to ensure parking, loading and garbage pickup space.
- e) Landscaping will be required at the discretion of the Development Officer.

77) MAJOR RIGHT OF WAY ACCESS CONTROL AND SETBACK - DELETED

78) HIGHWAY 2 CORRIDOR GUIDELINES

- a) The regulations of this section apply to those lands shown on the Highway 2 Corridor Guidelines map Schedule "E".
- b) The Development Officer, when deciding a development application, will have regard for the Highway 2 Corridor Guidelines.



78.1) 50th AVENUE / 50TH STREET GATEWAY OVERLAY

- a) The regulations of this section apply to the properties adjacent to each of the four corners of the intersection of 50th Avenue and 50th Street and any adjacent properties which are affected through site consolidation, which for greater certainty includes the following parcels of land:
 - i) Plan 8821510, Block 23, Lot 1;
 - ii) Plan T5, Block 16, Lots 6, 7 and 8;
 - iii) Plan T5, Block 17, Lots 9 and 10; and
 - iv) Plan 5800R, Block 24, Lots 17, 18, 19 and 20.

- b) The general purpose of this overlay is to protect and enhance the integrity of one of the City's key gateway intersections. It is meant to facilitate development that is visually appealing and inviting to downtown visitors and promote the development of land uses that are compatible with the pedestrian-oriented and revitalized downtown. This overlay is intended to:
 - i) apply detailed and sensitive control of development and redevelopment for the properties adjacent to the gateway intersection at 50th Street and 50th Avenue;
 - ii) encourage a highly pedestrian, retail commercial environment on the main floor with mixed commercial uses on the upper floors;
 - iii) respect, protect and enhance the traditional urban design qualities of the core downtown area and its historically significant buildings, while allowing for high quality modern architecture in the 50th Ave/ 50th Street Gateway area.

- c) All development and major redevelopment applications are subject to the Development Officer's discretion. Each application must be accompanied by professionally rendered drawings which accurately reflect the proposed development's building form and massing, architectural design including materials, colors and signage, as well as site context.

- d) Development within this overlay shall be evaluated with respect to compliance with the C-1 Commercial – Central Business District and all other provisions of this Bylaw where not specifically overridden by this overlay. In the case of conflicting regulations within this overlay and other sections of the Land Use Bylaw, interpretation of the applicable regulation is dependent upon the Development Officer's discretion.

- e) Subject to the Edmonton International Airport Vicinity Protection Area (Provincial) Regulations, the permitted and discretionary uses allowed in this overlay include the following:
 - i) Permitted Uses:
 - (1) Bake Shops
 - (2) Clinics
 - (3) Commercial Schools (second storey only)
 - (4) Eating and Drinking Establishments – Minor
 - (5) Professional, Financial and Office Services (second storey only)
 - (6) Retail Stores

 - ii) Discretionary Uses:
 - (1) Business Support Services (second storey only)
 - (2) Community Facilities

- (3) Contractor Services
 - (4) Day Care Facilities
 - (5) Indoor Amusement Establishments
 - (6) Professional, Financial and Office Services (first storey)
 - (7) Hotels
 - (8) Theatres
 - (9) Personal Services
 - (10) Veterinary Clinics (for small animals only)
 - (11) Uses similar to the permitted and discretionary uses listed above
- f) Notwithstanding Section 93 e) of the Land Use Bylaw, the Front-Yard Setback shall be a minimum 1.8 m (6.0 ft.) to a maximum 2.0 m (6.56 ft.) to allow for landscaping treatments.
- g) Notwithstanding Section 93 f) of the Land Use Bylaw, the minimum Side Yard Setback adjacent to a street shall be 1.8 m (6.0 ft.) and to a maximum 2.0 m (6.56 ft.) to allow for landscaping treatments.
- h) Subject to the Development Officer's approval, additional front and Side Yard Setbacks may be allowed for development that contributes to semi-public pedestrian activities and visual appeal, including pocket parks, outdoor seating, planting strips, bicycle stands, character light standards, public art and other related features.
- i) Subject to the Development Officer's approval, buildings may incorporate rooftop patios, rooftop gardens and/or greenroof technologies.
- j) The overall site development shall be in accordance with the urban design criteria established herein, and applicable sections of this Bylaw. Building form and massing shall be designed to enhance the gateway's aesthetic value and pedestrian accessibility and shall:
- i) not exceed nor be less than two (2) storeys or 8.5 m (27.88 ft.) in height. An additional 2.74 m (9.0 ft.) in height will be allowed for architectural ornamentation (e.g. tower feature) that enhances and compliments the character of the gateway;
 - ii) provide distinguished massing with the bottom, middle and top of the building defined by cornice lines and other architectural elements which articulate the building;
 - iii) incorporate first storey windows that span the entire vertical distance from the sill to the header;
 - iv) not have any solid wall face fronting a public street;
 - v) be compatible with adjacent buildings in the transition of form and massing;
 - vi) incorporate a prominent top building feature, such as a tower feature with roof;
 - vii) have a rooftop that enhances views from taller surrounding buildings.
- k) Building exteriors shall feature an attractive and unified architectural presentation and shall:
- i) incorporate weather protection over the public sidewalk using canopies or awnings;
 - ii) maintain compatible and harmonious finishing materials that are of high quality and craftsmanship;

- iii) be of wood or concrete incorporating stone detailing, secondary cladding, ornamental glass, and/or metal siding;
 - iv) be principally of earth tones with complimentary secondary accents that may include brighter primary colors;
 - v) conform to CPTED standards (Crime Prevention through Urban Design);
 - vi) incorporate a main entranceway that is clearly articulated and framed to distinguish it from any other entrance to the building;
 - vii) have entrances located at street level that are universally accessible to all persons, including persons with physical disabilities;
 - viii) define the top of front and flanking exterior walls by a cornice, a parapet, or both, which are to be consistent along the entire width of the walls;
 - ix) divide all upper storey windows horizontally using the same modulation pattern established on the first storey wall face;
 - x) incorporate modules that are consistently repetitious on both the front and flanking wall faces;
 - xi) incorporate a symmetrical fenestration pattern on the upper storey which evenly situates windows within modules;
 - xii) screen all exterior mechanical equipment from view, including roof mechanical units, in a manner compatible with the architectural character of the building;
 - xiii) incorporate display windows that span the entire width of each building module, with headers at the level of the entry door headers, and sills at 25cm to 40 cm above sidewalk grade;
 - xiv) have at least 50% window transparency on the bottom storey with no reflective glazing.
- l) Signage shall be in accordance with Part IX of this Bylaw and shall be:
- i) in the form of a fascia sign, window sign, and/or projecting sign only;
 - ii) illuminated by a remote light source;
 - iii) illuminated directly, but only if constructed of neon tubing as plastic signs illuminated by light shining through the sign surface are not permitted;
 - iv) in the case of fascia signs, located entirely within the area between the first storey window headers and the upper storey window sills of the premises that they identify or located on an awning or copy;
 - v) in the case of projecting signs, located between the first storey window headers or a line 3.04 m (10.0 ft.) above the sidewalk level, whichever is higher, and the upper storey window sills;
 - vi) located on the windows of the premises that they identify and shall not exceed a coverage of more than 25% of any window area.

- m) If lighting fixtures are installed on the building exterior, lighting fixtures shall:
 - i) be limited to downcast lighting;
 - ii) be made of high quality lighting fixtures that compliment the building's overall character and design;
 - iii) be located at regular intervals that are consistently symmetrical to building modules for both front and flanking wall faces;
 - iv) or in the case of remotely lit signage, fixture(s) that are proportionally aligned to the sign.
- n) If the development is to provide parking, parking shall:
 - i) be located and designed to improve the safety and attractiveness of the intersection;
 - ii) be provided at-grade at the rear of the building and shall be screened from all street or integrated into the rear of the building's structure;
 - iii) be prohibited between the building and any public street or sidewalk;
 - iv) contain defined major vehicle and pedestrian routes using specialized and distinct pavement or concrete pathways for parking areas containing room for 25 or more vehicles;
 - v) provide vehicular access from abutting lanes only;
 - vi) where there is no abutting lane, provide vehicular access from the street by consolidating and minimizing driveways and curb cuts across public sidewalks.
- o) Loading, storage and trash collection areas shall be located at the rear of the principle building.

PART XII – THE ESTABLISHMENT OF DISTRICTS AND DISTRICT REGULATIONS**79) LAND USE DISTRICT MAP**

- a) Land use Districts are identified in the Short Form on the Land Use District Map as follows:

SHORT FORM	MAIN USE	DISTRICT NAME
R-1A	RESIDENTIAL	- Single Detached
R-1B	RESIDENTIAL	- Single Detached
R-1C	RESIDENTIAL	- Single Detached
R-1D	RESIDENTIAL	- Single Detached
R-1E	RESIDENTIAL	- Single Detached
R-1R	RESIDENTIAL	- Single Detached Rural
R-2	RESIDENTIAL	- Two Dwelling Units
R-2M(C)	RESIDENTIAL	- Comprehensively Planned Multi-Dwelling
R-2M(S)	RESIDENTIAL	- Street Oriented Multi-Dwelling
R-3	RESIDENTIAL	- Medium Density Apartment
R-4	RESIDENTIAL	- High Density
R-MHC	RESIDENTIAL	- Manufactured Home Community
C-1	COMMERCIAL	- Central Business District
C-2	COMMERCIAL	- Neighbourhood Retail and Service
C-3	COMMERCIAL	- General Commercial
C-4	COMMERCIAL	- Shopping Centre
M-1	INDUSTRIAL	- Light Industrial District
M-2	INDUSTRIAL	- Medium Industrial District
M-C	INDUSTRIAL	- Cottage Industrial
U-S	UTILITIES	- Urban Services
P-1	RECREATIONAL	- General Recreation
E-RD	CONSERVATION	- Environmental Restrictive Development
U-R	AGRICULTURE	- Urban Reserve
DC	DIRECT CONTROL	- Distinctive Design

- b) Some parts of Districts are identified with a Modified Short Form where an additional number in brackets follows the usual short form. These areas are subject to special provisions listed at the end of the provisions for the District. The areas identified by the modified short form on the Land Use Map shall;
- i) continue to be subject to the provisions of this bylaw including the provisions of the District in which it is located; and
 - ii) be subject to the particular regulations for the area.

80) SUPPORTING MAP INFORMATION

- a) Special requirements for particular areas, which are an integral part of this Bylaw, are set out as follows:
 - i) The Airport Approach Zone Overlay is shown on the Land Use District Map, and the regulations are set out in section 74.
 - ii) The Downtown Parking Overlay is shown in the inset on the Land Use District Map, and the regulations pertaining to the overlay are as specified in Section 75.
 - iii) The Business Revitalization Zone Overlay (BRZ) is shown in the inset on the Land Use District Map and the regulations pertaining to the overlay are as specified in Section 76.
 - iv) The setbacks for development along major roads is set out on Schedule D, and as specified in Section 77.
 - v) The area affected by the Highway 2 Corridor Guidelines is generally described on Schedule E and the regulation is as set out in Section 78.

81) INTERPRETATION OF BOUNDARIES

- a) 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.
 - i) Where District boundaries are shown to be approximate they shall be located based on these edges in the following order:
 - (1) the parcel boundaries;
 - (2) the municipal boundaries;
 - (3) the centre lines of railway rights-of-way; and
 - (4) the centre lines of road rights-of-way.
 - ii) District boundaries, not referenced specifically to edges indicated in Clause (i), shall be determined on the basis of the scale of the map.
 - iii) Where land use Districts have been established in accordance with a proposed subdivision of land, the districts shall be understood to conform to the Certificate of Title or the plan of survey when registered in a Land Titles Office. Prior to the registration, the District boundary shall be determined on the basis of the scale of the map.

82) R-1A - RESIDENTIAL - Single Detached

- a) The general purpose of this District is to accommodate spacious single detached dwellings on large lots.
- b) Subject to the Edmonton International Airport Vicinity Protection Area (Provincial) Regulations, the permitted and discretionary uses allowed in this District include the following:

i) Permitted Uses

- (1) Accessory Buildings (Section 42)
- (2) Home Occupations Minor (Section 43)
- (3) Public Parks
- (4) Show Homes (Section 44)
- (5) Single Detached Dwellings
- (6) Utility Buildings (Section 33)

ii) Discretionary Uses

- (1) Community Facilities
- (2) Home Occupations Major (Section 43)
- (3) Places of Worship (Section 40)
- (4) Private Swimming Pools (Section 41)
- (5) Schools
- (6) Secondary Suite

- c) The site coverage as a percentage of the total lot area shall not exceed:
 - i) for the principal building 28%;
 - ii) for an accessory building 12%; and
 - iii) a total of 40%.
- d) Landscaping shall include one tree for each dwelling.
- e) The total minimum floor area (not including attached garage) shall be:

1 Storey	145 m ² (1,559.1sq. ft.)
1 ½ Storey, Bi-level Split Level and 2 Storey	165 m ² (1,774.2 sq. ft.)

- f) The minimum site depth of each lot shall be:
 - i) 36 m (118.2 ft.); and
 - ii) for lots fronting on the bulb of a cul-de-sac 33.5 m (109.9 ft.).
- g) The minimum site width of each lot at the front yard setback shall be:
 - i) 18.3 m (60.0 ft.) for internal sites; and
 - ii) 19.35 m (63.5 ft.) for flanking or corner sites.

R-1A - RESIDENTIAL - Single Detached cont'd

- h) The minimum front yard setback shall be:
- i) 6 m (19.7 ft.);
 - ii) greater setback may be required by the Development Officer to preserve the amenity of the area and to protect development or potential development on adjacent sites; and
 - iii) for lots on a corner and double fronting lots sight triangles as regulated by Section 37 of this Bylaw shall be maintained.
- i) The minimum side yard setback shall be:
- i) 1.8 m (5.9 ft.) for the principal building:
 - (1) eaves may project a maximum of 0.6 m (2.0 ft.) into the required side yard setback;
 - ii) 1.5 m (4.9 ft.) for projections measured from the property line to the outside wall of the projection providing:
 - (1) the length of the projection is a maximum of 3.0 m (9.8 ft.); and
 - (2) the total length of all projections total is less than 50% of the total wall length;
 - iii) 20% of the lot width for a corner lot on the side abutting a street, but in no case:
 - (1) less than 3.8 m (12.5 ft.); nor
 - (2) more than 4.5 m (14.8 ft.);
- j) The minimum rear yard setback for the principal building shall be:
- i) 8 m (26.2 ft.);
 - ii) on a corner lot that has access to a lane 4.5 m (14.8 ft.); and
 - iii) where the rear yard abuts a lane or other public lands the Development Officer may reduce the required setbacks.
- k) The maximum height of buildings shall not exceed:
- i) 10 m (32.8 ft.); and
 - ii) two and one half storeys.
- l) Garages and accessory buildings shall:
- i) meet the regulation under Section 42 of this Bylaw.
 - ii) for carports attached to the dwelling the minimum side yard setback shall be 1.8 m (5.9 ft.).

83) R-1B - RESIDENTIAL - Single Detached

- a) The general purpose of this District is to accommodate medium size single detached dwellings on average sized lots.
- b) Subject to the Edmonton International Airport Vicinity Protection Area (Provincial) Regulations, the permitted and discretionary uses allowed in this District include the following:

i) Permitted Uses

- (1) Accessory Buildings (Section 42)
- (2) Home Occupations Minor (Section 43)
- (3) Public Parks
- (4) Show Homes (Section 44)
- (5) Single Detached Dwellings
- (6) Utility Buildings (Section 33)

ii) Discretionary Uses

- (1) Community Facilities
- (2) Home Occupations Major (Section 43) Places of Worship (Section 40)
- (3) Private Swimming Pools (Section 41)
- (4) Schools
- (5) Secondary Suite

- c) The site coverage as percentage of the total lot area shall not exceed:
 - i) for the principal building 28%;
 - ii) for accessory buildings 12%; and
 - iii) a total of 40%.
- d) Landscaping shall include one tree for each dwelling
- e) The total minimum floor area (not including attached garage) shall be:

1 Storey	120 m ² (1,290.3 sq. ft.)
1 ½ Storey, Bi-level, Split Level and 2 Storey	140 m ² (1,505.4 sq. ft.)

- f) The minimum site depth of each lot shall be:
 - i) 36 m (118.1 ft.); and
 - ii) for lots fronting on the bulb of a cul-de- sac 33.5 m (109.9 ft.).
- g) The minimum site width at the front yard setback shall be:
 - i) 16 m (52.5 ft.) for internal site; and
 - ii) 16.91 m (55.5 ft.) for flanking or corner sites.

R-1B - RESIDENTIAL - Single Detached Cont'd

- h) The minimum front yard setback shall be:
- i) 6.0 m (19.7 ft.);
 - ii) greater setback may be required by the development officer to preserve the amenity of the area and to protect development or potential development on adjacent sites; and
 - iii) for lots on a corner and double fronting lots sight triangles, as regulated by Section 37 of this Bylaw, shall be maintained.
- i) The minimum side yard setback shall be:
- i) 1.5 m (4.9 ft.) for the principal building:
 - (1) eaves may project a maximum of 0.6 m (2.0 ft.) into the required side yard setback;
 - ii) 1.2 m (3.9 ft.) for projections measured from the property line to the outside wall of the projection providing:
 - (1) the length of the projection is a maximum of 3.0 m (9.8 ft.); and
 - (2) the total length of all projections total is less than 50% of the total wall length;
 - iii) 20% of the lot width for a corner lot on the side abutting a street, but in no case:
 - (1) less than 3.8 m (12.5 ft.); nor
 - (2) more than 4.5 m (14.8 ft.);
- j) The minimum rear yard setback for the principal building shall be:
- i) 8 m (26.2 ft.);
 - ii) on a corner lot that has access to a lane 4.5 m (14.8 ft.); and
 - iii) where the rear yard abuts a lane or other public lands the Development Officer may reduce the required setbacks.
- k) The maximum height of buildings shall not exceed:
- i) 10 m (33 ft.); and
 - ii) two and one half storeys.
- l) Garages and accessory buildings shall:
- i) meet the regulation under Section 42 of this Bylaw.
 - ii) for carports attached to the dwelling the minimum side yard setback shall be 1.5 m (4.9 ft.).

84) R-1C - RESIDENTIAL - Single Detached

- a) The general purpose of this District is to accommodate mid sized conventional single detached dwellings on medium size lots.
- b) Subject to the Edmonton International Airport Vicinity Protection Area (Provincial) Regulations, the permitted and discretionary uses allowed in this District include the following:

i) Permitted Uses

- (1) Accessory Buildings (Section 42)
- (2) Home Occupations Minor (Section 43)
- (3) Public Parks
- (4) Show Homes (Section 44)
- (5) Single Detached Dwellings
- (6) Utility Buildings (Section 33)

ii) Discretionary Uses

- (1) Conversion of Single Detached or Duplex Dwellings to Professional, Financial and Office Services, Personal Services, or Retail Sales (Section 84 n)
- (2) Duplex Dwellings
- (3) Home Occupations Major (Section 43)
- (4) Community Facilities
- (5) Places of Worship (Section 40)
- (6) Private Swimming Pools (Section 41)
- (7) Schools
- (8) Secondary Suite

- c) Site coverage as a percentage of the total lot area shall not exceed:
 - i) for the principal building 28%;
 - ii) for the accessory buildings 12%; and
 - iii) a total of 40%.
- d) Landscaping shall include one tree for each dwelling.
- e) The minimum floor area (not including attached garage) shall be:

1 Storey	90 m ² (967.7 sq. ft.)
Bi-Level, 1 ½ Storey, Split Level and 2 Storey	120 m ² (1290.3 sq. ft.)

- f) The minimum site depth of each lot shall be:
 - i) 34 m (111.5ft); and
 - ii) for lots fronting on the bulb of a cul-de-sac 31 m (101.7 ft.).

R-1C - RESIDENTIAL - Single Detached Cont'd

- g) The minimum site width of each lot shall be:
- i) 13.4 m (44.0 ft.) for internal sites;
 - ii) 14.47 m (47.5 ft.) for flanking sites or corner sites;
 - iii) standard pie shaped lots shall have the minimum width measured 9 m (29.5 ft.) from the front property line; and
 - iv) reversed pie shaped lots shall have the minimum width measured 8 m (26.2 ft.) from the rear property line.
- h) The minimum front yard setback shall be:
- i) 6.0 m (19.7 ft.);
 - ii) greater setback may be required by the Development Officer to preserve the amenity of the area and to protect development of or potential development on adjacent lots; and
 - iii) for corner lots and double fronting lots sight triangles as regulated by Section 37 of this Bylaw shall be maintained.
- i) The minimum side yard setback shall be:
- i) 1.5 m (4.9 ft.) for the principal building:
 - (1) eaves may project a maximum of 0.6 m (2.0 ft.) into the required side yard setback;
 - ii) 1.2 m (3.9 ft.) for projections measured from the property line to the outside wall of the projection providing:
 - (1) the length of the projection is a maximum of 3.0 m (9.8 ft.); and
 - (2) the total length of all projections total is less than 50% of the total wall length;
 - iii) 20% of the lot width for a corner lot on the side abutting a street, but in no case:
 - (1) less than 3.8 m (12.5 ft.); nor
 - (2) more than 4.5 m (14.8 ft.);
- j) The minimum rear yard setback for the principal building shall be:
- i) 8 m (26.2 ft.);
 - ii) on a corner lot that has access to a lane 4.5 m (14.8 ft.); and

R-1C - RESIDENTIAL - Single Detached Cont'd

- iii) where the rear yard abuts a lane or other public lands the Development Officer may reduce the required setbacks.
- k) The maximum height of buildings shall not exceed:
 - i) 10 m (32.8 ft.); and
 - ii) two and one half storeys.
- l) A parking pad shall be provided at the time of development on each lot and located:
 - i) where the lot has access to a lane, to the rear or side of the dwelling; and
 - ii) so that a garage, that meets the requirements of this Bylaw, may be accommodated on the pad.
- m) Garages and accessory buildings shall:
 - i) meet the regulation under Section 42 of this Bylaw; and
 - ii) where a zero side yard is provided the performance and development standards of Section 73 shall apply.
 - iii) for carports attached to the dwelling the minimum side yard setback shall be 1.5 m (4.9 ft.).
- n) Conversion of a single detached or duplex dwelling to a professional services or retail stores use may only be permitted when:
 - i) The property is located adjacent to a C-1 Commercial district and C-3 Commercial district or an area specifically identified in a Statutory Plan.
 - ii) Parking is provided in accordance with Part VIII of this Bylaw or such additional number of stalls as shall be determined necessary by the Development Officer giving consideration to adjacent residential areas.
 - iii) All unenclosed off-street parking in excess of two stalls is located in the rear yard accessible from a lane.
 - iv) Exterior renovation maintains a height and coverage generally in keeping with the height and coverage of existing adjacent single detached and two dwelling units.
 - v) Landscaping that meets the requirements of Section 30 and of a high standard in keeping with the residential nature of the area and as required by the by the Development Officer and described in a landscaping plan.
 - vi) The Applicant ensures the landscaping provisions will be carried out within two months of occupancy or commencement of operation of the proposed development and in conformance with a landscaping plan submitted.
 - vii) Exterior lighting is provided as required in Section 38 of this Bylaw.

R-1C - RESIDENTIAL - Single Detached Cont'd

- viii) One business identification sign with a maximum face of no more than 1m² (10.8 sq. ft.) shall be permitted for each site except that one additional sign to identify the business may be located at the rear of the site at a location to the discretion of the Development Officer. Freestanding signs shall be no higher than 1.5 m (4.9 ft.), shall be located at least 3.5 m (11.5 ft.) from property boundaries and shall not be illuminated from the interior.
- ix) The conversion in the opinion of the Development Officer will not generate a major amount of traffic or that due to its use or appearance will be inconsistent with the residential character of the area. Conversions shall not be intensified in use without approval under separate application.
- o) In addition to the above, the Development Officer shall have regard to the following in exercising his discretion to approve such developments:
 - i) A proposed conversion should not be approved where it 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.
 - ii) 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.
 - iii) The conversion should not adversely affect pedestrian movement on adjacent sidewalks.
 - iv) The conversion should maintain an external appearance that is generally in keeping with the external appearance of existing adjacent single detached and two dwelling units.
 - v) Signage should be of wood and should be of a quality that is in keeping with the residential character of the neighbourhood.

85) R-1D - RESIDENTIAL - Single Detached

- a) The general purpose of this District is to accommodate mid sized conventional single detached dwellings on smaller lots.
- b) Subject to the Edmonton International Airport Vicinity Protection Area (Provincial) Regulations, the permitted and discretionary uses allowed in this District include the following:

i) Permitted Uses

- (1) Accessory Buildings (Section 42)
- (2) Home Occupation Minor (Section 43)
- (3) Public Parks
- (4) Show Homes (Section 44)
- (5) Single Detached Dwellings
- (6) Utility Buildings (Section 33)

ii) Discretionary Uses

- (1) Home Occupation Major (Section 43)
- (2) Community Facilities
- (3) Places of Worship (Section 40)
- (4) Private Swimming Pools (Section 41)
- (5) Schools
- (6) Secondary Suite

- c) Site coverage as a percentage of the total lot area shall not exceed:
 - i) 45% maximum total;
 - ii) 40% for the principal building with an attached garage; and
 - iii) 15% for an accessory building.
- d) Landscaping shall include one tree for each dwelling.
- e) The minimum floor area (not including attached garage) shall be:

1 Storey, Bi-Level (main floor)	90 m ² (967.7 sq. ft.)
1 ½ Storey, Split Level and 2 Storey	120 m ² (1290.3 sq. ft.)

- f) Where the lot has access to a lane:
 - i) no access to the garage shall be from the front yard.

R-1D - RESIDENTIAL - Single Detached Cont'd

- g) The minimum site depth of each lot shall be:
- i) 34m (111.5ft); and
 - ii) for lots fronting on the bulb of a cul-de-sac 31 m (101.7 ft.).
- h) The minimum width of each lot shall be:
- i) for lots with access to a road only:
 - (1) 12.2 m (40.0 ft.) for internal sites; and
 - (2) 14 m (45.9 ft.) for flanking or corner sites;
 - ii) for lots with access to a road and lane:
 - (1) 10.9 m (35.8 ft.) for internal sites;
 - (2) 13.0 m (42.7 ft.) for flanking sites or corner sites;
 - iii) standard pie shaped lots shall have the minimum width measured 9 m (29.5 ft.) from the front property line; and
 - iv) reversed pie shaped lots shall have the minimum width measured 8 m (26.2 ft.) from the rear property line.
- i) The minimum front yard setback shall be:
- i) 6.0 m (19.7 ft.) with garage attached to the principal building;
 - ii) 4.5 m (14.8 ft.) without a garage attached to the principal building;
 - iii) greater setback may be required by the Development Officer to preserve the amenity of the area and to protect development of or potential development on adjacent lots; and
 - iv) for corner lots and double fronting lots sight triangles as regulated by Section 37 of this Bylaw shall be maintained.
- j) The minimum side yard setback shall be:
- i) 1.5 m (4.9 ft.) for one side of the principal building and 1.2 m (3.9 ft.) for the other;
 - (1) eaves may project a maximum of 0.6 m (2.0 ft.) into the required side yard setback;
 - ii) 1.2 m (3.9 ft.) for projections measured from the property line to the outside wall of the projection providing:
 - (1) the length of the projection is a maximum of 3.0 m (9.8 ft.); and
 - (2) the total length of all projections total is less than 50% of the total wall length;

R-1D - RESIDENTIAL - Single Detached Cont'd

- iii) 20% of the lot width for a corner lot on the side abutting a street, but in no case:
 - (1) less than 3.8 m (12.5 ft.); nor
 - (2) more than 4.5 m (14.8 ft.);
- iv) 1.5 m (4.9 ft.) for carports attached to the principal building.
- k) The minimum rear yard setback for the principal building shall be:
 - i) 7.5 m (24.6 ft.);
 - ii) on a corner lot that has access to a lane 4.5 m (14.8 ft.); and
 - iii) where the rear yard abuts a lane or other public lands the Development Officer may reduce the required setbacks.
- l) The maximum height of buildings shall not exceed:
 - i) 10 m (32.8 ft.); and
 - ii) two and one half storeys.
- m) Garages and accessory buildings shall:
 - i) meet the regulation under Section 42 of this Bylaw;
 - ii) the location of a garage site shall be shown at the time of development on the site plan and conform to the following requirements:
 - (1) garage sites must have:
 - (a) a width of 6 m (19.7 ft.); and
 - (b) a length of 6.7 m (22.0 ft.).
 - (2) a detached garage shall be separated from the principal building:
 - (a) a minimum of 4.9 m (16.0 ft.); and
 - (b) on a corner lot the Development Officer may reduce this minimum setback but not less than 2 m (6.6 ft.).
 - (3) where the vehicle doors of a garage face a lane the minimum setback from the property boundary of the lane shall be 3 m (9.8 ft.).
 - iii) for carports attached to the dwelling the minimum side yard setback shall be 1.5 m (4.9 ft.) or 1.2 m (3.9 ft.) depending on which side of the dwelling the carport will be constructed on in accordance with Subsection k) i).

R-1D - RESIDENTIAL - Single Detached Cont'd

- n) When garage is not included with the development permit application for the dwelling, a parking pad shall be provided on each lot prior to occupancy and located:
 - i) so the pad will accommodate a garage that meets the requirements of this Bylaw.
 - ii) where the lot has access to a lane to the rear of the dwelling; and
 - ii) where there is no lane the parking pad shall be located to the side or front of the dwelling a minimum of 6.0 (19.7 ft.) from the front boundary.

86) R-1E - RESIDENTIAL - Single Detached

- a) The general purpose of this District is to accommodate development in comprehensively planned subdivisions containing mid size conventional single detached dwellings on small lots. The outer boundary of this District will be designed to ensure a transition from existing conventional lot subdivisions. Specific design requirements are set out below to create a pleasant surrounding, a high quality environment, and an economical land use pattern.
- b) Subject to the Edmonton International Airport Vicinity Protection Area (Provincial) Regulations, the permitted and discretionary uses allowed in this District include the following:

i) Permitted Uses

- (1) Accessory Buildings (Section 42)
- (2) Home Occupations Minor (Section 43)
- (3) Public Parks
- (4) Show Homes (Section 44)
- (5) Single Detached Dwellings
- (6) Utility Buildings (Section 33)

ii) Discretionary Uses

- (1) Community Facilities
- (2) Home Occupations Major (Section 43)
- (3) Places of Worship (Section 40)
- (4) Private Swimming Pools (Section 41)
- (5) Schools
- (6) Secondary Suite

- c) The design of buildings and layout of sites in this District must meet the following standards:
 - i) storm drainage must conform to the requirements Section 36 of this Bylaw;
 - ii) the Development Officer may approve buildings, which are accessory to the principal use, with a zero side yard provided that the particular performance standards of Section 73 are met; and
 - iii) each dwelling unit shall be provided with an amenity area of 30 m² (330 sq. ft.) with a minimum dimension of 5 m (16 ft.) and direct access to the dwelling.
- d) Site coverage as a percentage of the total lot area shall not exceed:
 - i) for the principal building 35%;
 - ii) for the accessory buildings 15%; and
 - iii) a total of 45%.
- e) Landscaping shall include one tree for each dwelling.
- f) The minimum floor area (not including attached garage) of each dwelling unit shall be:

1 Storey, Bi-Level, Split Level	90 m ² (967.7 sq. ft.)
1 ½ Storey 2 Storey	120 m ² (1,290.3 sq. ft.)

R-1E – RESIDENTIAL – Single Detached Cont'd

- g) The minimum depth of each lot shall be:
 - i) 34m (111.5ft) .
- h) The minimum width of each lot shall be:
 - i) for lots with access to a road only:
 - (1) 11 m (36.1 ft.) for internal sites;
 - (2) 12.3 m (40.3 ft.) for flanking or corner sites; and
 - ii) for lots with access to a road and lane:
 - (1) 9.2 m (30.2 ft.) for internal sites;
 - (2) 10.3 m (33.8 ft.) for flanking sites or corner sites;
 - iii) standard pie shaped lots shall have the minimum width measured 9 m (29.5 ft.) from the front property line; and
 - iv) reversed pie shaped lots shall have the minimum width measured 8 m (26.2 ft.) from the rear property line.
- i) The minimum front yard setback shall be:
 - i) 6.0 m (19.7 ft.) with garage attached to the principal building;
 - ii) 4.5 m (14.8 ft.) without a garage attached to the principal building;
 - iii) greater setback may be required by the Development Officer to preserve the amenity of the area and to protect development of or potential development on adjacent lots; and
- j) The minimum side yard setback shall be:
 - i) for lots served by a lane:
 - (1) 1.2 m (3.9 ft.) for the principal building; and
 - (2) eaves may project a maximum of 0.6 m (2.0 ft.) into the required side yard setback;
 - ii) for lots not served by a lane:
 - (1) 3.2 m (10.5 ft.) for one side yard for vehicular access and 1.2 m (3.9 ft.) for the other side, or
 - (2) 1.2 m (3.9 ft.) for both side yards where an attached garage is an integral part of the dwelling; and
 - (3) eaves may project a maximum of 0.6 m (2.0 ft.) into the required side yard setback.

R-1E – RESIDENTIAL – Single Detached Cont'd

- iii) 1.2 m (3.9 ft.) for projections measured from the property line to the outside wall of the projection providing:
 - (1) the length of the projection is a maximum of 3.0 m (9.8 ft.); and
 - (2) the total length of all projections is less than 50% of the total wall length;
- iv) 20% of the lot width for a corner lot on the side abutting a street, but in no case:
 - (1) less than 2.4 m (7.9 ft.); nor
 - (2) more than 4.5 m (14.8 ft.);
- v) 1.2 m (3.9 ft.) for carports attached to the principal building.
- k) The minimum rear yard setback for the principal building shall be:
 - i) 7.5 m (24.6 ft.); and
 - ii) on a corner lot that has access to a lane 4.5 m (15 ft.).
- l) In addition to Section 37, no building or object more than 1 m (3.3 ft.) in height shall exist within the triangular area formed by intersecting rights-of-way and a straight line joining the points on a line 9.0 m (29.5 ft) from the intersection.
- m) The maximum height of buildings shall not exceed:
 - i) 10 m (33 ft.); and
 - ii) two and one half storeys.
- n) Garages and accessory buildings shall:
 - i) meet the regulation under Section 42 of this Bylaw;
 - ii) the location of a garage site shall be shown at the time of development on the site plan and conform to the following requirements:
 - (1) garage sites must have:
 - (a) a width of 6.1 m (20.0 ft.); and
 - (b) a length of 6.7 m (22.0 ft.).
 - (2) a detached garage shall be separated from the principal building:
 - (a) a minimum of 4.9 m (16.0 ft.); and
 - (b) on a corner lot the Development Officer may reduce this minimum setback but not less than 2 m (6.6 ft.).

R-1E – RESIDENTIAL – Single Detached Cont'd

- (3) where the vehicle doors of a garage face a lane the minimum setback from the rear property boundary shall be 3.0 m (9.8 ft).
- iii) for carports attached to the dwelling the minimum rear yard setback shall be 3.0 m (9.8 ft.).
- o) When a garage is not included with the development permit application for the dwelling, a parking pad shall be provided on each lot prior to occupancy and located:
 - i) so the pad will accommodate a garage that meets the requirements of this Bylaw particularly subsection n) above.
 - ii) where the lot has access to a lane to the rear of the dwelling; and
 - iii) where there is no lane the parking pad shall be located to the side or front of the dwelling a minimum of 6 m (19.7 ft.) from the front boundary.
- p) The areas identified by the modified short form on the Land Use Map and listed below shall:
 - i) continue to be subject to the provisions of this Bylaw and the provisions of this District;
 - ii) be subject to the particular regulations for the area listed below; and
 - iii) where there is a conflict between the regulations below with the other provisions of this Bylaw and the provisions of the district in which it is located the regulations below shall take precedence.
- q) The particular regulation for the areas designated R-1E (1) on the Land Use Map is as follows:
 - i) where the vehicle doors of a garage face a lane the minimum setback from the property boundary of the lane shall be 1 m (3.3 ft).
- r) The particular regulations for the areas designated R-1E(2) on the Land Use Map are as follows:
 - i) The minimum width for each lot with access to a rear road only and fronting onto municipal reserve shall be:
 - (1) 9.2 m (30.2 ft.) for internal sites;
 - (2) 10.3 m (33.8 ft.) for flanking sites or corner site;
 - ii) The front property boundary is the property line abutting municipal reserve;
 - iii) Where there is a lot boundary abutting two municipal reserves, the front property boundary shall be the shorter of the two;
 - iv) The minimum front yard setback shall be 4.0 m (13.12 ft.);

R-1E – RESIDENTIAL – Single Detached Cont'd

- v) The minimum side yard setback to the principal building and all projections shall be 1.2 m (3.9 ft.) for lots served by rear roads;
- vi) The detached garage for lots served by a rear road and fronting onto a municipal reserve shall be located to one side of the lot and the minimum and maximum side yard setback to the detached garage shall be 1.2 m;
- vii) The location of a garage site shall be shown at the time of development on the site plan and conform to the following requirements:
 - (1) Where the vehicle doors of a garage face a rear road the minimum setback from the rear property boundary shall be 5.5 m (18.0 ft.);
- viii) When the detached garage is not included at the time of a permit, a parking pad shall be provided prior to occupancy on each lot and located:
 - (1) Where the lot has access to a rear road to the rear of the dwelling;

87) R-1R – RESIDENTIAL – Single Detached Rural

- a) The general purpose of this District is to permit single detached residential development in a semi-rural setting with a limited range of urban services. Land in this District will normally be located away from areas that are designated for immediate intense urban development.
- b) Subject to the Edmonton International Airport Vicinity Protection Area (Provincial) Regulations, the permitted and discretionary uses allowed in this District include the following:

i) Permitted Uses

- (1) Accessory Buildings (Section 42)
- (2) Home Occupations Minor (Section 43)
- (3) One Single Detached Dwelling
- (4) Public Parks
- (5) Show Homes (Section 44)
- (6) Utility Buildings (Section 33)

ii) Discretionary Uses

- (1) Community Facilities
- (2) Farms
- (3) Home Occupations Major (Section 43)
- (4) Kennels (Section 44)
- (5) Private Swimming Pools (Section 41)

- c) The site coverage as a percentage of the total lot area shall not exceed:
 - i) 20% for the principal building; and
 - ii) 25% for the principal building and accessory building.
- d) Landscaping shall include one tree for each dwelling.
- e) The total minimum floor area (not including attached garage) shall be:

1 Storey	145 m ² (1,559.1 sq. ft.)
1 ½ Storey, Bi-level Split Level and 2 Storey	165 m ² (1,774.2 sq. ft.)

- f) The minimum site depth of each lot shall be:
 - i) 60 m (196.9 ft.).
- g) The minimum site width of each lot at the front yard setback shall be:
 - i) 30 m (98.4 ft.).
- h) The maximum lot area shall not exceed:
 - i) 0.6 ha (1.5 acres).

R-1R – RESIDENTIAL – Single Detached Rural

- i) The minimum front yard setback shall be:
 - i) 12 m (40 ft.); and
 - ii) greater setback up to 30 m (98 ft.) may be required by the Development Officer to preserve the amenity of the area and to protect development or potential development on adjacent sites.
- j) The minimum side yard setback shall be:
 - i) 4.5 m (15.9 ft.) for the principal building:
 - (1) eaves may project a maximum of 0.6 m (2.0 ft.) into the required side yard setback;
 - ii) 3.32 m (10.8 ft.) for projections measured from the property line to the outside wall of the projection providing:
 - (1) the length of the projection is a maximum of 3.0 m (9.8 ft.); and
 - (2) the total length of all projects is less than 50% of the total wall length;
 - iii) 4.5 m (15.9 ft.) for carports attached to the principal building.
- k) The minimum rear yard setback for the principal building shall be:
 - i) 12 m (39.4 ft.).
- l) The maximum height of buildings shall not exceed:
 - i) 10 m (32.8 ft.).

88) R-2 – RESIDENTIAL – Two Dwelling Units

- a) The general purpose of this District is to accommodate two semi detached or duplex dwellings on one lot in new subdivisions and older residential areas. Single detached dwelling are a permitted use since this will be applied to residential areas that are converting. This may result in a mixture of single dwelling and two unit dwellings side by side.
- b) Subject to the Edmonton International Airport Vicinity Protection Area (Provincial) Regulations, the permitted and discretionary uses allowed in this District include the following:
 - i) Permitted Uses**
 - (1) Accessory Buildings (Section 42)
 - (2) Duplex Dwellings
 - (3) Home Occupations Minor (Section 43)
 - (4) Public Parks
 - (5) Show Homes (Section 44)
 - (6) Single Detached Dwellings
 - (7) Utility Buildings (Section 33)
 - ii) Discretionary Uses**
 - (1) Community Facilities
 - (2) Home Occupations Major (Section 43)
 - (3) Places of Worship (Section 40)
 - (4) Private Swimming Pools (Section 41)
 - (5) Schools
- c) Site coverage of all buildings shall not exceed 40% of the total lot area.
- d) Landscaping shall include one tree for each dwelling.
- e) The minimum floor area for each dwelling unit shall be 80 m² (860.2 sq. ft.).
- f) The minimum lot depth shall be 34 m (111.5ft).
- g) The minimum lot width shall be:
 - i) for a single detached dwelling:
 - (1) for lots with access to roadway and lane systems:
 - (a) internal lots 9.75 m (32.0 ft.); and
 - (b) corner or double fronting lots 12.2 m (40.0 ft.).
 - (2) for lots without access to a lane:
 - (a) internal lots 11 m (36.1 ft.); and
 - (b) corner or double fronting lots. 13 m (42.7 ft.).
 - (3) standard pie shaped lots shall have the minimum width measured 9 m (29.5 ft.) from the front property line; and

R-2 – RESIDENTIAL – Two Dwelling Units Cont'd

- (4) reversed pie shaped lots shall have the minimum width measured 8 m (26.2 ft.) from the rear property line.
- ii) for a duplex dwelling:
 - (1) internal lots 13.4 m (44 ft.); and
 - (2) corner lots 14.5 m (47.6 ft.).
- h) The minimum front yard setback shall be:
 - i) 7 m (23 ft.) for a lot fronting on a street with width of 16 m (52.5 ft.) or less;
 - ii) 6 m (19.7 ft.) for a lot fronting on a street with a width of more than 16 m (52.5 ft.);
 - iii) greater front yard setbacks may be required by the Development Officer to preserve the amenity of the area and to protect development or potential development on adjacent sites; and
 - iv) for corner lots and double fronting lots sight triangles as regulated by Section 37 of this Bylaw shall be maintained.
- i) The minimum side yard setback shall be:
 - i) for lots served by a lane:
 - (1) 1.52 m (5 ft.) for the principal building; and
 - (2) eaves may project a maximum of 0.6 m (2.0 ft.) into the required side yard setback;
 - ii) for lots not served by a lane:
 - (1) 3.2 m (10.5 ft.) for one side yard for vehicular access and 1.52 m (5.0 ft.) for the other side;
or
 - (2) 1.52 m (5.0 ft.) for both side yards where an attached garage is an integral part of the dwelling; and
 - (3) eaves may project a maximum of 0.6 m (2.0 ft.) into the required side yard setback.
 - iii) 1.2 m (3.9 ft.) for projections measured from the property line to the outside wall of the projection providing:
 - (1) the length of the projection is a maximum of 3.0 m (9.8 ft.); and
 - (2) the total length of all projections is less than 50% of the total wall length;
 - iv) 20% of the lot width for a corner lot on the side abutting a street, but in no case:
 - (3) less than 3.8 m (12.5 ft.); nor
 - (4) more than 4.5 m (14.8 ft.);

R-2 – RESIDENTIAL – Two Dwelling Units Cont'd

- v) 1.52 m (5.0 ft.) for carports attached to the principal building.
- j) The minimum rear yard setback for the principal building shall be:
 - i) 8 m (26.2 ft.); and
 - ii) on a corner lot that has access to a lane 4.5 m (1.8 ft.).
- k) The maximum height of buildings shall not exceed:
 - i) 10 m (32.8 ft.); and
 - ii) two and one half storeys.
- l) A parking area shall be provided on each lot and located:
 - i) so that a garage may be built that conforms with the minimum requirements of this Bylaw; and
 - ii) where the lot has access to a lane a parking area shall be provided to the rear or side of the building.
- m) Garages and accessory buildings shall:
 - i) meet the regulations in section 42 of this Bylaw; and
 - ii) meet the performance and development standards of section 74 for zero side yard garages and accessory buildings.

89) R-2M(C) – RESIDENTIAL – Comprehensively Planned Multi-Dwelling

a) General Purpose of District

This District is generally intended to provide for low to medium density multi-dwelling housing, 2.5 to 3 storeys in height and in a duplex or townhouse style. The developments within this district are comprehensively planned according to an approved project site plan.

b) Subject to the Edmonton International Airport Vicinity Protection Area (Provincial) Regulations, the permitted and discretionary uses allowed in this District include the following:

i) Permitted Uses

- (1) Accessory Buildings (Section 42)
- (2) Duplex Dwellings
- (3) Fourplex Dwellings
- (4) Home Occupations Minor (Section 43)
- (5) Public Parks
- (6) Show Homes (Section 44)
- (7) Single Detached Dwelling
- (8) Townhouse Dwellings
- (9) Triplex Dwellings
- (10) Utility Buildings (Section 33)

ii) Discretionary Uses

- (1) Community Facilities
- (2) Home Occupations Major (Section 43)
- (3) Places of Worship (Section 40)
- (4) Private Swimming Pools (Section 41)

c) Site coverage for the principal and accessory buildings shall not exceed 45%.

d) A minimum 35% of the site shall be landscaped subject to:

- i) an approved landscaping plan that meets Section 30 standards; and
- ii) shall be maintained as a landscaped area.

e) The minimum lot area required for a dwelling unit shall be:

- i) 280 m² (3010 ft.²) where each dwelling has access to and is oriented to a public street;
- ii) 220 m² (2366 ft.²) where the access is from a private internal roadway; and
- iii) 180 m² (1935 ft.²) where the parking stalls for each dwelling unit are provided in an underground parking lot.

R-2M(C) – RESIDENTIAL – Comprehensively Planned Multi-Dwelling Cont'd

- f) The minimum floor area for each dwelling unit (not including attached garage) shall be:

1 Storey	80 m ² (860.0 sq. ft.);
Bi-level, 1 ^{1/2} Storey, Split Level and 2 Storey	100 m ² (1075.3 sq. ft.); and
Suites in a project for Senior Citizens only	50 m ² (537.6 sq. ft.).

- g) The maximum height of buildings shall not exceed 11 m (36.1 ft.).
- h) Not more than four dwelling units may be attached in a public street – oriented townhouse building.
- i) Where more than one dwelling is proposed on one lot the site area shall be:
- i) a minimum of 440 m² (4731 sq. ft.), and
 - ii) a maximum site area 1.2 ha (3.0 acres).
- j) The minimum site dimensions shall be:
- i) depth 34 m (111.5 ft.);
 - ii) width:
 - (1) 7.6 m (24.9 ft.) for each unit with direct access to a street; and
 - (2) 30 m (98.4 ft.) for each project providing internal access.
- k) The minimum front yard setback shall be:
- i) for the site, 6.0 m (19.7 ft.);
 - ii) for the internal unit, 3.0 m (9.8 ft.) except 6.0 m (19.7 ft.) where a garage or carport access is from an internal roadway measured from the internal curb or sidewalk;
 - iii) notwithstanding I) and ii) above, where all dwellings have frontage onto a public roadway, 6.0 m (19.7 ft.);
 - iv) greater setback may be required by the Development Officer to preserve the amenity of the area and to protect development of, or potential development on an adjacent lot; and
 - v) for lots on a corner and double fronting lot, site triangles as regulated by Section 37 of this Bylaw shall be maintained.
- l) The minimum side yard setback shall be:
- i) for the site:
 - (1) 1.5 m (4.9 ft.) for the interior side; and
 - (2) 3.8 m (13 ft.) for the side abutting a public roadway;

R-2M(C) – RESIDENTIAL – Comprehensively Planned Multi-Dwelling Cont'd

- ii) for the internal unit, separation distances shall be determined by the Alberta Building Code; and
- iii) notwithstanding i) and ii) above, where all dwellings have frontage onto a public roadway;
 - (1) 1.5 m (4.9 ft.) for the interior side; and
 - (2) 3.8 m (12.5 ft.) for the side abutting a public roadway.
- m) The minimum rear yard setback to the principal building shall be:
 - i) 8 m (26.2 ft.); and
 - ii) for a corner site 4.5 m (14.8 ft.).
- n) Projections for verandas, balconies, porches, eaves, bay or oval windows, chimneys are permitted to extend into the front, side and rear yards subject to:
 - i) a maximum of 0.6 m (2.0 ft.) for all projections providing:
 - (1) a minimum side yard setback measured from the property line to the outside wall of the projection shall be 1.2 m (3.9 ft.);
 - (2) the length of the projection is a maximum of 3.0 m (9.8 ft.); and
 - (3) the total length of all projections is less than 50% of the total wall length.
- o) The design and location of parking shall meet the parking requirement of this Bylaw and be satisfactory to the Development Officer.
- p) Each dwelling unit shall be provided with a private outdoor amenity space as follows:
 - i) Patios and Courtyards – a minimum dimension of 2.4 m (7.9 ft.) and a minimum area of 9.0 m² (96.87 sq.ft.) for each dwelling unit located at or below grade.
 - ii) Balconies and Terraces – a minimum dimension of 1.5 m (4.9 ft.) and a minimum area of 4.5 m² (48.43 sq.ft.) for each dwelling unit located not more than 4 storeys above grade.
 - iii) Private outdoor amenity space shall be located immediately adjacent to and be accessible from the dwelling unit.
 - iv) Private outdoor amenity space shall be designed to provide visual privacy.
- q) The areas identified by the modified short form on the Land Use Map and listed below shall:
 - i) continue to be subject to the provisions of this Bylaw and the provisions of this District;
 - ii) be subject to the particular regulations for the area listed below; and
 - iii) where there is a conflict between the regulations below with the other provisions of this Bylaw the particular regulation below shall take precedence.

R-2M(C) – RESIDENTIAL – Comprehensively Planned Multi-Dwelling Cont'd

- r) The particular regulations for the areas designated R-2M(2) on the Land Use Map are as follows:
 - i) Landscaping shall include one tree for each dwelling or where site constraints restrict planting one tree, three shrubs may be substituted for one tree;
 - ii) The minimum lot area required for each dwelling unit shall be:
 - (1) 187 m² (2,012 sq.ft.) where each dwelling unit has access to and is oriented to a public street;
 - iii) The minimum floor area for each dwelling unit (not including attached garage) shall be:

Bi-level, 1 ½ Storey, Split Level and 2 Storey	90 m ² (968.8 sq.ft.)
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 - iv) The minimum site width dimensions shall be 5.5 m (18.0 ft.) for each unit with direct access to the street;
 - v) The minimum front yard setback shall be 3.0 m (9.8 ft.).

89(a) R-2M(S) - RESIDENTIAL – Street Oriented Multi-Dwelling

- a) This District is generally intended to provide low to medium density multi-dwelling housing 2.5 to 3 storeys in height and in a duplex or townhouse style. The developments within this district are oriented and have direct access to a public roadway and shall be on separate Title.
- b) Subject to the Edmonton International Airport Vicinity Protection Area (Provincial) Regulations, the permitted and discretionary uses permitted in this District include the following:

i) Permitted uses

- (1) Accessory Buildings (Section 42)
- (2) Duplex Dwellings
- (3) Fourplex Dwellings
- (4) Home Occupations Minor (Section 43)
- (5) Public Parks
- (6) Show Homes (Section 44)
- (7) Townhouse Dwellings
- (8) Triplex Dwellings
- (9) Utility Buildings

ii) Discretionary uses

- (1) Community Facilities
- (2) Home Occupations Major (Section 43)
- (3) Places of Worship (Section 40)
- (4) Private Swimming Pools (Section 41)

- c) Site coverage as a percentage of the total lot area shall not exceed:
 - i) for the principal building 35%
 - ii) for the accessory buildings 15%, and
 - iii) a total of 45%
- d) Landscaping shall include one tree for each dwelling located within the front yard setback.
- e) The minimum floor area for each dwelling unit (not including attached garage) shall be:

1 storey	80 m ² (860.0 ft. ²)
Bi-level, 1 ½ storey, split-level, 2 storey	100 m ² (1075.3 ft. ²)

- f) The maximum height of buildings shall not exceed 11.0 m (36.1 ft.).
- g) Not more than four dwelling units may be attached in a public street oriented townhouse building.
- h) The minimum site dimensions shall be:
 - i) depth 34.0 m (111.5 ft.)
 - ii) width 7.6 m (24.9 ft.)
- i) The minimum front yard setback shall be:

R-2M(S) – RESIDENTIAL – Street Oriented Multi-Dwelling

- i) 6.0 m (19.7 ft.) with garage attached to the principal building;
 - ii) 4.5 m (14.8 ft.) without a garage attached to the principal building;
 - iii) a greater setback may be required by the Development Officer to preserve the amenity of the area and to protect development of or potential development on adjacent lots.
- j) The minimum side yard setback shall be:
- i) 1.5 m (4.9 ft.) for the interior side; and
 - ii) eaves may project a maximum of 0.6 m (2.0 ft.) into the required side yard setback.
 - iii) 1.2 m (3.9 ft.) for projections measured from the property boundary to the outside wall of the projection providing:
 - (1) the length of the projection is a maximum of 3.0 m (9.8 ft.); and
 - (2) the total length of all projections is less than 50% of the total wall length.
 - iv) 20% of the lot width for a corner lot on the side abutting a street, but in no case:
 - (1) less than 2.4 m (7.9 ft.); nor
 - (2) more than 4.5 m (14.8 ft.).
- k) The minimum rear yard setback to the principal building shall be:
- i) 7.5 m (24.6 ft.); and
 - ii) for a corner lot that has access to a lane 4.5 m (15.0 ft.).
- l) Garages and accessory buildings shall:
- i) Meet the regulation under Section 42 of this Bylaw;
 - (ii) The location of the garage site shall be shown at the time of development on the site plan and conform to the following requirements:
 - (1) garage sites must have:
 - (a) a width of 6.1 m (20.0 ft.); and
 - (b) a length of 6.7 m (22.0 ft.).
 - (2) a detached garage shall be separated from the principal building:
 - (a) a minimum of 4.9 m (16.0 ft.) and
 - (b) on a corner lot the Development Officer may reduce this minimum setback not less than 2.0 m (6.6 ft.).

R-2M(S) – RESIDENTIAL – Street Oriented Multi-Dwelling

- (3) where the vehicle doors of a garage face a lane the minimum setback from the rear property boundary shall be 3.0 m (9.8 ft.).
- iii) For carports attached to the dwelling the minimum setbacks shall be:
 - (1) 1.5 m (4.9 ft.) from the side yard;
- iv) When a garage is not included with the development permit application for the dwelling, a parking pad shall be provided on each lot prior to occupancy and located:
 - (1) so the pad will accommodate a garage that meets the requirements of the Bylaw particularly Subsection n) (ii) above;
 - (2) where the lot has access to a lane to the rear of the dwelling; and
 - (3) where there is no lane the parking pad shall be located to the side or front of the dwelling a minimum of 6.0 m (19.7 ft.) from the front property boundary.

90) R-3 – RESIDENTIAL – Medium Density Apartment

- a) The general purpose of this District is to accommodate medium density apartments up to a maximum height of 3 1/2 to 4 storeys. This District will normally be located along collector or arterial streets and in areas where redevelopment is encouraged.
- b) Subject to the Edmonton International Airport Vicinity Protection Area (Provincial) Regulations, the permitted and discretionary uses permitted in this District include the following:

iv) Permitted uses

- (1) Accessory Buildings (Section 42)
- (2) Apartment Dwellings
- (3) Home Occupations Minor (Section 43)
- (4) Public Parks
- (5) Show Homes (Section 44)
- (6) Utility Buildings (Section 33)

v) Discretionary uses

- (1) Duplex Dwellings subject to R2-M District Provisions
- (2) Fourplex Dwellings subject to R2-M District Provisions
- (3) Home Occupations Major (Section 43)
- (4) Places of Worship (Section 40)
- (5) Private Swimming Pools (Section 41)
- (6) Single Detached Dwellings
- (7) Townhouse Dwellings subject to R-2M Provisions
- (8) Triplex Dwellings subject to R2-M District Provisions
- (9) The following commercial uses, as accessory to the main apartment use:
 - (a) Bake shops
 - (b) Clinics
 - (c) Community facilities
 - (d) Minor eating and drinking establishments
 - (e) Minor personal service shops
 - (f) Minor professional, financial and office services
 - (g) Minor retail stores
 - (h) Uses similar to the above
- c) A minimum 35% of the site shall be landscaped subject to:
 - i) an approved landscaping plan that meets Section 30 standards; and
 - ii) shall be maintained as a landscaped area.
- d) The maximum density of a site shall be:
 - i) 70 units per hectare; and
 - ii) one additional dwelling unit for every 2.5 parking stalls provided underground.

R-3 – RESIDENTIAL – Medium Density Apartment Cont'd

- e) The maximum height of a building shall not exceed:
 - i) 14 m (45.9 ft.); and
 - ii) four storeys.
- f) Minimum site depth shall be no less than 34 m (111.5ft).
- g) The minimum site width shall be 30 m (98.4 ft).
- h) The maximum area for any single site shall be 1.6 ha (4.0 acres).
- i) Minimum front yard setback shall be:
 - i) for buildings one or two storeys 7.6 m (24.9 ft.);
 - ii) for buildings 3 storeys or more 9.0 m (29.5 ft.);
 - iii) greater setbacks may be required by the Development Officer to preserve the amenity of the area and to protect development or potential development on adjacent lots; and
 - iv) for lots on a corner and double fronting lots sight triangles as regulated by Section 38 of this Bylaw shall be maintained.
- j) The minimum side yard setback shall be:
 - i) 3.8 m (12.5 ft.).
- k) Minimum rear yard setback shall be 7.6 m (24.9 ft.).
- l) Projections for verandas, balconies, porches, eaves, bay or oval windows, and chimneys are permitted to extend 0.6 m (2.0 ft.) into the front, side and rear yards subject to:
 - i) projections have a maximum wall opening width of 3.0 m (9.8 ft.); and
 - ii) the total of all projections shall be less than 1/2 of the wall area.
- m) Parking shall be provided as required by Sections 51 to 59 and shall be located to the rear or side of the building unless the Development Officer at his discretion approves a location elsewhere on the site.
- n) The discretionary commercial uses must meet the following regulations:
 - i) the floor area devoted to commercial uses shall not exceed:
 - (1) 10% of the total floor area; and
 - (2) not more than 450² (4839 sq. ft.)

R-3 – RESIDENTIAL – Medium Density Apartment Cont'd

- ii) the uses shall be located on the first floor of the main apartment building; and
 - iii) the principal entrance shall be from the outside of the building.
- o) The areas identified by the modified short form on the Land Use Map and listed below shall;
- (1) continue to be subject to the provisions of this Bylaw and the provisions of this District;
 - (2) be subject to the particular regulations for the area listed below; and
 - (3) where there is a conflict between the regulations below with the other provisions of this Bylaw and the provisions of the district in which it is located the regulations below shall take precedence.
- p) The particular regulation for the area designated as R-3(1) on the Land Use Map are as follows:
- i) A minimum 30% of the site shall be landscaped;
 - ii) The maximum density of a site shall be 125 units per hectare with no underground parking.

91) R-4 - RESIDENTIAL - High Density

- a) The general purpose of this District is to accommodate high-density apartment buildings generally six or more storeys in height.
- b) Subject to the Edmonton International Airport Vicinity Protection Area (Provincial) Regulations, the permitted and discretionary uses allowed in this District include the following:

i) Permitted Uses

- (1) Accessory Buildings (Section 42)
- (2) Apartment Dwellings
- (3) Home Occupations Minor (Section 43)
- (4) Public Parks
- (5) Show Home (Section 44)
- (6) Utility Buildings (Section 33)

ii) Discretionary Uses

- (1) Day Care Facilities
- (2) Home Occupations Major (Section 43)
- (3) Places of Worship (Section 40)
- (4) Private Swimming Pools (Section 41)
- (5) Townhouse Dwellings subject to R- 2M regulations
- (6) The following commercial uses, as accessory to the main apartment use:
 - (a) Bake shops
 - (b) Clinics
 - (c) Community facilities
 - (d) Minor eating and drinking establishments
 - (e) Minor personal service shops
 - (f) Minor professional, financial and office services
 - (g) Minor retail stores
 - (h) Uses similar to the above

- c) A minimum 30% of the site shall be landscaped subject to:
 - i) an approved landscaping plan that meets Section 30 standards; and
 - ii) shall be maintained as a landscaped area.
- d) The maximum density of a site shall be 200 units per hectare.
- e) The maximum height of a building shall be no more than 30 m (98.4 ft.) or ten storeys.
- f) The minimum width of each site shall be 30 m (98.4 ft.).
- g) The minimum site area shall be 900 m² (9677 sq. ft).
- h) The minimum front yard setback shall be:
 - i) 6 m (19.7 ft.); and
 - ii) up to 8 m (26.2 ft.) of the principal building may come to within 5 m (16.4 ft.) from the front boundary.

R-4 - RESIDENTIAL - High Density Cont'd

- i) The minimum side yard setback shall be:
 - i) 3 m (9.8 ft.) for a building 3 storeys or less;
 - ii) 4 m (13.1 ft.) for a building 4 storeys;
 - iii) 5 m (16.4 ft.) five storeys or more; and
 - iv) 5 m (16.4 ft.) from a flanking street regardless of the number of storeys.
- j) The minimum rear yard setback shall be 7.6 m (24.9 ft.).
- k) No side or rear yard is required for an underground parking facility that is structurally integrated in the principal building provided:
 - i) the exterior wall does not require external maintenance;
 - ii) the exterior wall has no opening or vents; and
 - iii) the exterior wall is not higher than 1 m (3.3 ft.) above grade.
- l) No rear or side yard is required for a courtyard wall which is architecturally and structurally integrated with the principal building provided it is no higher than 1.8 m (5.9 ft.) and does not require external maintenance.
- m) Projections for verandas, balconies, porches, eaves, bay or oval windows, and chimneys are permitted to extend into the front, side and rear yards subject to:
 - i) a maximum of 0.6 m (2.0 ft.) for all projections providing:
 - (1) the length of the projection is a maximum of 3.0 m (9.8 ft.); and
 - (2) the total length of all projections is less than 50% of the total wall length.
- n) The design and location of parking lots shall meet the parking requirement of this Bylaw and be satisfactory to the Development Officer.
- o) Garbage shall be stored in accordance with Section 33 of this Bylaw.
- p) The discretionary commercial uses must meet the following regulations:
 - i) the floor area devoted to commercial uses shall not exceed:
 - (1) 10% of the total floor area; and
 - (2) not more than 450² (4839 sq. ft.).
 - ii) the uses shall be located on the first floor of the main apartment building; and
 - iii) the principal entrance shall be from the outside of the building.

92) R-MHC - RESIDENTIAL – Manufactured Home Community

- a) The general purpose of this District is to allow comprehensively designed manufactured home courts owned by one corporation or held as a condominium property. The District will be located in an area designated for residential purposes with convenient access to community and other services normally available in residential areas.
- b) Subject to the Edmonton International Airport Vicinity Protection Area (Provincial) Regulations, the permitted and discretionary uses allowed in this District include the following:
 - i) Permitted Uses**
 - (1) Accessory Buildings (Section 42)
 - (2) Home occupation Minor (Section 43)
 - (3) Manufactured Homes
 - (4) Manufactured Home Courts
 - (5) Modular Dwellings
 - (6) Public Parks
 - (7) Show Homes (Section 44)
 - (8) Utility Buildings (Section 33)
 - ii) Discretionary Uses**
 - (1) Community Facilities
 - (2) Home Occupations Major (Section 43)
 - (3) Manufactured Home Single Wide
 - (4) Places of Worship (Section 40)
 - (5) Private Swimming Pools (Section 41)
- c) A Development Permit is required prior to the establishment of a manufactured home court and a Development Agreement will be a condition of approval.
- d) All areas not required for parking driveway and buildings shall be landscaped subject to:
 - i) an approved landscaping plan that meets Section 30 standards; and
 - ii) shall be maintained as a landscaped area.
- e) The maximum density of a manufactured home court shall be 16 units per hectare (6.5 units/acre).
- f) A Development Permit is required for placing a Manufactured Home on a site. The Development Officer may refuse an application when finding:
 - i) the manufactured home quality is not compatible with adjacent homes;
 - ii) the site plan does not indicate acceptable and adequate separation from adjacent manufactured homes; and
 - iii) the Manufactured Home Court does not meet the requirement of this Bylaw.
- g) Each Manufactured Home shall have an Alberta Manufactured Home label issued by the Province of Alberta. Proof of this shall be submitted with the development application for placing a Manufactured Home on a site.

R-MHC – RESIDENTIAL – Manufactured Home Community Cont'd

- h) The minimum floor area for each dwelling shall be:
 - i) single wide unit 65 m² (700 sq. ft.); and
 - ii) double wide unit 85 m² (900 sq. ft.).
- i) General Regulations
 - i) All accessory structures such as patios, porches, additions, skirting and storage facilities shall be factory-prefabricated units, or of a quality equivalent thereto, so that design and construction will complement the mobile/manufactured home. Structures or additions to a manufactured home shall have a foundation, structure and appearance equivalent to or better than that of the manufactured home and shall be provided with steps and landings to all entrances within 30 days of their development.
 - ii) The undercarriage of each manufactured home shall be suitably enclosed from view by skirting, or such other means satisfactory to the Development Officer within 30 days of placement of the mobile/manufactured home. Axles, wheels and trailer hitches shall be removed where they are not part of the frame. Where a hitch cannot be removed, it shall be skirted or covered from view.
 - iii) Each manufactured home must be placed upon a foundation of concrete blocks, poured concrete or a series of piers as approved by the Development Officer.
- j) The minimum area of each unit site shall be 325 m² (3495 sq. ft.) and the boundaries of each site shall be clearly marked by permanent markers.
- k) Unit site coverage shall not exceed 40% of the mobile/manufactured home unit site upon which it is located.
- l) The minimum distance between the boundary of the site and the unit shall be:
 - i) 2 m (6.6 ft.) along one side; and
 - ii) 1.2 m (3.9 ft.) for all other sides.
- m) Each dwelling unit shall be located no closer than 3 m (9.8 ft.) from the adjoining internal access road or common parking areas.
- n) Minimum parking stalls shall be:
 - i) two stalls at each home site; and
 - ii) one visitor parking stall for every 8 home sites provided in the manufactured home court.
- o) The areas identified by the modified short form on the Land Use Map and listed below shall;
 - i) continue to be subject to the provisions of this Bylaw and the provisions of this District;

R-MHC - RESIDENTIAL – Manufactured Home Community Cont'd

- ii) be subject to the particular regulations for the area listed below; and
 - iii) where there is a conflict between the regulations below with the other provisions of this Bylaw and the provisions of the District in which it is located the regulations below shall take precedence.
- p) The particular regulation for the areas designated R-MHC(1) on the Land Use Map are as follows:
- i) that one duplex dwelling only be permitted and that this requirement shall not be affected by any future subdivision of Lot H, Plan 5190RS;
 - ii) that in no case shall the approved duplex dwelling be enlarged or altered in any manner;
 - iii) that the setback requirements be as approved by the Development Officer;
 - iv) that an enclosed front yard private amenity area be provided for each residential unit to the satisfaction of the Development Officer; and
 - v) that there be two designated parking stalls provided for each residential unit.
- q) The particular regulations for the areas designated R-MHC(2) on the Land Use Map are as follows:
- i) Permitted Uses
 - (1) Accessory Buildings (Section 42)
 - (2) Home Occupations Minor (Section 43)
 - (3) Manufactured Homes
 - (4) Manufactured Home Community
 - (5) Private Community Facility
 - (6) Rental and Sales Office
 - (7) Private Amenity Area
 - (8) Show Homes (Section 44)
 - (9) Utility Buildings (Section 33)
 - ii) Landscaping shall include one tree for each dwelling or where site constraints restrict planting one tree, three shrubs may be substituted for one tree;
 - iii) Unit site coverage shall not exceed 45% of the manufactured home unit site upon which it is located;
 - iv) Detached garages and accessory buildings shall:
 - (1) Meet the regulations under Section 42 of this Bylaw;
 - (2) The location of a detached garage site shall be shown at the time of development on the unit site plan and conform to the following requirements:

R-MHC – RESIDENTIAL – Manufactured Home Community Cont'd

- (a) garage sites must have:
 - (i) a minimum width of 6 m (19.7 ft.); and
 - (ii) a minimum length of 6.7 m (22.0 ft.);
- (b) a detached garage shall be separated from the dwelling unit a minimum of 2.0 m (6.56 ft.);
- (3) Where the vehicle doors of a garage face a lane the minimum setback from the rear unit site boundary to the garage shall be 1.0 m (3.3 ft.);
- (4) For carports attached to the side of the dwelling unit the minimum setbacks shall be:
 - (a) 3.2 m (10.5 ft.) from the side unit site boundary to the dwelling unit; and
 - (b) a minimum 1.2 m (3.9 ft.) from the side unit site boundary to the attached carport.
- v) A parking pad shall be provided on each unit site within 90 days from occupancy, weather permitting, and located:
 - (1) Where the lot has access to a lane to the rear of the dwelling and constructed to accommodate a garage that meets the requirements of this Bylaw;
 - (2) Where there is no access to a lane at the front of the dwelling unit and shall be a minimum 6.0 m x 6.7 m (19.68 ft. x 21.98 ft.) to accommodate two parking stalls and shall be paved;
- vi) No visitor parking is required.

93) C-1 - COMMERCIAL - Central Business District

- a) The general purpose of this District is to accommodate retail stores and services that offer a great variety of goods and services in a typical downtown setting. This District includes the entire central business areas.
- b) Subject to the Edmonton International Airport Vicinity Protection Area (Provincial) Regulations, the permitted and discretionary uses allowed in this District include the following:

i) Permitted Uses

- (1) Bake Shops
- (2) Clinics
- (3) Commercial Schools
- (4) Contractor Services
- (5) Eating And Drinking Establishments - Minor
- (6) Indoor Amusement Establishments
- (7) Major Eating And Drinking Establishments
- (8) Parking Facilities (Sections 50 to 56)
- (9) Personal Services
- (10) Professional, Financial and Office Services
- (11) Retail Stores
- (12) Theatres
- (13) Utility Buildings (Section 33)

ii) Discretionary Uses

- (1) Accessory Buildings (Section 42)
- (2) Auctioneering Establishments
- (3) Automotive & Minor Recreation Vehicle Sales/Rentals
- (4) Bus Depots
- (5) Business Support Services
- (6) Community Facilities
- (7) Day Care Facilities
- (8) Drive-In Food Services (Section 49)
- (9) Drive-In Businesses (Section 49)
- (10) Dwellings Above The First Storey
- (11) Equipment Rentals
- (12) Funeral Services
- (13) Hotels
- (14) Motels
- (15) Places Of Worship (Section 40)
- (16) Recycling Drop Off Centre (Section 47)
- (17) Service Stations (Section 49)
- (18) Radio Communication Facilities
- (19) Radio Communication Satellite Reception Dish Over 1.2 m (4 ft.)
- (20) Veterinary Clinics (for small animals only)
- (21) Uses similar to the permitted and discretionary uses listed above

C-1 - COMMERCIAL - Central Business District Cont'd

- c) Site Coverage may total 100%, provided that adequate provision is made for parking, loading and garbage facilities and landscaping where required.
- d) The minimum site dimension shall be:
 - i) area 150 m² (1613 ft.²);
 - ii) width 5 m (16.4 ft.); and
 - iii) depth 30 m (98.4 ft.).
- e) Minimum Front Yard Setback shall be none required except as specified in Section 37 of this Bylaw.
- f) Minimum side yard setback shall be:
 - i) none where the side yard abuts a commercial District;
 - ii) 2.5 m (8.2 ft) or one half the height of the building whichever is the greater, where the side yard abuts a residential district; and
 - iii) an right-angle triangle with sides of 3 m (9.8 ft.) where the parcel abuts two intersecting lanes.
- g) Minimum rear yard setback shall be:
 - i) none where the rear yard abuts a commercial district;
 - ii) 7.5 m (24.6 ft.) where the rear yard abuts a residential district;
 - iii) 6 m (19.7 ft.) minimum dimension if a rear yard is proposed; and
 - iv) 6 m (19.7 ft.) if loading, parking and/or waste disposal areas are required in the rear yard.
- h) The maximum height of the building shall be the lesser height of:
 - i) 20 m (65.6 ft.); and
 - ii) the maximum height of a district abutting the site.
- i) Parking and loading shall be as required in Part VIII of this Bylaw.
- j) Lighting shall be in accordance with Section 38 of this Bylaw.
- k) The positioning and appearance of the buildings and improvements shall, to the satisfaction of the Development Officer:
 - i) meet the standards of Section 35; and
 - ii) conform to adjacent buildings.

C-1 - COMMERCIAL - Central Business District Cont'd

- l) The site area shall be landscaped in accordance with:
 - i) an approved landscape plan that meets Section 30 of this Bylaw;
 - ii) landscaped areas shall be planted with a tree for every 30 m² (323 sq.ft.) based on 9% of the total site area; and
 - iii) shall include the following spaces:
 - (1) 1.8 m (5.9 ft.) along every road;
 - (2) 7.0 m (23.0 ft.) along every boundary adjacent to a residential district; and
 - (3) in accordance with Section 52 of this Bylaw.
- m) The positioning and appearance of the buildings, improvements, and landscaping shall, to the satisfaction of the Development Officer:
 - i) meet the standards of Section 35; and
 - ii) be in conformity with adjacent buildings.
- n) The regulations of the R3 - Residential District shall apply where dwellings are permitted above the first storey.

94) C-2 - COMMERCIAL - Neighbourhood Retail and Service

- a) The general purpose of this District is to accommodate local retail and service outlets providing a variety of convenience goods and services in close proximity to residential areas.
- b) Subject to the Edmonton International Airport Vicinity Protection Area (Provincial) Regulations, the permitted and discretionary uses allowed in this District include the following:
 - i) **Permitted Uses**
 - (1) Bake Shops
 - (2) Clinics
 - (3) Day Care Facilities
 - (4) Eating And Drinking Establishments
 - (5) Minor retail stores
 - (6) Parking Facilities (Sections 50 to 56)
 - (7) Personal Services
 - (8) Professional, Financial and Office Services
 - (9) Utility Buildings (Section 33)
 - ii) **Discretionary Uses**
 - (1) Accessory Buildings (Section 42)
 - (2) Business Support Services
 - (3) Commercial Schools
 - (4) Community Facilities
 - (5) Drive In Food Services
 - (6) Places Of Worship (Section 40)
 - (7) Recycling Transfer Depots (Section 47)
 - (8) Service Stations (Section 49)
 - (9) Radio Communication Facility
 - (10) Radio Communication Satellite Reception Disc over 1.2 m (4 ft.)
 - (11) Rapid Drive Through Vehicle Services
 - (12) Veterinary Clinics
 - (13) Uses similar to the permitted and discretionary uses listed above.
- c) Site coverage of all buildings shall not exceed 35% of the total site area.
- d) The site area shall be landscaped in accordance with:
 - i) an approved landscaped plan that meets Section 30 of this Bylaw;
 - ii) landscaped areas shall be planted with a tree for every 30 m² (323 sq. ft.) based on 9% of the total site area; and
 - iii) shall include the following spaces:
 - (1) 1.8 m (5.9 ft) along every road;
 - (2) 7 m (23 ft) along every boundary adjacent to a residential district; and
 - (3) 1.7 m² (18.3 sq. ft.) within the paved area for every parking space in parking lots containing 50 or more parking stalls.

C-2 - COMMERCIAL - Neighbourhood Retail and Service Cont'd

- e) The site area shall be:
 - i) minimum site area 475 m² (5,107 sq. ft.);
 - ii) maximum site area shall be 8 ha (3.2 acres); and
 - iii) the size of the parcel designated for commercial and approved in a plan of subdivision.
- f) Minimum front yard setback shall be:
 - i) 7.6 m (24.9 ft.); and
 - ii) equivalent to the required setback of any other district abutting the site which ever is the greatest.
- g) Minimum side yard setback shall be:
 - i) none where the side yard abuts a commercial district; and
 - ii) 2.5 m (8.2 ft) or one half the height of the building whichever is the greater, where the side yard abuts a residential district.
- h) The minimum rear yard setback shall be:
 - i) none where the rear yard abuts a commercial district;
 - ii) 7.5 m (24.6 ft.) where the rear yard abuts a residential district;
 - iii) 6 m (19.7 ft.) minimum dimension if a rear yard is proposed; and
 - iv) 6 m (19.7 ft.) if loading, parking and/or waste disposal areas are required in the rear yard.
- i) The maximum height shall be:
 - i) 11 m (36.1 ft.); and
 - ii) the maximum height of a district abutting the site, whichever is the lesser height.
- j) Parking and loading shall be provided in accordance with Part VIII of this Bylaw.
- k) Lighting shall be in accordance with Section 38 of this Bylaw.
- l) The positioning and appearance of the buildings, improvements, and landscaping shall, to the satisfaction of the Development Officer:
 - i) meet the standards of Section 35; and
 - ii) conform with adjacent buildings.
- m) The site area shall be landscaped in accordance with:

C-2 - COMMERCIAL - Neighbourhood Retail and Service Cont'd

- i) an approved landscape plan that meets Section 30 of this Bylaw; and
- ii) landscaped areas shall be planted with a tree for every 30 m² (323 sq.ft.) based on 9% of the total site area; and
- iii) shall include the following spaces:
 - (1) 1.8 m (5.9 ft.) along every road;
 - (2) 7.0 m (23.0 ft.) along every boundary adjacent to a residential district; and
 - (3) in accordance with Section 52 of this Bylaw.

95) C-3 - COMMERCIAL – General Commercial

- a) The general purpose of this District is to accommodate a broad range of businesses including those that serve vehicular traffic. In order to minimize intrusion of vehicular traffic into residential areas and to promote the orderly flow of vehicular traffic, the C-3 Districts will be located adjacent to arterial roadways, primary highways, and secondary highways.
- b) Subject to the Edmonton International Airport Vicinity Protection Area (Provincial) Regulations, the permitted and discretionary uses allowed in this District include the following:

i) Permitted Uses

- | | |
|--|---|
| (1) Automotive & Minor Recreation
Vehicle Sales/Rentals | (6) Commercial Storage Facility |
| (2) Bake Shops | (7) Day Care Facilities |
| (5) Business Support Services | (8) Equipment Rentals |
| (3) Clinics | (9) Farm Vehicle and Equipment Sales
and Services |
| (4) Commercial Schools | (10) Funeral Services |
| (5) Contractor Services | (11) Indoor Amusement Establishments |
| (6) Drive-In Businesses (Section 49) | (12) Kennels (Section 45) |
| (7) Drive-In Food Services (Section
49) | (13) Major Service Stations |
| (8) Eating And Drinking
Establishments - Minor | (14) Meat Storage Facilities |
| (9) Hotels | (15) Moving Establishments |
| (10) Indoor Eating Establishments | (16) Outdoor Amusement
Establishments |
| (11) Major Eating And Drinking
Establishments | (17) Places Of Worship (Section 40) |
| (12) Motels | (18) Private Clubs |
| (13) Parking Facilities (Sections 50 to
56) | (19) Recycling Depots (Section 47) |
| (14) Personal Services | (20) Recycling Drop Off Centres
(Section 47) |
| (15) Professional, Financial and Office
Services | (21) Storage Space in association with
and subordinate to the principal
use |
| (16) Rapid drive Through Vehicle
Services (Section 49) | (22) Surveillance Suites |
| (17) Retail Stores | (23) Radio Communication Facilities |
| (18) Service Stations - Minor | (24) Radio Communication Satellite
Reception Dish Over 1.2 m in
Diameter |
| (19) Theatres | (25) Truck and Recreation Vehicle
Sales/Rentals |
| (20) Utility Buildings (Section 33) | (26) Uses classified as spray painting
operations |

ii) Discretionary Uses

- | | |
|--|--|
| (1) Accessory Buildings (Section 42) | (27) Uses included in Group F, Division
1 of the Alberta Building Code. |
| (2) Auctioneering Establishments | (28) Veterinary Clinics (Section 45) |
| (3) Bus Depots | (29) Veterinary Hospitals (Section 45) |
| (4) Casino providing: | (30) Wholesale Stores |
| • The property is located
north of 65 th Avenue; and | (31) Uses similar to the permitted and
discretionary uses listed above |
| • The casino is ancillary to a
principal use | |
| (5) Community Facilities | |

C-3 - COMMERCIAL – General Commercial Cont'd

- c) The maximum site coverage of all buildings shall be:
 - i) 30% of the total site area; or
 - ii) for buildings constructed before 2000, at the discretion of the Development Officer.
- d) The minimum site area shall be 650 m² (6989 sq. ft.).
- e) The site area shall be landscaped in accordance with:
 - i) an approved landscape plan that meets Section 30 of this Bylaw;
 - ii) landscaped areas shall be planted with a tree for every 30 m² (323 sq. ft.) based on 9% of the total site area; and
 - iii) shall include the following spaces:
 - (1) 1.8 m (5.9 ft) along every road;
 - (2) 7.0 m (23.0 ft) along every boundary adjacent to a residential district; and
 - (3) in accordance with Section 52 of this Bylaw.
- f) The maximum height of buildings shall be:
 - i) 20 m (65.6 ft.); and
 - ii) 5 storeys.
- g) The minimum front yard setback shall be:
 - i) 7.6 m (24.9 ft); and
 - ii) for motels a greater setback may be required at the discretion of the Development Officer.
- h) The minimum side yards shall be:
 - i) 10% of the width of the lot; or
 - ii) 4 m (13.1 ft.), whichever is the lesser.
- i) The minimum rear yard setback shall be:
 - i) none where the rear yard abuts a commercial district;
 - ii) 7.5 m (24.6 ft.) where a rear yard abuts a residential district;
 - iii) 6 m (19.7 ft.) where a rear yard is proposed; and

C-3 - COMMERCIAL – General Commercial Cont'd

- iv) 6 m (19.7 ft.) where loading, parking and/or waste disposal areas are proposed in the rear yard.
- v) 5.0 m (16.4 ft.) where abutting a railway line.
- j) Highway 2:
 - i) general setback requirements shall be 15 m (49.3 ft.);
 - ii) 6.0 m (19.7 ft.) landscaped area shall be required adjacent to the highway right-of- way; and
 - iii) the landscaped area may be reduced to 3 m (9.8 ft.) by the Development Officer considering site visibility.
- k) The number and design of accesses provided to a roadway from a development shall be to the satisfaction of the Development Officer.
- l) The positioning and appearance of the buildings, improvements, and landscaping shall, to the satisfaction of the Development Officer meet the purpose and standards of section 35.
- m) Parking and loading shall be provided in accordance with Part VIII of this Bylaw.
- n) Signs shall be in accordance with Part IX of this Bylaw.
- o) Lighting shall be in accordance with Section 38 of this Bylaw.
- p) The areas identified by the modified short form on the Land Use District Map and listed below shall;
 - i) continue to be subject to the provisions of this bylaw including the provisions of the C3 – Commercial District;
 - ii) be subject to the particular regulations for the area listed below; and
 - iii) where there is a conflict between the particular regulations below with the other provisions of this Bylaw the regulations below shall take precedence.
 - (1) the area, designated on the Land Use Map C-3 (1) modified short form, is subject to particular regulations as follows:
 - (a) hotels, motels, day care facilities, theatres and places of worship are neither a Permitted nor a Discretionary use.
 - (2) the area designated on the Land Use Map C-3(2), modified short form, is subject to particular regulations as follows:
 - (a) hotels, motels, day care facilities, theatres and places of worship are neither a Permitted nor a Discretionary use;
 - (b) vehicle and RV storage with office is permitted as a secondary use to the principal use approved on the lands.

96) C-4 – COMMERCIAL – Shopping Centre

- a) The general purpose of this District is to accommodate shopping center developments that are intended to serve a community, district or regional trade area. This District will normally be located in areas served by major collector or arterial roadways. Adequate buffering and land use regulations will apply to protect adjacent residential areas.
- b) Subject to the Edmonton International Airport Vicinity Protection Area (Provincial) Regulations, the permitted and discretionary uses allowed in this District include the following:

i) Permitted Uses

- (1) Bake Shops
- (2) Business Support Services
- (3) Clinics
- (4) Commercial Schools
- (5) Community Facilities
- (6) Contractor Services
- (7) Drive-In Businesses (Section 4)
- (8) Drive-In Food Services (Section 4)
- (9) Eating And Drinking Establishments - Major
- (10) Eating And Drinking Establishments - Minor
- (11) Hotels
- (12) Motels
- (13) Parking Facilities (Sections 50 to 56)
- (14) Personal Services
- (15) Professional, Financial and Office Services
- (16) Retail Stores
- (17) Service Stations
- (18) Theatres
- (19) Utility Buildings (Section 33)

ii) Discretionary Uses

- (1) Accessory Buildings (Section 42)
- (2) Day Care Facilities
- (3) Dwellings Above First Storey
- (4) Funeral Services
- (5) Indoor Amusement Establishments
- (6) Places Of Worship (Section 40)
- (7) Private Clubs
- (8) Rapid Drive-Through Vehicle Services (Section 49)
- (9) Recycling Drop Off Centres (Section 47)
- (10) Radio Communication Facilities
- (11) Radio Communication Satellite Reception Dish over 1.2 m in diameter
- (12) Veterinary Clinics (Section 45)
- (13) Wholesale Stores
- (14) Uses similar to the permitted and discretionary uses listed above

C-4 – COMMERCIAL – Shopping Centre Cont'd

- c) The maximum site coverage of all buildings shall be 25%.
- d) The minimum site area shall be 1 ha (2.5 acres).
- e) The site shall be landscaped in accordance with:
 - i) an approved landscaping plan that meets Section 30 of this Bylaw;
 - ii) landscaped areas shall be planted with a tree for every 30 m² (323 sq. ft.) based on 9% of the site area; and
 - iii) shall include the following spaces:
 - (1) 1.8 m (5.9 ft) along every road;
 - (2) 7 m (23.0 ft) along every boundary adjacent to a residential district; and
 - (3) in accordance with Section 52 of this Bylaw.
- f) The maximum height of buildings shall be:
 - i) 20 m (65.6 ft.); and
 - ii) 5 storeys.
- g) The minimum front yard, side yard and rear yard shall:
 - i) be at the discretion of the Development Officer;
 - ii) provide areas for parking, loading, circulation and landscaping; and
 - iii) shield adjacent residential areas.
- h) Parking and loading shall be in accordance with Part VIII of this Bylaw.
- i) Signs shall be in accordance with Part IX of this Bylaw.
- j) Lighting shall be in accordance with Section 38 of this Bylaw.
- k) The positioning and appearance of the buildings, improvements, and landscaping shall, to the satisfaction of the Development Officer:
 - i) meet the purpose and standards of section 36.
- l) The regulations of the R-3 District shall apply where dwellings are permitted above the first storey.

97) M-1—INDUSTRIAL - Light Industrial District

- a) The general purpose of this District is to accommodate light industrial uses with activity mainly indoors.
- b) Subject to the Edmonton International Airport Vicinity Protection Area (Provincial) Regulations, the permitted and discretionary uses allowed in this District include the following:

i) Permitted uses include:

- (1) General Industrial Uses as defined in Section 8
 - (a) Type 1 Indoor:
 - (i) where all activities are confined primarily within an enclosed building; and
 - (ii) where no significant adverse effect or nuisance is created or apparent outside the principal building.
- (2) Accessory Buildings (Section 42)
- (3) Bakeries
- (4) Contractor Services
- (5) Equipment Rental
- (6) Farm Vehicle and Equipment Sales and Service
- (7) Industrial Vehicle and Equipment Sales and Service
- (8) Major Service Stations
- (9) Rapid Drive Through Vehicle Services
- (10) Service Stations – Minor
- (11) Utility Buildings (Section 33)

ii) Discretionary uses include:

- (1) Air Supported and Fabric-Covered Structures subject to Clause m) below (Section 42)
- (2) Adult Entertainment Facility
- (3) Auctioneering Establishments
- (4) Business Support Services
- (5) Community Facilities
- (6) General Industrial Uses
 - (a) Type II Indoor and Outdoor:
 - (i) where the industrial activity occurs both inside and out side the principal building;
 - (ii) all outdoor industrial activity is screened from adjacent properties; and
 - (iii) the activities do not create significant adverse effect or nuisance such as noise, effluent, odour or emissions beyond the site.
- (7) Greenhouses and Plant Nurseries
- (8) Meat Packers
- (9) Minor Eating and Drinking Establishments
- (10) Minor Professional, Financial and Office Services
- (11) Minor Retail Stores
- (12) Moving Establishments
- (13) Parking Facilities
- (14) Places Of Worship but not including a residence (Section 40)

M-1- INDUSTRIAL - Light Industrial District Cont'd

- (15) Recycling Depots (Section 47)
- (16) Recycling Drop Off Centres (Section 47)
- (17) Retail and Wholesale Stores Specializing in the Sale of Construction Materials
- (18) Radio Communication Facilities
- (19) Radio Communication Satellite Reception Dish over 1.2 m in Diameter
- (20) Surveillance Suites
- (21) Storage Space in association with and subordinate to the principal use
- (22) Truck and Recreation Vehicle Sales/Rentals
- (23) Utility Buildings (Section 33)
- (24) Uses classified as spray painting operations.
- (25) Uses included in group F, Division 1 of the Alberta Building Code G
- (26) Veterinary Hospitals
- (27) Warehouse Sales
- (28) Uses similar to the permitted and discretionary uses listed above

- c) The Applicant is required to ensure that:
 - i) that the proposal meets the provincial and /or federal government environmental legislation and standards as set out in section 4 of this Bylaw;
 - ii) the reliability and record of the methods, equipment and techniques in controlling or mitigating the adverse effect or nuisance.
- d) In determining the significance of adverse effects or nuisances of a proposed development on adjacent or nearby sites the Development Officer can consider the following aspects:
 - i) the magnitude of the adverse effect or nuisance;
 - ii) the extend, frequency and duration of exposure to the adverse effect or nuisance; and
 - iii) the use and sensitivity of adjacent or nearby sites relative to the adverse effect or nuisance.
- e) The maximum site coverage shall be 60%.
- f) The site area shall be landscaped in accordance with:
 - i) Section 30 of this Bylaw
 - ii) landscaped areas shall be planted with a tree for every 45 m² (483.9 sq. ft.) based on 9% Of the total site area; and
 - iii) shall include the following spaces:
 - (1) 1.8 m (5.9 ft.) along every road; and
 - (2) in accordance with Section 52 of this Bylaw.

M-1-INDUSTRIAL - Light Industrial District Cont'd

- g) The dimensions of the site shall be:
 - i) minimum area 0.2 ha (0.5 acres); and
 - ii) minimum frontage 40 m (131.2 ft.).
- h) The minimum front yard setback for buildings shall be:
 - i) 6 m (19.7 ft.);
 - ii) unless a greater distance is deemed necessary by the Development Officer; and
 - iii) this front yard setback may be varied where a berm with intensive landscaping is proposed.
- i) The front yard shall not be used for the storage of unfinished goods or supplies.
- j) The side yard setback shall be:
 - i) 6 m (19.7 ft.) on one side of the building;
 - ii) 1.5 m (4.9 ft.) on the other side of the building;
 - iii) for a building over 4.5 m (14.8 ft.) in height there shall be an additional 0.3 m (1.0 ft.) of setback for every additional meter of height up to a maximum setback of 6.0 m (19.7 ft.);
 - iv) the setback requirement for one boundary may be relaxed subject to:
 - (1) the fire regulations;
 - (2) the Building Code; and
 - (3) development permitted or existing on adjacent lots.
- k) The minimum rear yard setback shall be:
 - i) 5 m (16.4 ft.) where abutting a railway line; and
 - ii) elsewhere at the discretion of the Development Officer.
- l) The maximum height of buildings shall be 14 m (45.9 ft.).
- m) Air Supported and Fabric-Covered Structures will only be permitted on property located to the East of the CP Railroad and providing it is an:
 - i) accessory building; or
 - ii) a building used for recreational purposes.
- n) Sea and Shipping Containers will only be permitted as an accessory building to the principal building for storage only. The containers shall not be stacked one upon the other. The exterior finish shall match or compliment the exterior finish of the principal building.

M-1- INDUSTRIAL - Light Industrial District Cont'd

- o) Parking and loading shall:
 - i) meet the requirements of Part VIII of this Bylaw;
 - ii) be designed so that trucks have ample room to turn around within the site;
 - iii) be hard-surfaced in accordance with section 50 of this Bylaw; and
 - iv) sight triangles shall be maintained on corner lots as specified in Section 38 of this Bylaw.
- p) Driveway accesses shall:
 - i) be limited to one access to a major collector roadways or joint access points with adjacent properties;
 - ii) a maximum of two access points to any other street or roadway;
 - iii) be laid out having regard to continuity of traffic flow, the safety of vehicles; and
 - iv) avoid dangerous intersections to the satisfaction of the Development Officer.
- q) Easements and Rights-of-Way shall be protected no building or structure shall be located closer than:
 - i) 15.0 m (49.3 ft.) to the centre line of a pipeline (as defined in the Pipeline Act, 1975) or the centre line of the pipeline right-of-way, whichever is the lesser;
 - ii) 5.0 m (16.4 ft.) to a railway right-of-way; and
 - iii) 7.5 m (24.6 ft.) to the centre line of a utility within an easement or closer than 3 m (9.8 ft.) to the boundary, of any easement or right-of-way containing the utility, whichever is the lesser.
- r) Burning will be permitted within this District providing:
 - i) the burning facilities have been approved by the Department of the Environment and the Local Fire Department.
- s) The entire site and all buildings shall be developed and maintained in a neat, tidy manner including the trimming and upkeep of landscaped areas and the removal of debris and unsightly objects and in particular:
 - i) the architectural appearance shall meet the standards set out in Section 36 of this Bylaw;
 - ii) the landscaping will meet the standard as required by Section 30 of this Bylaw;
 - iii) signs provided shall be in accordance with Part IX of this Bylaw; and
 - iv) lighting shall be in accordance with Section 39 of this Bylaw.
- t) An approved storage area for garbage disposal shall be screened to the height considered necessary by the Development Officer.

98) M-2- INDUSTRIAL - Medium Industrial District

- a) The general purpose of this District is to accommodate indoor and outdoor industrial uses that do not cause any objectionable or dangerous conditions beyond the site boundary. This District will be separated from commercial and residential district by the M1 – Light Industrial Districts.
- b) Subject to the Edmonton International Airport Vicinity Protection Area (Provincial) Regulations, the permitted and discretionary uses allowed in this District include the following:

i) Permitted uses include:

(1) General Industrial as defined in Section 8

(a) Type I Indoor:

- (i) where all activities are confined primarily within an enclosed building; and
- (ii) where no significant adverse effect or nuisance is created or apparent outside the principal building.

(b) Type II Indoor and Outdoor:

- (i) where the industrial activity occurs both inside and outside the principal building;
- (ii) where all outdoor industrial activity is screened from adjacent properties; and
- (iii) where the activities do not create significant adverse effect or nuisance such as noise, effluent, odour or emissions beyond the M-2 Land Use District.

(2) Accessory Buildings (Section 42)

(3) Contractor Services

(4) Equipment Rentals

(5) Greenhouses and Plant Nurseries

(6) Industrial Vehicle and Equipment Sales and Service

(7) Meat Packers

(8) Rapid Drive Through Vehicle Services

(9) Recycling Depots

(10) Recycling Drop Off Centre

(11) Service Stations – Minor

(12) Service Stations – Major

(13) Utility Buildings (Section 33)

ii) Discretionary uses include:

(1) Air Supported and Fabric-Covered Structures subject to clause n) below (Section 42)

(2) Adult Entertainment Facility

(3) Business Support Services

(4) General Industrial as defined in Section 8

(a) Type III where:

- (i) The industrial activity is conducted indoor or out door; and
- (ii) there may be an adverse effect or nuisance on the safety, use, amenity, property value or enjoyment of adjacent or nearby sites due to appearance, noise, odour, and emission of contaminants, fire explosive hazard and/or dangerous goods.

M-2- INDUSTRIAL - Medium Industrial District Cont'd

- (5) Minor Eating and Drinking Establishments
 - (6) Surveillance Suites
 - (7) Uses Classified as Spray Painting Operation
 - (8) Uses included in Group F, Division 1 of the Alberta Building Code
 - (9) Radio Communication Facilities
 - (10) Radio Communication Satellite Reception Dish over 1.2 m in diameter
 - (11) Uses similar to the permitted and discretionary uses listed above
- c) The Applicant is required to ensure that:
- i) that the proposal meets the provincial and /or federal government legislation and standards as set out in Section 4 of this Bylaw;
 - ii) the reliability and record of the methods, equipment and techniques in controlling or mitigating the adverse effect or nuisance.
- d) In determining the significance of adverse effects or nuisances of a proposed development on adjacent or nearby sites the Development Officer can consider the following aspects:
- i) the magnitude of the adverse effect or nuisance;
 - ii) the extend, frequency and duration of exposure to the adverse effect or nuisance; and
 - iii) the use and sensitivity of adjacent or nearby sites relative to the adverse effect or nuisance.
- e) The maximum site cover shall be 60%.
- f) The minimum site area shall be 0.5 ha (1.2 acre).
- g) The site area shall be landscaped in accordance with:
- i) Section 30 of this Bylaw;
 - ii) landscaped areas shall be planted with a tree for every 45 m² (484 sq. ft.) based on 9% of the total site area; and
 - iii) shall include the following spaces:
 - (1) 1.8 m (5.9 ft) along every road; and
 - (2) in accordance with Section 52 of this Bylaw.
- h) The minimum front yard setback for buildings shall be:
- i) 6 m (19.7 ft.); and
 - ii) this front yard setback may be varied where a berm with intensive landscaping is proposed.
- i) The front yard shall not be used for the storage of unfinished goods or supplies.

M-2- INDUSTRIAL - Medium Industrial District Cont'd

- j) The side yard setback shall be:
 - i) 6 m (19.7 ft.) on one side of the building;
 - ii) 1.5 m (4.9 ft.) on the other side of the building;
 - iii) an additional side yard setback 0.3 m (1.0 ft.) setback for every meter of height between 4.5 m (14.8 ft.) and 6 m (19.7 ft.); and
 - iv) the setback requirement for one boundary may be relaxed subject to:
 - (1) the fire regulations;
 - (2) the Building Code; and
 - (3) development permitted or existing on adjacent lots.
- k) The minimum rear yard setback shall be:
 - i) 5 m (16.4 ft.) where abutting a railway line; and
 - ii) elsewhere at the discretion of the Development Officer.
- l) Sight triangles shall be maintained on corner lots as specified in Section 38 of this Bylaw.
- m) The maximum height of buildings shall not exceed 14 m (46 ft.).
- n) Air Supported and Fabric-Covered Structures will only be permitted as an accessory building unless it is used for recreational purposes.
- o) Sea and Shipping Containers will only be permitted as an accessory building to the principal building for storage only. The containers shall not be stacked one upon the other. The exterior finish shall match or compliment the exterior finish of the principal building.
- p) Parking and loading shall:
 - i) meet the requirements of Part VIII of this Bylaw;
 - ii) be designed so that trucks have ample room to turn around within the site;
 - iii) be hard-surfaced in accordance with section 50 of this Bylaw; and
 - iv) sight triangles shall be maintained on corner lots as specified in Section 38 of this Bylaw.
- q) Driveway accesses shall:
 - i) be limited to one access to a major collector roadways or joint access points with adjacent properties;
 - ii) a maximum of two access points to any other street or roadway;
 - iii) be laid out having regard to continuity of traffic flow, the safety of vehicles; and

M-2- INDUSTRIAL - Medium Industrial District Cont'd

- iv) avoid dangerous intersections to the satisfaction of the Development Officer.
- r) Easements and Rights-of-Way shall be protected and no building or structure shall be located closer than:
 - i) 15 m (49.3 ft.) to the centre line of a pipeline (as defined in the Pipeline Act, 1975) or the centre line of the pipeline right-of-way, whichever is the lesser;
 - ii) 5 m (16.4 ft.) to a railway right-of-way; and
 - iii) 7.5 m (24.6 ft.) to the centre line of a utility within an easement or closer than 3 m (9.8 ft.) to the boundary, of any easement or right-of-way containing the utility, whichever is the lesser.
- s) Burning will be permitted within this district providing the burning facilities have been approved by the Department of the Environment and the Local Fire Department.
- t) Outdoor storage shall be:
 - i) permitted only when accessory to a permitted principal use; and
 - ii) an approved storage area shall be screened to the height considered necessary by the Development Officer to screen the storage of materials and in accordance with Section 31.
- u) The entire site and all buildings shall be developed and maintained in a neat, tidy manner including the trimming and upkeep of landscaped areas and the removal of debris and unsightly objects and in particular:
 - i) the architectural appearance shall meet the standards set out in Section 36 of this Bylaw;
 - ii) the landscaping will meet the standard as required by Section 30 of this Bylaw;
 - iii) signs provided shall be in accordance with Part IX of this Bylaw; and
 - iv) lighting shall be in accordance with Section 39 of this Bylaw.
- v) An approved storage area for waste disposal shall be screened to the height considered necessary by the Development Officer.
- w) Buildings that have been brought to the site prebuilt shall be visually compatible with the site in the opinion of the Development Officer and may require a Development Permit.

99) M-C – INDUSTRIAL - Cottage Industrial

- a) The general purpose of this District is to create comprehensively planned area or subdivision that will accommodate persons who wish to combine their residences with their livelihood. The front portion of each lot will be restricted to residential use to create a quality physical environment. The back portion may be used for agriculture, cottage industries, storage and repair providing the use is operated so that it does not have a detrimental impact on adjacent properties.
- b) Subject to the Edmonton International Airport Vicinity Protection Area (Provincial) Regulations, the permitted and discretionary uses allowed in this District include the following:
 - i) **Permitted Uses**
 - (1) Accessory Buildings (Section 42)
 - (2) Contractor Services
 - (3) Greenhouse and Plant Nurseries
 - (4) Hobby Farm
 - (5) Home Occupation – Minor (Section 43)
 - (6) Private Swimming Pools (Section 41)
 - (7) Public Parks
 - (8) Household Appliance Repair Services
 - (9) Show Homes (Section 44)
 - (10) Single Detached Dwellings
 - (11) Storage for Vehicles and Equipment
 - (12) Utility Buildings (Section 33)
 - ii) **Discretionary Uses**
 - (1) Accessory Buildings (Section 42)
 - (2) Automotive/Equipment Repairs
 - (3) Home Occupation – Major (Section 43)
 - (4) General Industrial Type 1 (contained entirely within a building)
 - (5) Kennels (indoor only) (Section 45)
 - (6) Non intensive Horticulture or Farming
 - (7) Private Swimming Pools (Section 41)
 - (8) Places of Worship (Section 40)
 - (9) Schools
 - (10) Veterinary Clinics (Section 45)
 - (11) Warehouse and Storage Spaces
 - (12) Uses similar to the permitted and discretionary uses listed above
- c) Development applications in this District must contain the development of the non-residential and residential component.
- d) The total floor area shall be:
 - i) a minimum of 120 m² (1290 sq. ft.) for the residential use; and
 - ii) a maximum of 250 m² (2688 sq. ft.) for the non-residential use.

M-C – INDUSTRIAL - Cottage Industrial Cont'd

- e) In this District:
 - i) the non residential use shall not be located closer than 50 m (164.0 ft.) to the front property line;
 - ii) the non residential use shall not be located closer than 15 m (49.2 ft.) to the front property line;
 - iii) the non residential component must be operated by the land owner with or without employees;
 - iv) the residential use shall be screened from the non residential use;
 - v) all outside storage shall be contained within a completely screened area;
 - vi) the first 50 m (164 ft) shall be landscaped except for the dwelling, driveway or garden; and
 - vii) all parking for the non-residential use shall be located 50 m (164.0 ft.) from the front property line.
- f) A business identification sign may be erected subject to Section 69 of this Bylaw.
- g) The minimum lot size shall be:
 - i) 0.6 ha (1.5 acre).
- h) The minimum site width of each lot at the front yard setback shall be:
 - i) 60 m (196.9 ft.).
- i) The minimum front yard setback shall be:
 - i) 15 m (49.3 ft.) for residential buildings;
 - ii) 50 m (164.0 ft.) for non residential buildings; and
 - iii) greater setback may be required by the Development Officer to preserve the amenity of the area and to protect development or potential development on adjacent sites.
- j) The minimum side yard setback shall be:
 - i) 7.5 m (24.6 ft.) for the residential and non-residential buildings;
 - ii) 2 m (6.6 ft.) for carports attached to the dwelling; and
 - iii) 10 m (32.8 ft.) on a corner lot from the side abutting a street.
- k) The minimum rear yard setback shall be:
 - i) 10 m (32.8 ft.).
- l) The maximum building height shall be:
 - i) 10 m (32.8 ft.).

100) U-S – UTILITIES – Urban Services

- a) The general purpose of this District is to accommodate public and/or privately owned institutions or community services.
- b) Subject to the Edmonton International Airport Vicinity Protection Area (Provincial) Regulations, the permitted and discretionary uses allowed in this District include the following:
 - i) Permitted Uses**
 - (1) Accessory Buildings and Uses (Section 42)
 - (2) Active Recreational Activity
 - (3) Community Services
 - (4) Government Services
 - (5) Museums and Archives
 - (6) Parks
 - (7) Passive Recreational Activity
 - (8) Places of Worship (Section 40)
 - (9) Schools
 - (10) Temporary Outdoor Event approved by the City's Community Services Department
 - (11) Utility Buildings (Section 33)
 - ii) Discretionary Uses**
 - (1) Aquariums
 - (2) Arboretums
 - (3) Cemeteries
 - (4) Conservatories
 - (5) Day Care Facilities
 - (6) Eating and Drinking Establishments - Minor
 - (7) Group Care Facilities
 - (8) Hospitals And Clinics
 - (9) Parking Facilities (Sections 50 to 56)
 - (10) Private Clubs
 - (11) Recreation Buildings
 - (12) Recycling Drop Off Centre (Section 47)
 - (13) Zoos
 - (14) Uses similar to the permitted and discretionary uses listed above
- c) The maximum site coverage shall be 30% of the total site area.
- d) The minimum setback shall be:
 - i) front yard 6 m (19.7 ft.);
 - ii) side yard 4.5 m (14.8 ft.);
 - iii) rear yard than 7.6 m (24.9 ft.); and
 - iv) greater setbacks may be required by the Development Officer to preserve the amenity of the area and to protect development or potential development on adjacent sites.
- e) The maximum height of a building shall be 10 m (32.8 ft.).

U-S – UTILITIES – Urban Services Cont'd

- f) Parking and loading shall:
 - i) meet the standards of Part VIII of this Bylaw; and
 - ii) at the discretion of the Development Officer the standard may be modified.
- g) Lighting shall be in accordance with Section 38 of this Bylaw.
- h) The development design, siting, landscaping, screening and buffering shall:
 - i) minimize and compensate for any objectionable aspects or potential incompatibility with development in abutting districts;
 - ii) at the discretion of the Development Officer site regulations may be modified to achieve (i) above;
 - iii) meet the landscaping plan approved by the Development Officer: and
 - (1) the Development Officer may ask for a letter of credit under Section 30 of this Bylaw.

101) P-1 - RECREATIONAL - General Recreation

- a) The General Purpose of this District is to accommodate areas used for public parks to meet active or passive recreational and leisure pursuits at neighbourhood, district and regional levels.
- b) Subject to the Edmonton International Airport Vicinity Protection Area (Provincial) Regulations, the permitted and discretionary uses allowed in this District include the following:
 - i) Permitted Uses**
 - (1) Active Recreational Activity
 - (2) Indoor Recreation Service
 - (3) Outdoor Participant Recreation Service
 - (4) Parks
 - (5) Passive Recreational Activity
 - (6) Temporary Air Supported and Fabric Covered Structures
for events approved by the Community Services Department of the City of Leduc
 - (7) Temporary Outdoor Event approved by the City's Community Services Department
 - (8) Utility Buildings (Section 33)
 - ii) Discretionary Uses**
 - (1) Accessory Buildings and Uses (Section 42)
 - (2) Campgrounds
 - (3) Community Facilities
 - (4) Conservatories
 - (5) Exhibition Grounds
 - (6) Government Services
 - (7) Eating and Drinking Establishments - Minor
 - (8) Parking Facilities (Sections 50 to 56)
 - (9) Private Clubs
 - (10) Recreation Buildings
 - (11) Schools
 - (12) Swimming Pools (Section 41)
 - (13) Uses similar to the permitted and discretionary uses listed above
- c) The maximum site coverage shall be 15% of the total site area.
- d) The minimum setback shall be:
 - i) front yard, side yard and rear yard 15 m (49.3 ft.);
 - ii) for a side yard adjacent to a street 7.5 m (24.6 ft.); and
 - iii) greater setbacks may be required by the Development Officer to preserve the amenity of the area and to protect development or potential development on adjacent sites.
- e) The maximum building height shall be 10 m (32.8 ft.).
- f) Parking and loading shall:
 - i) meet the standards of Part VIII of this Bylaw; and
 - ii) at the discretion of the Development Officer the standard may be modified.
- g) Lighting shall be in accordance with Section 39 of this Bylaw.

P-1 - RECREATIONAL - General Recreation Cont'd

- h) Signs shall meet the regulations of Part IX of this Bylaw.
- i) Landscaping shall be provided in accordance with Section 30 of this Bylaw.
- j) Garbage and Outdoor Storage shall meet the regulation of Section 32 of this Bylaw.
- k) The development design, siting, landscaping, screening and buffering shall:
 - i) minimize and compensate for any objectionable aspects or potential incompatibility with development in abutting districts; and
 - ii) at the discretion of the Development Officer site regulations may be modified to achieve (i) above.

102) E-RD – CONSERVATION – Environmental Restricted Development

- a) The general purpose of this District to protect environmentally sensitive areas by restricting development to clearly compatible uses and providing access to the public in a manner that preserves the feature.
- b) Subject to the Edmonton International Airport Vicinity Protection Area (Provincial) Regulations, the permitted and discretionary uses allowed in this District include the following:
 - i) Permitted Uses**
 - (1) Public Open Space
 - (2) Private Land in its Natural State
 - (3) Environmental Reserve in Accordance with the Act
 - ii) Discretionary Uses**
 - (1) Recreational activities and facilities provided that the use is compatible with the natural characteristics of the site; uses include trails and directional signage
 - (2) Utilities
- c) All development shall proceed in an environmentally approved manner to minimize any affects on the natural environment.
- d) Development regulations for specific uses can be found in this Bylaw as follows:
 - (1) Utility Buildings - Section 33.

103) U-R –AGRICULTURE – Urban Reserve

- a) This District is generally intended to reserve those areas of the Municipality, which are rural in character or land use until such time as the land is required for urban purposes. The reclassification of land to other land use districts will normally occur subsequent to the acceptance of an Area Structure Plan and as part of the subdivision approval process.
- b) Subject to the Edmonton International Airport Vicinity Protection Area (Provincial) Regulations, the permitted and discretionary uses allowed in this District include the following:
 - i) Permitted Uses**
 - (1) Farming and cultivation of land but not including:
 - (a) such agricultural activities as feed lots, and fur farms; nor
 - (b) those pursuits that would be objectionable pursuant to section 29 of the Bylaw.
 - (2) Utility Buildings (Section 33)
 - ii) Discretionary Uses**
 - (1) Accessory Buildings (Section 42)
 - (2) Any temporary use or building which in the opinion of the Development Officer will not prejudice the possibility of conveniently and economically subdividing or developing the area in the future.
 - (3) Community Facilities
 - (4) Greenhouses and Plant Nurseries
 - (5) Kennels (Section 45)
 - (6) Natural Resource Development
 - (7) One Single Detached Dwelling Unit Per Parcel
 - (8) Public Parks
 - (9) Small Animal Breeding Establishments
 - (10) Uses similar to the permitted and discretionary uses listed above
- c) The minimum site area shall be 8 ha (19.7 acres).
- d) The maximum building height, not including buildings or structures accessory to a farm operation, shall be 10 m (32.8 ft.).
- e) The minimum front yard setback for the principal building, accessory buildings and parking shall be:
 - i) 20 m (65.6 ft.)
- f) Minimum side yard, rear yard, and other development regulations shall be at the discretion of the Development Officer except where a single detached dwelling is proposed in which case the regulations of the R-1C District shall apply.
- g) The Development Officer may specify the length of time a use is permitted in this District having regard to the servicing, and future residential development of the subject land.

104) DC - DIRECT CONTROL – Distinctive Design

- a) The general purpose of this District is to provide for desirable development on particular sites taking into consideration the amenities of the neighbourhood, the existing use of land and the future development opportunities. The development proposals may have unique characteristics, innovative ideas, and or the sites may have unusual constraints, thus requiring distinctive design and specific regulations.
- b) Amending the Bylaw to change a parcel to this District requires:
 - i) An application that:
 - (1) contains the information required by the Section 3 for amendment to this Bylaw;
 - (2) sets out in writing an explanation why the Direct Control District is desirable for the site; and
 - (3) describes the methods used to obtain public input, including written documentation of the opinions and concerns of surrounding property owners and residents and how the proposed development responds to those concerns.
 - ii) Regard for:
 - (1) the relationships of the proposed development on the surrounding area;
 - (2) the impact of the proposed development on municipal facilities;
 - (3) the relationship of the proposed development to the general purpose of this District; and
 - (4) the proposed development's impact with respect to environmental and urban design issues including:
 - (a) microclimatic aspects
 - (b) natural drainage patterns
 - (c) vegetative cover
 - (d) energy conservation
 - (e) recreational amenities, including play space or other communal space
 - (f) defensible space and building techniques and impacts on policing, public safety and security
 - (g) ongoing maintenance of buffers, planted areas communal open spaces, recreation facilities and lands which are not to be conveyed to the City.
 - iii) Sign provisions for the entire project.
 - iv) Restrictive covenants or development agreements needed to maintain the design integrity of the project and to control any future additions, temporary vacant areas, accessory buildings or renovations.

DC - DIRECT CONTROL – Distinctive Design Cont'd

- v) Assurance that the proposed development:
 - (1) is appropriate for the site;
 - (2) meets the policies and objectives of the General Municipal Plan;
 - (3) conforms to the policies and objectives of any Statutory Plan applying to the area; and
 - (4) is compatible with the scale and character of surrounding developments.
- c) The areas within this District shall:
 - i) continue to be subject to all the provisions of this bylaw;
 - ii) be subject to the specific development regulations stated in the amending bylaw; and
 - iii) where there is a conflict between the specific development regulations stated in the amending bylaw with the other provisions of this bylaw the regulations of the amending bylaw shall take precedence.
- d) The uses permitted shall be as stated in the amending bylaw.
- e) The Map Symbol identifies on the Land Use Map the area affected by the specific development regulations.
- f) The specific development regulations are attached as Appendix 1 and form part of this Bylaw.

APPENDIX 1**DIRECT CONTROL DISTRICTS**

BYLAW	AMENDED BY	LOCATION	USE	LAND USE MAP SYMBOL
259-92	331-94	Ravine Villas	Condo Duplex/Triplex	DC(2)
260-92	428-98	South Park Dr./Black Gold Dr.	Condo Apartment	DC(3)
283-92		47 Avenue/49 Street	Apartment	DC(4)
308-93		44 Street/45 Avenue	Condo Duplex/Triplex	DC(5)
408-97		54 Avenue/47 Street	Fourplex	DC(6)
471-2000		50 Avenue/51 Street	Condo Apartments/Commercial	DC(7)
491-2000		Black Gold Dr./48A Street	Fourplex	DC(8)
499-2001		Meadowview Stage 8	Single Detached Dwellings	DC(9)
503-2001		Rollyview Rd./Black Gold Dr.	Apartments	DC(10)
512-2002		Black Gold Dr./48A Street	Fourplex	DC(11)
623-2006		Part of Lot R-5, Block 23, Plan 3384RS	Family Housing Project	DC(12)
662-2007		Leduc Business Park	Commercial Services that Support Surrounding Industrial Area	DC(14)
663-2007		West Haven Estates	Assisted Living Apartment	DC(13)
672-2007		Leduc Business Park	Commercial Services that Support Surrounding Industrial Area	DC(15)
683-2007		48 Street/46 Avenue	Four-plex Apartment	DC(16)
719-2009		49 Street/52 Avenue	8 Unit Apartment with Commercial on Main Floor	DC(17)