City of Leduc
Land Use Bylaw
809-2013

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RECORD OF TEXT AMENDMENTS TO CITY OF LEDUC LAND USE BYLAW 809-2013

Land Use Bylaw 809-2013 was adopted by City Council on March 11, 2013.

Following is a list of Bylaws adopted by Council subsequent to March 11, 2013 that amended the text of the Land Use Bylaw. This list does not include redistricting bylaws that amend Section 27.0, Figure 7, Land Use Map.

Adoption Date	Bylaw No.	Content
2013		
July 8, 2013	829-2013	Amendment to Section 12.4., Section 12.7., and Section 12.10. to add two clauses (x.1. and x.2.) to ensure that uses developed on sites within the MUR, MUN, and MUC Districts are consistent with the approved Area Structure Plan that applies to the lands.
October 15, 2013	833-2013	Addition of Telford Industrial Overlay to Section 18.0 to regulate development in close proximity to Telford Lake and associated park land.
October 15, 2013	835-2013	Comprehensive text amendments throughout the bylaw to increase accuracy, clarity, and consistency and to allow for better enforcement. Refer to Bylaw 835-2013 for a complete list of amendments.
2014		
January 13, 2014	843-2013	Comprehensive text amendments throughout the bylaw to increase accuracy, clarity, and consistency and to allow for better enforcement. Refer to Bylaw 843-2013 for a complete list of amendments.
June 9, 2014	856-2014	Comprehensive text amendments throughout the bylaw to increase accuracy, clarity, and consistency and to allow for better enforcement. Refer to Bylaw 856-2014 for a complete list of amendments.
2015		
June 8, 2015	894-2015	Comprehensive text amendments throughout the bylaw. Refer to Bylaw 894-2015 for a complete list of amendments.

Adoption Date	Bylaw No.	Content
November 9, 2015	908-2015	Text amendments to various sections related to the addition of 'Temporary Shelter Services' as a use. Refer to Bylaw 908-2015 for a complete list of amendments.
<u>2016</u>		
May 9, 2016	918-2016	Amendments include the addition of regulations regarding Snow Storage Space on pie shaped lots. Also comprehensive text amendments throughout the bylaw to increase accuracy, clarity, and consistency and to allow for better enforcement.
<u>2017</u>		
February 13, 2017	937-2016	Amendments include the addition of regulations for Solar Collectors. Also comprehensive amendments throughout the bylaw to increase accuracy, clarity, and consistency and to allow for better enforcement. Refer to Bylaw 937-2016 for a complete list of amendments.
June 12, 2017	940-2016	Comprehensive amendments to the industrial districts including the addition of the Industrial Protection Overlay, the addition of uses of Business Light Industrial and Special Industrial and amendments to the permitted and discretionary uses with industrial land use districts. Refer to Bylaw 940-2016 for a complete list of amendments.
<u>2018</u>		
June 11, 2018	989-2018	Amendment to add Government Service as a Discretionary Use in the IL – Light Industrial district.
June 11, 2018	985-2018	Comprehensive text amendments including amendments to Part 3 of the Bylaw to ensure consistency with Municipal Government Act, amendments for Downtown Overlays, Landscaping, Parking, Glossary and the addition of Temporary Use regulations. Refer to Bylaw 985-2018 for a complete list of amendments.
June 25, 2018	970-2017	Amendments to create Cannabis Overlay and update other sections and definitions as necessary to clearly indicate the new Cannabis uses.
December 3, 2018	1009-2018	Amendment to change Site Area Maximum regulation for Apartment (4-10) storeys from 3300 m^2 to 15000 m^2

2019

January 28, 2019	1012-2018	Amendments for Downtown Mixed-Use Overlay
May 13, 2019	1023-2019	Comprehensive amendments including the addition of an Infill Overlay, allowing secondary suites in duplexes and townhouses outside the 30NEF as a discretionary use.
September 9, 2019	1032-2019	Amendments to allow at-grade solar panels in institutional districts; updating maximum height of at-grade installations.

2020

July 6, 2020	1049-2020	Amendments to the Cannabis Overlay.
August 17, 2020	1040-2019	Addition of Container, Shipping Container or Sea Can regulations to IBL land use district.
August 17, 2020	1054-2020	Amendment to add DC(26) land use district and regulations to the Woodbend neighbourhood (Woodbend Stage 2).
September 14, 2020	1052-2020	Comprehensive amendments including, but not limited to, changing suite dwellings from discretionary to permitted uses in residential and mixed-use land use districts, changing custom manufacturing from a discretionary to permitted use in commercial land use districts, and refining select sign regulations.

2021

March 8, 2021	1051-2020	Amendment to add DC(27) land use district and regulations to the Robinson neighbourhood (Robinson Stage 10).
March 22, 2021	1083-2021	Amendment to Section 24.1.1.4 for election signs.

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PREAMBLE

I. How to Use the Land Use Bylaw

This Land Use Bylaw, adopted on March 11, 2013 (see Section 1.6 Effective Date), replaces former City of Leduc Land Use Bylaw 516-2002. One of the primary goals of this Bylaw is to create a set of regulations that will enhance the unique character or the City. Throughout the review and update process, City of Leduc residents, decision makers and many other stakeholders and interested persons were engaged to help guide and develop the new Bylaw. The following text is advisory only and intended to provide a brief outline of the Bylaw. It also provides an overview of the various parts of the Bylaw and illustrates how to use it.

PART 1: TITLE, PURPOSE AND JURISDICTION

Establishes the enactment of the Bylaw and includes the purpose, compliance, repeal of the previous Bylaw and the effective date.

PART 2: ADMINISTRATION, PROCEDURES AND ENFORCEMENT

Provides the administration, interpretation, amendment procedures and Development appeal procedures. It also establishes the Development Authorities and enforcement regulations for the City.

PART 3: DEVELOPMENT APPLICATIONS AND PROCESS

Contains regulations for Development including when a Development Permit is not required, application requirements, Development review processes, conditions and notice of decision.

PART 4: DISTRICT REGULATIONS AND DEVELOPMENT STANDARDS

Contains regulations for all Land Use districts including Accessory Developments and permitted and Discretionary Use classes. This Part also includes specific Site planning and design standards for each type of Land Use.

PART 5: GENERAL DEVELOPMENT STANDARDS

Establishes sustainable Development standards that supplement the regulations in Part 4 (District Regulations and Development Standards). These standards include additional Site planning regulations for all Land Use districts as well as affordable housing incentives.

PART 6: SUPPLEMENTAL REGULATIONS TO ALL DISTRICTS

Provides general regulations that supplement the regulations in Part 4 (District Regulations and Development Standards) for topics such as Site grading, Sight Triangles, nuisance and Height.

PART 7: SPECIFIC DISTRICT REGULATIONS

Contains specific use regulations for Land Use classes, Landscaping, parking and loading regulations, and Signs.

PART 8: TERMINOLOGY AND TRANSLATIONS

Provides a translation of previous districts and Land Use classes to this Bylaw. This Part also includes a glossary of terms and Land Use classes that are used throughout the Bylaw.

PART 9: LAND USE MAPS

Provides the Land Use maps and supporting information, in addition to a selection of other illustrations throughout the Bylaw.

II. Format of the City of Leduc Land Use Bylaw

The following is intended for information only and does not form part of the City of Leduc Land Use Bylaw.

Outline. The format of the City of Leduc Land Use Bylaw follows a simple layout intended to facilitate its use. Major divisions within the Land Use Bylaw are called 'Parts' and major sub-divisions within Parts are called 'Sections'. The format of the divisions in the Land Use Bylaw is shown below.

PART 1

1.0 Section

1.1 Section

1.1.1 Subsection

1.1.1.1 Subsection

1) Subsection

(a) Subsection

References. The reference number starts with the Section number and continues down to the appropriate level for the reference.

Referencing Other Documents. When reference is made to a document outside of the City of Leduc Land Use Bylaw, the referenced document's name is in italicized text, such as *Municipal Government Act.*

Terminology. The City of Leduc Land Use Bylaw has been written in 'plain English' style and the meaning is intended to be clear. However, because of the need for terms with specific meanings, the Bylaw also provides guidance on how specific terms are used. Terms and Uses that are defined in Section 24.16 Glossary of Signs and Terms and Uses and Section 26.0 Glossary of Terms and Uses have been capitalized within this Bylaw.

III. Steps for Using this Land Use Bylaw

The following graphic illustrates the basic steps a user would follow in using this Land Use Bylaw.

USER GUIDE: PROCESS DIAGRAM

Step	Instructions
1	**Find the Appropriate District for Your Parcel** The appropriate map will show the base district that applies to the parcel and will also show if the parcel is subject to an overlay. See PART 9
2	**Look up the Corresponding District Regulations** Start with PART 4 District Regulations and Development Standards. The base district identifies what uses are permitted or discretionary and associated regulations. In PART 4 also refer to the Section in which the base district is contained for general regulations which may apply to your base district. Also refer to PARTS 5 and 6 which contain most standards that may apply. These development regulations can help guide the preparation of a subdivision and/or development plan
3	**Specific District Regulations** Refer to PART 7 as some uses and types of development have specific regulations.
4	**Overlay Districts** Look up any overlay districts that may apply to your parcel by referring to the overlays identified in Section 18.0
5	**Applying Regulations to a Specific Parcel** Refer to PART 1, PART 2 and PART 3 for additional information on how to apply the regulations to a specific parcel.

If you require assistance with the regulations or processes contained in the Land Use Bylaw, please call or visit the City of Leduc's Planning & Development Department. The official and most recent version of the Land Use Bylaw and amendments are located at the City's offices. This version of the Land Use Bylaw should be consulted in all cases where an officially certified version of the Bylaw is required.

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PART 1: TITLE, PURPOSE AND JURISDICTION

1.0 Enactment

PREAMBLE

This Section of the Land Use Bylaw establishes the purpose of the Bylaw, its effective date of coming into force and the repeal from the previous Land Use Bylaw. This Section also established the compliance requirements with other applicable legislation.

Note: The text contained within this grey box does not form a part of the Land Use Bylaw and is only provided as context for the reader.

1.1. **Title**

1.1.1. This Bylaw may be referred to as the City of Leduc Land Use Bylaw. This Land Use Bylaw is referred to as the Bylaw in this text

1.2. **Purpose**

1.2.1. The purpose of this Bylaw is to facilitate the orderly, economical and beneficial Development and use of land and Buildings within the City and for that purpose the Bylaw, among other things,

1.2.1.1. divides the City into Land Use districts;

1.2.1.2. prescribes and regulates for each Land Use district, the purpose for which the land and Buildings may be used;

1.2.1.3. establishes the roles of the Approving Authorities;

1.2.1.4. establishes the method of making decisions on applications for redesignation and Development Permits, including the issuing of Development Permits;

1.2.1.5. sets out the method of appealing a decision relative to this Bylaw; and

1.2.1.6. provides to whom and the manner in which notice of the issuance of a Development Permit is given.

1.2.2. This Bylaw is consistent with the *Municipal Government Act* (hereinafter referred to as "the Act"), as amended from time to time.

1.2.3. Pursuant to Section 638.1 of the Act, in the event of a conflict or inconsistency between a Statutory Plan or a Land Use bylaw, and an *Alberta Land Stewardship Act* (ALSA) regional plan, the ALSA regional plan prevails to the extent of the conflict or inconsistency.

1.2.4. The Bylaw is consistent with *the City of Leduc Municipal Development Plan Bylaw No. 773-2011* (MDP), as amended from time to time, and shall be applied in a manner that serves to implement Statutory Plans that have been adopted by the City.

1.2.5. This Bylaw shall be used in conjunction with Policies and Procedures as adopted and amended by Council from time to time including, but not limited to, *the City of Leduc Downtown Master Plan 2012, City of Leduc/Leduc County Intermunicipal Development Plan 2010-2044, Neighbourhood Design Guidelines, Housing Our Community 2008 Attainable Housing Strategy,* and *Aerotropolis Integrated Land Use Compatibility Plan*.

1.3. **Compliance with the Bylaw**

1.3.1. Except as otherwise provided for in Section 8.2 No Development Permit Required, no Development shall be undertaken within the City unless a Development Permit application has been approved, a Development Permit issued and the Development is in accordance with the terms and conditions of a Development Permit issued pursuant to this Bylaw.

1.3.2. Notwithstanding Subsection 1.3.1, while a Development Permit may not be required, all exempt Developments shall comply with all regulations of this Bylaw and all other statutes.

1.3.3. Notwithstanding Subsection 1.3.1, a licence, permit, approval or authorization granted by the Government of Alberta Natural Resources Conservation Board, the Government of Alberta Energy Resources Conservation Board, the Alberta Energy and Utilities Board or Alberta Utilities Commission prevails over any Statutory Plan, Land Use bylaw, Subdivision decision or Development decision by a Subdivision authority, development authority, subdivision and development appeal board or the Municipal Government Board in accordance with Section 619(1) of the Act.

1.3.4. Fees payable regarding Development Permit applications and appeals shall be established by resolution of Council of the City of Leduc.

1.3.5. Any Direct Control Districts that were in effect immediately prior to the Effective date of this Bylaw are hereby deemed to continue in full force and effect and are hereby incorporated into Part 4 of this Bylaw.

1.3.6. Unless there is an explicit statement to the contrary in a Direct Control District or Provision, any reference in a Direct Control District to a Land Use bylaw shall be deemed to be a reference to the Land Use bylaw that was in effect at the time of the creation of the Direct Control District.

1.4. **Compliance with Other Legislation**

1.4.1. A person applying for, or in possession of, a valid Development Permit is not relieved from the responsibility of ascertaining and complying with or carrying out Development in accordance with;

1.4.1.1. the requirements of any Statutory Plan;

1.4.1.2. the requirements of the *Alberta Safety Codes Act*, RSA, 200, Chapter S-1;

1.4.1.3. the requirements of any other applicable Federal, Provincial and/or Municipal legislation;

1.4.1.4. the conditions of any caveat, covenant, Easement, instrument, Building scheme or agreement affecting the land or Building; and

1.4.1.5. the requirements of other applicable City of Leduc Bylaws, Policies and Procedures as adopted by the City from time to time.

1.4.2. 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 caveat, covenant, Easement, instrument, Building scheme or agreement affecting the land or Building, the Development Authority may refuse to grant a Development Permit .

1.4.3. Neither the Development Authority 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 caveat, covenant, Easement, instrument, Building scheme or agreement affecting the land or Building.

1.4.4. Limitations set out in Section 18.0 Overlays 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. AR/2006 must be used for legal interpretation and to determine the exact location of each contour line.

1.5. **Repeal of Previous Land Use Bylaw and Amendments**

1.5.1. The City of Leduc Land Use Bylaw 516-2002 and amendments thereto are hereby repealed.

1.6. **Effective Date**

1.6.1. This Bylaw comes into effect at such time as it has received third (3rd) reading and has been signed in accordance with the Act.

1.7. **Severability**

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

PART 2: ADMINISTRATION, PROCEDURES AND ENFORCEMENT

2.0 Administration

PREAMBLE

This Section of the Land Use Bylaw establishes the provisions for current Development applications under the review process and the provisions for lawfully Non-Conforming Buildings and uses.

Note: The text contained within this grey box does not form a part of the Land Use Bylaw and is only provided as context for the reader.

2.1. **Applications in Progress**

2.1.1. All redesignation, Subdivision and Development applications received in a complete form prior to the effective date of this Bylaw shall be processed and considered based on the regulations in effect consistent with Bylaw No. 516-2002, unless prior to a decision being made on the application, the City receives a duly signed amended application requesting that said Subdivision, redesignation or Development application be processed and considered based on the regulations of this Bylaw.

2.1.2. The aforementioned amendment application for Subdivision, redesignation or Development Permit application received by the City, prior to the effective date of this Bylaw, may be made free of any otherwise applicable fees for amendment.

2.1.3. All redesignation, Subdivision or Development applications received on or after the effective date of this Bylaw shall be processed and considered upon the provisions of this Bylaw.

2.2. **Lawfully Non-Conforming Buildings and Uses**

2.2.1. If a Development Permit has been issued on or before the day on which this Bylaw or a Land Use Amendment Bylaw comes into force, and the Bylaw would make the Development in respect of which the permit was issued a Non-Conforming Use or Non-Conforming Building, the Development Permit continues in effect in spite of this Bylaw coming into force.

2.2.2. A Non-Conforming Use of land or a Building may be continued, but if it is discontinued for a period of six (6) consecutive months or more any future use of the land or Building must conform to this Bylaw.

2.2.3. A Non-Conforming Building may continue to be used but the Building may not be enlarged, added to, rebuilt or structurally altered except to make it a conforming Building, for routine maintenance of the Building, if the Development Authority considers it necessary or in accordance with minor Variance powers provided to the Development Authority for the purposes of this Section.

2.2.4. A Non-Conforming Use of part of a Parcel may not be extended or transferred in whole or in part to any other part of the Parcel and no additional Buildings may be constructed on the Parcel while the Non-Conforming Use continues.

2.2.5. A Non-Conforming Building may continue to be used but the Building may not be enlarged, added to, rebuilt or structurally altered except

2.2.5.1. to make it a conforming Building;

2.2.5.2. for routine maintenance of the Building, if the Development Authority considers it necessary; or

2.2.5.3. in those instances where the Development Authority deems a minor Variance to enlarge, add to, rebuild or structurally alter the Building is warranted and compatible with Adjacent Land Uses.

2.2.6. If a Non-Conforming Building is damaged or destroyed to the extent of more than 75% of the value of the Building above its Foundation, the Building may not be repaired or rebuilt except in accordance with this Land Use Bylaw.

2.2.7. The Land Use or the use of a Building is not affected by a change of ownership or tenancy of the land or Building.

3.0 Interpretation

PREAMBLE

This Section of the Land Use Bylaw outlines the general procedures pertaining to the establishment of Land Use districts, the establishment of Overlays and the general rules of interpretation of this Bylaw.

Note: The text contained within this grey box does not form a part of the Land Use Bylaw and is only provided as context for the reader.

3.1. **General Interpretation**

3.1.1. Any enactments referred to herein refer to an enactment of the *Municipal Government Act*, to be known as the '*Act*', as amended, revised, consolidated or replaced from time to time. Any Bylaw referred to herein refers to an enactment of the City of Leduc Council, as amended, revised, consolidated or replaced from time to time.

3.1.2. The preambles and headings provided for sections, paragraphs and sub-sections in this Bylaw are for convenience and reference only; they do not form part of this Bylaw and will not be used in the interpretation of this Bylaw.

3.2. **Rules of Interpretation**

3.2.1. Compliance with the regulations in this Bylaw shall be interpreted and applied as follows:

3.2.1.1. The word 'SHALL' means the provision is mandatory and therefore must be complied with, without discretion;

3.2.1.2. The world 'SHOULD' is a directive term that provides direction to strive to achieve the outlined action, but is not mandatory. When the regulation is directed to the Developer, the onus is on the Applicant to justify why the desired action/result is not proposed and/or will not be achieved;

3.2.1.3. The word 'MAY' is a discretionary term, providing notification that the regulation in question can be enforced if the City chooses to do so, and is usually dependent on the particular circumstances.

3.2.1.4. A 'PERMITTED USE' means the one (1) or more uses of land or Buildings that are permitted in a given district, with or without conditions applied by the Development Authority upon the application having been made. All Permitted Uses require the issuance of a Development Permit, unless identified as "not requiring a Development Permit" or exempt under this Bylaw;

3.2.1.5. A "DISCRETIONARY USE" means the one (1) or more uses of land or Buildings that may be permitted in a given district at the discretion of the Development Authority, with or without conditions;

3.2.1.6. The word “EXEMPT” means Development that does not require a Development Permit if it meets all requirements of this Bylaw;

3.2.1.7. Words used in the present tense shall also mean the future tense;

3.2.1.8. Words used in the singular shall also mean the plural;

3.2.1.9. Words used in the masculine gender shall also mean the feminine gender and the neuter; and

3.2.1.10. The words "use", "used", “uses”, "occupy", "occupied" or “occupies” applied to any land or Building shall include anything done to or arranged, designed or intended for said land or Building.

3.2.2. Where a regulation involves two (2) or more conditions, provisions or events connected by a conjunction, the following shall apply:

3.2.2.1. “and” means all the connected items shall apply in combination;

3.2.2.2. “or” indicates that the connected items may apply singly or in combination; and

3.2.2.3. “either-or” indicates the items shall apply singly but not in combination.

3.2.3. This Bylaw is written in metric measurement.

3.2.4. In the case of any conflict between a number written in numerals and a number written in letters, the number written in numerals shall govern.

3.2.5. In the case of any conflict between the text of this Bylaw and any maps or drawings used to illustrate any aspect of this Bylaw, the text shall govern.

3.3. **Establishment of Districts**

3.3.1. Land Use districts and the associated district provisions are established for the City in accordance with Sections 11.0 through 17.0 of this Bylaw.

3.3.2. The Land Use District Map also constitutes Section 27.0 Land Use Maps of this Bylaw. It divides the City into districts and specifies the district provisions applying to particular lands.

3.3.3. Provisions, as listed in Sections 19.0 Sustainable Development Standards, 20.0 General Regulations and 21.0 Specific Use Regulations shall govern any Permitted and Discretionary Uses listed in a Land Use district.

3.3.4. For the purpose of this Bylaw the City is divided in the following Land Use Districts:

Table 1: Land Use Districts

DISTRICT	ABREVIATION
Residential Single Detached Estate	RSE
Residential Standard District	RSD
Residential Narrow Lot	RNL
Residential Shallow Lot (With a Lane)	RSL
Residential Manufactured Home	RMH
Mixed-Use Residential	MUR
Mixed-Use Neighbourhood	MUN
Mixed-Use Comprehensive	MUC
Central Business District	CBD
General Commercial	GC
Commercial Shopping Centre	CSC
Commercial Business Oriented	CBO
Light Industrial	IL
Medium Industrial	IM
Business Light Industrial	IBL
Special Industrial	IS
Urban Services	US
General Recreation	GR
Environmental Restricted Development	ERD
Urban Reserve	UR
Direct Control	DC

3.4. **Establishment of Overlays**

3.4.1. Overlays shall provide a means to add or remove land uses as well as to alter or specify regulations for Permitted and Discretionary Uses in otherwise appropriate districts in order to achieve the local planning objectives in specially designated areas throughout the City of Leduc.

3.4.2. Overlays shall only be applied to districts where specified in this Bylaw, which shall include:

3.4.2.1. the name of any applicable Statutory Plan, and its boundaries;

3.4.2.2. a map of the location(s) or neighbourhood(s) affected by the Overlay at an appropriate scale, which may indicate the designation, location and boundaries of each underlying district; and

3.4.2.3. every use and regulation specified or changed by the Overlay.

3.4.3. Deleted.

3.4.4. An Overlay shall not be used:

3.4.4.1. in conjunction with a direct control provision, unless the direct control provision specifically says otherwise

Deleted-Replaced – Bylaw No. 1023-2019, adopted May 13, 2019

3.4.4.2. where the proposed regulations or changes to the regulations of an underlying district:

1) are significant enough to be inconsistent with the general purpose of that district and the designation of another district would be more appropriate;

2) are not merely related to local planning objectives but would have sufficient general application to warrant an amendment to the text of the underlying district itself; or

3) are intended to provide such detailed or Site specific discretionary control over the design and siting of Development that the use of a direct control provision would be more appropriate;

3.4.4.3. to alter the following Parts and Sections of this Bylaw:

1) Part 1;

2) Part 2;

3) Part 3, except that Section 9.2 Supplementary Requirements for a Development Permit Application and Section 9.3 Notification and Community Consultation of Proposed Development may be tailored to the satisfaction of the Development Authority to address specific features of proposed Developments;

4) Part 8; and

5) Part 9.

3.4.5. The Permitted Uses specified in the underlying district are permitted and the Discretionary Uses specified in the underlying district are discretionary, subject to the regulations concerning Land Use, as specified in the Overlays.

3.4.6. The regulations provided in the Overlay shall be substituted for the specified regulations of the underlying district. Where there appears to be a conflict between the provisions of the Overlay and those of the underlying district, the provisions of the Overlay shall take precedence and effect.

3.4.7. Notwithstanding Section 3.4.6 above, the provisions of the Airport Protection Overlay shall take precedence over the provisions of any other Overlay.

3.4.8. The Overlay may change or specify regulations and submission requirements and may specify the conditions under which such changed or specified regulations would apply.

3.5. **Overlay and District Boundaries**

3.5.1. The boundaries on the Land Use District Maps shall be interpreted as follows:

3.5.1.1. where a boundary follows a Public Roadway, railway, pipeline, power line or Utility right-of-way or Easement, it follows the centre line, unless otherwise indicated;

3.5.1.2. where a boundary is shown as approximately following the City boundary, it follows the City boundary;

3.5.1.3. where a boundary is shown as approximately following the edge or shorelines of any river, lake, creek or other water body, it follows the edge or shoreline. In the event of a change in the location of said edge or shoreline, it moves with the same;

3.5.1.4. where a boundary is shown as approximately following a Parcel line, it follows the Parcel line;

1) 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 title office. Upon registration, the district boundary shall be adjusted in accordance with the plan of survey or descriptive plan;

2) when Abutting lands are governed by different districts, the centre of the roadway is the district boundary, unless the district boundary is shown clearly following the edge of the roadway; and

3) for circumstances not covered above, the location of the boundary shall be determined by any dimensions set out in this Bylaw and by measurements of the Land Use District Maps.

3.5.2. The district provisions of this Bylaw do not apply to roadways.

3.5.3. Notwithstanding Subsection 3.5.2., when a roadway loses its designation through a road closure bylaw, the roadway lands shall have the same Land Use designation as the most restrictive district applicable to Abutting lands, except when, immediately following road closure, the closed roadway is consolidated with an adjoining Parcel, in which case that adjoining Parcel's Land Use designation applies to affected portions of the roadway.

3.5.4. Where the application of the above interpretations does not determine the exact location of a boundary, the Development Authority shall determine the exact location of a boundary in doubt or in dispute in a manner consistent with the provisions of this Bylaw and with the degree of detail as to measurements and directions as circumstances require.

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

4.0 Amendments

PREAMBLE

This Section of the Land Use Bylaw outlines the requirements and procedures for amending the Land Use Bylaw. This Section is drafted in accordance with the provisions of the *Municipal Government Act* which supersedes and regulates what a Land Use Bylaw can or cannot address.

Note: The text contained within this grey box does not form a part of the Land Use Bylaw and is only provided as context for the reader.

4.1. **Procedures for Amendments**

4.1.1. Any person may apply to amend this Bylaw by making an application for a redesignation or textual amendment and submit it to the Development Authority on the prescribed form for processing and referral to Council.

4.1.2. Council may, on its own initiative and in accordance with the Act, initiate an amendment to this Bylaw affecting any Parcel of Land without the property owner's consent.

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

4.2. **Requirements for an Amendment Application**

4.2.1. An application for a Bylaw Amendment shall be made to the Development Authority on the prescribed form and shall be signed by the applicant or the applicant's agent authorized in writing. The correctness of the information supplied shall, when required by the Development Authority, be verified by a Statutory Declaration.

4.2.2. The following information and documents will accompany the application and appropriate fees:

4.2.2.1. a statement of the reason for the request to amend the Bylaw; and

4.2.2.2. if the amendment involves the redesignation of land to a different Land Use District:

1) a copy of the Certificate of Title for the lands affected, or any other documentation satisfactory to the Development Authority verifying that the Applicant has a legal interest in the land; and

2) a properly dimensioned map indicating the affected property and its relationship to existing Land Uses on Adjacent properties. The Development Authority may also require that a digital copy of map be provided.

4.2.3. Where the proposed amendment is for a change in text and no property is specifically affected, the requirements of Section 4.2 shall be applied as applicable.

4.3. **Supplementary Requirements for an Amendment Application**

4.3.1. In addition to the application requirements in Section 4.2 Requirements for an Amendment Application, the Development Authority may require other information to properly evaluate the application which may include the following:

4.3.1.1. conceptual drawings of any future Development on the property, including a Site plan and architectural designs (Elevations);

4.3.1.2. a statement describing how the *Municipal Development Plan* or any other relevant statutory or non-Statutory Plans affecting the application and this Bylaw have been considered; or

4.3.1.3. any technical studies as requested by the Development Authority.

4.4. **Amendment Review**

4.4.1. Upon receipt of an amendment application, the Development Authority:

4.4.1.1. may refer the application to any City Department for review and comment; and

4.4.1.2. shall refer the application to Council for consideration for First Reading.

4.4.2. The Development Authority may require, prior to considering a proposed amendment to this Bylaw, that the Applicant prepare an Area Structure Plan in accordance with the Act or an Outline Plan in accordance with the *Municipal Development Plan*. The Area Structure Plan or Outline Plan shall address all those issues considered necessary for the proper consideration of Development within the area covered by the Area Structure Plan or Outline Plan.

4.4.3. An amendment application may be referred to any external agency for comment or advice at the discretion of the Development Authority.

4.5. **Advertising and Public Hearing**

4.5.1. The requirements and procedure for amending this Bylaw is established by the Act and in particular by Sections 230, 606 and 692 of the Act with respect to advertising and public hearing.

4.5.2. If the scope of the subject amendment to the Bylaw is to redesignate an existing Parcel from any Land Use district other than UR – Urban Reserve to a different Land Use district, and once a date for a public hearing has been set:

4.5.2.1. the Applicant shall be required to erect a Sign 1.0 m2 on the Site, to be kept visible up to one (1) month after the public hearing. This Sign shall include all relevant information regarding the proposed Bylaw amendment to the satisfaction of the Development Authority including, but not limited to:

1) legal description and/or municipal address;

2) proposed Land Use district(s);

3) Permitted Uses;

4) Discretionary Uses;

5) intended use;

6) map of the Site; and

7) contact information for City of Leduc Planning & Development department.

4.5.3. The Development Authority shall provide a notice to the Applicant and the property owner of the subject land and to all Adjacent property owners within a minimum 61.0 m radius.

4.6. **Decision on Amendments**

4.6.1. Council may, after due consideration of an application, give First Reading to the Bylaw amendment and set a date for Public Hearing to be held prior to Second Reading.

4.6.2. Council may, after considering any presentation made at the Public Hearing, any Intermunicipal Development Plan, Municipal Development Plan, Area Structure Plan, Area Redevelopment Plan or Outline Plan affecting the application and the provisions of this Bylaw; or any other relevant information or documents before Council:

4.6.2.1. approve the proposed Bylaw Amendment as it is;

4.6.2.2. make any changes it considers necessary to the proposed amendment and then approve it or refuse it during consideration for Second and Third Reading;

4.6.2.3. defer the proposed Bylaw Amendment back to Administration for more information or further review and changes, and then reschedule the application for further consideration;

4.6.2.4. refuse the proposed Bylaw Amendment as it is; or

4.6.2.5. in the case of a Direct Control amendment, may defer further readings of a bylaw pending a Development Permit application.

4.7. **Reapplication Interval**

4.7.1. If Council refuses an application for a Bylaw Amendment, the City may not accept another application on the same land for the same or similar purpose until six (6) months after the date of such refusal.

5.0 Development Authorities

PREAMBLE

This Section of the Land Use Bylaw addresses the roles of the Development Authorities in the approval and appeal process. The main authorities involved in this process include Council, a Designated Officer (Development Officer) and the Subdivision and Development Appeal Board.

Note: The text contained within this grey box does not form a part of the Land Use Bylaw and is only provided as context for the reader.

5.1. **Establishment of the Development Authority**

5.1.1.The Development Authority is established in Bylaw 872-2014, as amended.

5.1.2.A Development Authority may include one or more of the following:

5.1.2.1. Designated Officer

5.1.2.2. Chief Administrative Officer

5.1.2.3. City Manager

5.1.2.4. Council

5.1.2.5. Subdivision and Development Appeal Board

5.2. **Duties of the Development Officer**

5.2.1.The Development Officer shall:

5.2.1.1. receive, consider and approve or disapprove applications for a Development Permit; and

5.2.1.2. 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.

5.2.2. 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:

5.2.2.1. the Development Officer is satisfied that the proposed new Development Permit will result in meeting the requirement of the approved Permit; and

5.2.2.2. that security is in place that will insure the completion of the new Permit.

5.3. **Subdivision and Development Appeal Board**

5.3.1. Except as otherwise specified in this Bylaw, the Subdivision and Development Appeal Board shall perform such duties as are specified in this Bylaw, the Subdivision and Development Appeal Board Bylaw and the Act.

6.0 Development Appeals

PREAMBLE

In accordance with the provisions of the *Municipal Government Act*, this Section of the Bylaw outlines the procedure and associated requirements for appeals to the Subdivision and Development Appeal Board, the Municipal Government Board or the Court of Appeals. The intent of this Section is to inform Applicants of their rights and procedures pertaining to Subdivision and Development appeals.

Note: The text contained within this grey box does not form a part of the Land Use Bylaw and is only provided as context for the reader.

6.1. **Appeal Authorities**

6.1.1. Pursuant to Section 627 and 628 of the *Act*, a Council must by Bylaw establish a Subdivision and Development Appeal Board. In this Bylaw, the Appeal Authority may include one (1) of the following:

6.1.1.1. the Subdivision and Development Appeal Board as established under Bylaw 360-95, as amended;

6.1.1.2. the Inter-Municipal Subdivision and Development Appeal Board; or

6.1.1.3. the Municipal Government Board.

6.2. **Procedure for Development Appeals**

6.2.1. 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 Appeal Authority when a Development Authority:

6.2.1.1. refuses or fails to issue a Development Permit to a person;

6.2.1.2. issues a Development Permit subject to conditions;

6.2.1.3. issues a Development Permit where the provisions of the Bylaw were relaxed; and

6.2.1.4. issues a Stop Order under Section 645 of the Act.

6.2.2. An appeal must be filed with the Appeal Authority within twenty-one (21) consecutive days of the date of decision or issuance of the Development Permit.

6.2.3. An appeal may be launched by filing a notice with the Appeal Authority by providing the following:

6.2.3.1. the legal description of the property and/or the municipal address;

6.2.3.2. the address of the appellant;

6.2.3.3. the reasons for the appeal and the issue or condition in the decision or order that are the subject of the appeal; and

6.2.3.4. the fees prescribed by the Subdivision and Development Appeal Board Bylaw.

6.2.4. The Development appeal will be considered and the Public Hearing will be held by the Appeal Authority in the manner prescribed in the Appeal Authority Bylaw, and pursuant to the requirements of the Act.

6.2.5. In determining an appeal, the Appeal Authority must comply with Sections 683, 684, 686 and 687 of the Act.

6.3. **Court of Appeal**

6.3.1. Pursuant to Section 688 of the Act, an appeal is directed to the Court of Appeal on a question of jurisdiction or law with respect to:

6.3.1.1. a decision of the Subdivision and Development Appeal Board; or

6.3.1.2. the Municipal Government Board on a Subdivision appeal.

6.3.2. An application for leave to appeal pursuant to Subsection 6.3.1. must be filed and served within thirty (30) days after the issue of the decision sought to be appealed, and notice of the application must be given to:

6.3.2.1. the Municipal Government Board or the Subdivision and Development Appeal Board; and

6.3.2.2. any other person(s) that the judge directs.

7.0 Enforcement

PREAMBLE

This Section of the Land Use Bylaw outlines the procedures for enforcing the provisions outlined in this Bylaw and the associated fines or penalties.

Note: The text contained within this grey box does not form a part of the Land Use Bylaw and is only provided as context for the reader.

7.1. **Purpose**

7.1.1.The purpose of this Section is to ensure:

7.1.1.1. that Development within the City of Leduc is orderly, economical and beneficial; and

7.1.1.2. that the requirements of this Bylaw are enforced fairly and consistently.

7.2. **Bylaw Enforcement**

7.2.1.A person is guilty of an offence when allowing or commencing any Development:

7.2.1.1. that contravenes, or does not comply with, the provisions of this Bylaw;

7.2.1.2. that requires a Development Permit in the Bylaw that has not been issued;

7.2.1.3. 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

7.2.1.4. that contravenes a Stop Order under 7.9 below.

7.2.2.After reasonable notice to the owner or occupant of land or a Building in accordance with Section 542 of the Act, a Designated Officer of the City or his delegate may enter property at reasonable times to ascertain if the requirements of this Bylaw are being met.

7.2.3.All Sign Developments shall be subject to the following:

7.2.3.1. any Sign 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, or those placed in contravention of the regulations of this bylaw, shall be liable for removal and damages incurred by the City without any notice or warning to the owner thereof.

7.2.3.2. any Sign or other advertising device removed in accordance with this Section must be claimed within thirty (30) days of its removal by the City.

7.2.3.3. any Sign or other advertising device not claimed within the timeframe outlined in Section 7.2.3.2 becomes the property of the City and the City may dispose of the property as provided in Section 610 of the Act.

7.3. **Enforcement Fines**

7.3.1. Council may, by bylaw, establish penalties for contravention of or non-compliance with the provisions of this Bylaw.

7.3.2. A person who is guilty of an offence or breach under this Bylaw is liable to a fine in an amount not less than $500.00, and not exceeding $10,000.00 and to imprisonment for not more than 6 months for non-payment of a fine.

7.4. **Municipal Tag**

7.4.1. A Peace Officer is hereby authorized and empowered to issue a Municipal Tag to any person who the Peace Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.

7.4.2. A Municipal Tag may be issued to such person:

7.4.2.1. either personally; or

7.4.2.2. by mailing a copy to such person at his last known post office address.

7.4.3. The Municipal Tag shall be in a form approved by the City Manager and shall state:

7.4.3.1. the name of the person;

7.4.3.2. the offence;

7.4.3.3. the specified penalty established by this Bylaw for the offence;

7.4.3.4. that the penalty shall be paid within thirty (30) days of the issuance of the Municipal Tag; and

7.4.3.5. any other information as may be required by the City Manager.

7.5. **Payment in Lieu of Prosecution**

7.5.1. Where a Municipal Tag is issued pursuant to this Bylaw, the person to whom the Municipal Tag is issued may, in lieu of being prosecuted for the offence, pay to the City the penalty specified within the time period indicated on the Municipal Tag.

7.6. **Violation Ticket**

7.6.1. If a Municipal Tag has been issued and if the specified penalty has not been paid within the prescribed time, then a Peace Officer is hereby authorized and empowered to issue a Violation Ticket pursuant to the *Provincial Offences Procedure Act*.

7.6.2. Notwithstanding Section 7.6.1, a Peace Officer is hereby authorized and empowered to immediately issue a Violation Ticket pursuant to the *Provincial Offences Procedure Act*, to any person who the Peace Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.

7.6.2.1. If a Violation Ticket is issued in respect of an offence, the Violation Ticket may:

1) specify the fine amount established by this Bylaw for the offence; or

2) require a person to appear in Court without the alternative of making a voluntary payment.

7.7. **Voluntary Payment**

7.7.1. A person who commits an offence may make a voluntary payment by submitting to a Clerk of the Provincial Court, on or before the initial appearance date indicated on the Violation Ticket, the specified penalty set out on the Violation Ticket:

7.7.1.1. if a Violation Ticket is issued in respect of the offence; and

7.7.1.2. if the Violation Ticket specifies the fine amount established by this Bylaw for the offence.

7.8. **Obstruction**

7.8.1. A person shall not obstruct or hinder any person in the exercise or performance of the person's powers pursuant to this Bylaw.

7.9. **Stop Order**

7.9.1. When an offence has been or is being committed, the Development Authority may issue a Stop Order under Section 645 of the Act or have a Violation Ticket issued for the fine as prescribed in Section 7.3.2.

7.9.2. 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:

7.9.2.1. stop the Development or use of land that is contrary to the Bylaw;

7.9.2.2. demolish, remove or bring the Development into compliance with the Bylaw;

7.9.2.3. carry out any other actions required by the notice so that the Development complies with the provisions of this Bylaw;

7.9.2.4. complete the actions in the notice before a date set out in the notice; and

7.9.2.5. make the recipient of the Stop Order aware of the option to launch an appeal to the Subdivision and Development Appeal Board.

7.9.3. If the Stop Order is appealed to the Subdivision and Development Appeal Board then the Development Authority shall provide, at the hearing, any information required by the Board.

7.9.4. 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 Development Authority may take action under Sections 542, 543, 554, 646 of the Act.

7.9.5. If a person fails or refuses to comply with an order made pursuant to Section 7.9.4 the Development Authority may:

7.9.5.1. Obtain an injunction from an Alberta Court to enforce the Order and the Bylaw;

7.9.5.2. Register a caveat under the Land Titles Act in respect of the order;

7.9.5.3. 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 646 of the Act; and

7.9.5.4. the cost of action or measure will be:

1) charged to the registered owner of the land; and

2) added to the tax roll of the lands owned by the registered owner and collected in like manner as taxes owing against the property.

7.9.6. The Development Authority is authorized and directed to take whatever action is required to collect fines levied for offences of the Bylaw.

7.9.7. After reasonable notice (generally to mean 48 hours' notice) to the owner or occupant in accordance with Section 542 of the Municipal Government Act, a designated officer of the municipality or his delegate may enter the property at reasonable times (generally to mean 7:30 am – 10:00 pm) to ascertain if Bylaw requirements are being met.

PART 3: DEVELOPMENT APPLICATIONS AND PROCESS

8.0 Development

PREAMBLE

This Section identifies the requirement for a Development Permit and when the Development on a property shall be considered to be in compliance with this Bylaw. This Section also lists the circumstances, activities, Structures and/or Developments that do not require the issuance of a Development Permit if the Development meets all requirements noted.

Note: The text contained within this grey box does not form a part of the Land Use Bylaw and is only provided as context for the reader.

8.1. **Control of Development**

8.1.1. In addition to meeting the requirements of this Bylaw, it is the responsibility of the Applicant to ensure and obtain other safety code approvals or licences that may be required by other regulatory departments or agencies.

8.1.2. The Development Authority may advertise and circulate to the Adjacent property owners any Development Permit applications for Discretionary Uses.

8.2. **No Development Permit Required**

8.2.1. A Development Permit is not required for the following Developments provided that the proposed Development complies with the applicable regulations of this Bylaw:

Table 2: Development, Activities and Uses That Do Not Require a Development Permit

DEVELOPMENT, ACTIVITIES AND USES THAT DO NOT REQUIRE DEVELOPMENT PERMIT	
Accessory Developments less than 10.0 m² (excluding decks)	Shall not have permanent Foundation and must meet Land Use district regulations.
Accessory Developments related to uses not requiring a Development Permit	Must meet required Land Use district regulations.
Air Supported and Fabric Covered Structures Associated with events of a temporary nature	The use of an Air Supported and Fabric Covered Structure on a temporary basis for such events as outdoor concerts, weddings and fundraisers in any Land Use District.
Carnivals and Fairs	These activities do not require a Development Permit, nonetheless, they require written authorization from the Development Authority which shall contain any given specific directions and are not allowed in residential districts.

DEVELOPMENT, ACTIVITIES AND USES THAT DO NOT REQUIRE DEVELOPMENT PERMIT	
Day Care Facility (Limited)	An accessory use that may be licenced by the Province to provide personal care, maintenance, supervision or education, without overnight accommodation, for up to six children under the age of 15 years at one time
Deck	With a Height less than 0.6m, and meeting required district regulations.
Developments Associated with a Development Agreement	Any Developments or improvements related to the construction of public infrastructure, as authorized by a Development Agreement.
Fences and Gates	The erection of a fence or gate which is no higher than 1.82 m in height provided that there is no contravention of this or any other Bylaw of the Municipality and provided that such fence or gate does not in the opinion of the Development Authority obstruct the vision of persons using roads abutting the parcel.
Hard Surfacing	RV Parking, assuming it complies with Section 21.8.3, 21.8.4 or 21.8.6, or the Hard Surfacing of any area that is part of a Development for which a Development Permit has been issued, for the purpose of providing vehicle or pedestrian access or parking. **Deleted-Replaced – Bylaw No1023-2019, adopted May 13, 2019**
Home Office	A secondary use located within 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; complies with all regulations in 21.6.2.; and does not require parking of any business-related vehicle
Landscaping	General 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.
Maintenance of a Building	The carrying out of routine maintenance to any Building, provided that such work does not include or constitute structural alterations. Typical routine maintenance includes but is not limited to siding replacement, window replacement, roofing, painting, etc. This provision excludes Façade or Building improvements for any Parcel affected by Sections 18.4, 18.5, 18.6, 18.7, or 18.8, unless otherwise specified by the Development Authority

DEVELOPMENT, ACTIVITIES AND USES THAT DO NOT REQUIRE DEVELOPMENT PERMIT	
Municipal Building or Development Project	Any Building or Development project to be undertaken by the City of Leduc, not including any public/private partnerships nor projects on behalf of a municipal board or committee. **Added – Bylaw No. 1052-2020, adopted September 14, 2020.**
Occupancy of Commercial or Industrial Business	The Occupancy of vacant space by a Permitted Use in an existing or approved commercial centre or industrial business centre if the Development Permit for that space is still valid and the Development standards have not changed.
Parks	Developed by the City, Provincial or Federal Governments.
Public Improvements	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.
Removal and Demolition of Buildings and Structures	The Removal and Demolition of Buildings and Structures requires a Building Permit.
Removal and Installation of Fuel Tanks	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.
Residential Renovations	The internal alteration to a residential Building as long as the alterations do not result in an increase in the number of Dwelling Units.
Satellite Dish	Less than 1.2m in diameter directly attached to a roof, side wall or Balcony.
Stripping, Site Grading or Excavation	Stripping, Site grading or Excavation that is part of a Development for which a Development Permit has been issued or a development agreement entered into. **Deleted-Replaced – Bylaw No1023-2019, adopted May 13, 2019**
Swimming Pool (temporary)	Must be above Grade, installed on a seasonal basis and removed during winter months, but not including permanently installed above or below Grade. Must meet required district regulations.
Temporary Buildings Associated with Construction	A temporary Building not to be used for residential purposes, such as a construction trailer, where the sole purpose of the Building is incidental to the erection or alteration of a permanent Building for which a Development Permit has been issued under this Bylaw. The temporary Building is removed within thirty (30) days of substantial completion or as determined by the Development Authority. This does not include a real estate sales office, show home or similar facility.

DEVELOPMENT, ACTIVITIES AND USES THAT DO NOT REQUIRE DEVELOPMENT PERMIT	
	This provision includes Container, Shipping Container or Sea Can.
Temporary Government Services	The use of a Building, or part thereof, as any official temporary use in connection with a Federal, Provincial or Municipal election, referendum or census.
Temporary Retail Sales	Temporary/transient hawking of food products (fruit, vegetables, meat or fish), Christmas trees, flowers or other miscellaneous items.
Towers, Flag Poles and Other Poles	Not exceeding 4.6 m in Height from Grade in any Residential District.
Utilities on Public Land	The installation, maintenance and repair of public works, services and utilities carried out on behalf of Federal, Provincial or Municipal authorities on land that is publicly owned or controlled.
Utilities on Private Land	Railways, pipelines, irrigation ditches, conduit flumes and Utility lines not integral to an approved Development.
Those Land Uses and Developments exempted under Section 618 of the *Act* and regulations thereto.	

8.3. **Variance to Regulations**

8.3.1. The Development Authority, pursuant to Section 640(6) of the Act, may approve or conditionally approve an application for a Development that does not comply with this Bylaw or is a Non-Conforming Building, if in the opinion of the Development Authority:

8.3.1.1. 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 Parcels of land;

8.3.1.2. and, the proposed Development conforms with the use prescribed for that land or Building in this Bylaw.

8.3.2. In particular, the Development Authority, subject to Section 8.3.1 of this Bylaw, may approve:

8.3.2.1. 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;

8.3.2.2. 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.

8.3.2.3. the subject Site has irregular Lot lines creating an odd shape or a Lot size that may create difficulties in locating a Structure within the required Setbacks, in which case the Development Authority may permit the Development and vary the Setback or average the Setbacks; and/or

8.3.2.4. an error has occurred in the situating of a Building or Structure, rectifying which would create unnecessary hardship to the property owner.

8.3.3. Prior to granting a Variance, the Development Authority may request written acceptance of the proposed Variance from Adjacent or affected property owners. If consent is not received from Adjacent or affected property owners the variance shall be refused by the Development Authority and may be appealed to the Subdivision and Development Appeal Board. In addition, where the proposed Development has more than one Principal Building located on the Site and/or the Principal Building has more than one Dwelling Unit the Development Authority may advertise the proposed Variance, prior to granting a Variance.

8.3.4. If a Variance is granted, the Development Authority shall specifically detail its nature and extent in the Development Permit.

8.4. **Letter Respecting Compliance**

8.4.1. The property owner or a person with legal or equitable interest in a property, hereinafter referred to as the Applicant, may apply for a Letter Respecting Compliance.

8.4.2. The Applicant for a Letter Respecting Compliance shall submit to the Development Authority a Real Property Report for the Site that is less than one (1) year old and is prepared by a registered Alberta Land Surveyor. Where the submitted Real Property Report is greater than one (1) year and less than three (3) years of age, it must be accompanied by a Statutory Declaration from the property owner or an authorized agent verifying its accuracy. Real Property Reports three (3) years or older are not accepted and a new Real Property Report will be required. The Applicant shall pay all costs associated with the preparation of the Real Property Report.

8.4.3. In determining whether a Letter Respecting Compliance can be issued, the Development Authority shall rely on the Real Property Report submitted by the Applicant.

8.4.4. The Development Authority may issue a Letter Respecting Compliance when, in their opinion, the Structures located on the property, and shown on the Real Property Report, are located on the property in accordance with the Setback regulations of this Bylaw and/or the Setbacks specified in any Development Permit which may have been issued for the property. The Letter Respecting Compliance shall only cover those Buildings and Structures, or parts thereof, shown on the Real Property Report submitted by the Applicant.

8.4.5. The Development Authority may refuse to issue a Letter Respecting Compliance when, in their opinion, he does not have sufficient information from the Applicant to determine if a Building or Structure located on a property is located in accordance with the Setback regulations of this Bylaw and/or the Setbacks specified in any Development Permit which may have been issued for the property.

8.4.6. The Development Authority 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 Real Property Report.

8.4.7. The Development Authority shall notify the property owner and Applicant if the subject property does not comply with this Bylaw and the steps necessary to ensure compliance.

9.0 Requirements for a Development Permit Application

PREAMBLE

This section outlines the requirements of a Development Permit application and identifies when notification and consultation is required for an application.

Note: The text contained within this grey box does not form a part of the Land Use Bylaw and is only provided as context for the reader.

9.1. **Initial Requirements for a Development Permit Application**

9.1.1. A Development application shall include all of the following items, unless the Development Authority deems otherwise:

9.1.1.1. an application made to the Development Authority on the prescribed form that shall be signed by the Applicant or his agent authorized in writing. The correctness of the information supplied shall, when required by the Development Authority, be verified by a Statutory Declaration;

9.1.1.2. statement of the proposed use or Occupancy of all parts of the land and Building, and such other information as may be required by the Development Authority;

9.1.1.3. plans showing Elevations, floor plans and the perspective of the proposed Development including a description of the exterior finishing materials and colours;

9.1.1.4. a vicinity map indicating the location of the proposed Development in relation to nearby streets and other significant physical features which may have implications on the proposed Development;

9.1.1.5. a Fire Safety Plan;

9.1.1.6. the applicable Development Permit fee, as determined year-to-year and described in the City's Fees Bylaw and any successor legislation.

9.1.1.7. Site Plans in duplicate (or at the discretion of the Development Authority in triplicate) showing all of the following:

1) North arrow;

2) scale of plan, minimum of 1:1,000 or to the satisfaction of the Development Authority;

3) legal description of property;

4) municipal address;

5) lot lines shown with dimensions;

6) front, side and Rear Yards with dimensions;

7) dimension layout of existing and proposed parking areas, Driveways, paved areas, entrances and exits Abutting streets, avenues and Lanes shown and labeled;

8) location of Sidewalks and curbs;

9) location of existing and proposed municipal and private local improvements;

10) location, dimensions and Height of principal Buildings and other Structures including Accessory Developments, Garages, carports and Fences, that are existing and proposed;

11) location of major landscaped areas including retaining walls, existing trees, buffering, and Screening areas were provided;

12) site topography, drainage patterns, Grades and any other conditions; and

13) location of all registered Utility Easements and right-of-ways;

9.2. **Supplementary Requirements for a Development Permit Application**

9.2.1.The Development Authority may require:

9.2.1.1. photographic prints showing the Site in its current condition;

9.2.1.2. how the form, mass and character of the proposed Development will relate to neighbouring Development;

9.2.1.3. how the exterior finish of the Building will relate to existing or planned Facades of neighbouring Buildings;

9.2.1.4. a detailed Landscaping plan 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;

9.2.1.5. a geotechnical or Floodplain study prepared by a qualified engineer if, in the opinion of the Development Authority, the Site is potentially hazardous or unstable;

9.2.1.6. a level one and/or level two environmental Site assessment, conducted according to Canadian Standards Association (CSA) guidelines, to determine potential contamination and mitigation;

9.2.1.7. an environmental impact assessment prepared by a qualified professional if the proposed Development may, in the opinion of the Development Authority, result in potentially significant environmental effects;

9.2.1.8. a traffic impact analysis prepared by a qualified engineer specializing in transportation engineering. Such an analysis shall address, but not be limited to, impact on Adjacent Public Roadways, pedestrian circulation on and off site, vehicular circulation on and off the site, turning radius diagrams for large truck movements on and off Site and any other information required by the Development Authority;

9.2.1.9. a parking study prepared by a qualified engineer specializing in transportation engineering;

9.2.1.10. a noise attenuation study prepared by a qualified professional;

9.2.1.11. a report showing the effect of wind and shadow produced by the proposed Development;

9.2.1.12. copies of a Plan of Survey prepared by an Alberta Land Surveyor showing the Site to be developed;

9.2.1.13. a reclamation plan for aggregate extraction or other major surface disturbance;

9.2.1.14. information to assist in assessing the impact the proposed Development may have on utilities, services, traffic circulation within the Site and on Adjacent Public Roadways, Land Use, tax base, community facilities, employment and other matters;

9.2.1.15. samples of exterior finishing materials;

9.2.1.16. Elevations of any Signs proposed for the Development;

9.2.1.17. information showing that the Applicant has discussed the proposal with nearby property owners; and/or

9.2.1.18. such other plans, photographs or other documents or information of any kind that the Development Authority may consider necessary to properly evaluate the proposed Development.

9.2.2. Prior to an application being considered for a Discretionary Use or for a Development in a direct control district, the Development Authority may require the Applicant to display, in a form prescribed by the Development Authority, for no less than seven (7) days in a conspicuous place on the Site a notice or notices setting out the proposed use in accordance with Section 10.5.3.1 of the City of Leduc.

Deleted-Replaced – Bylaw No1023-2019, adopted May 13, 2019

9.2.3. The notice required by the Development Authority pursuant to Section 9.3.1 shall state:

9.2.3.1. the proposed use of the Building or site;

9.2.3.2. that an application respecting the proposed use will be considered by the Development Authority; and

9.2.3.3. that any person who objects to the proposed use of the Site may deliver to the Development Authority 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 Authority not later than the day specified in the notice.

9.3. **Notification and Community Consultation of Proposed Development**

9.3.1. Prior to an application being considered for a Discretionary Use or for a Development in a direct control district, the Development Authority may require the Applicant to display, in a form prescribed by the Development Authority, for no less than seven (7) days in a conspicuous place on the Site a notice or notices setting out the proposed use

9.3.2. The notice required by the Development Authority pursuant to Section 9.3.1 shall state:

9.3.2.1. the proposed use of the Building or site;

9.3.2.2. that an application respecting the proposed use will be considered by the Development Authority; and

9.3.2.3. that any person who objects to the proposed use of the Site may deliver to the Development Authority 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 Authority not later than the day specified in the notice.

9.3.3. Prior to an application being considered for a Discretionary Use, or for a Development in a direct control district, the Development Authority may require that the Applicant carry out a community consultation program. The community consultation program shall be subject to the approval of the Development Authority.

9.3.4. For each Development Permit for a Group Home use the Applicant, prior to approval, shall have a notice published in one issue of the Municipality's local newspaper. In addition to information regarding the proposed Group Home use, the notice shall also be an invitation to a Public Meeting which shall be held by the Applicant prior to approval of the Development Permit. As well, notices shall be mailed to all assessed landowners within an area as determined by the Development Authority, proximate to the site for which the Development Permit has been issued and to those community organizations that the Development Authority determines appropriate to receive the notice.

9.4. **Notification of Application Status**

9.4.1. Within (20) days after the receipt of a development permit application, the Development Authority shall determine whether the application meets the requirements of Section 9.1., 9.2. and 9.3. of this Bylaw.

9.4.2. Pursuant to 9.4.1., the Development Authority shall notify the Applicant to indicate:

a) the application meets the requirements and is determined to be a complete application, or

b) the application does not meet the requirements and is determined to be an incomplete application.

9.4.2.2. If the application is deemed incomplete and the Applicant fails to submit all of the outstanding information and documents by the date set out in the notice referred to in Section 9.4.2., the application is deemed to be refused.

9.4.3. If the Development Authority fails to notify the Applicant in accordance with Section 9.4.1.1., the application will be considered deemed complete.

10.0 Development Approval Process

PREAMBLE

This Section outlines the approval process of a Development application as well as the suspension or cancellation of Development Permits.

Note: The text contained within this grey box does not form a part of the Land Use Bylaw and is only provided as context for the reader.

10.1. **Application Status**

10.1.1. An application for a Development Permit shall not be considered complete until such time as the Requirements of Section 9.1., 9.2. and 9.3. have been met to the satisfaction of the Development Authority.

10.1.1.1. Deleted in its entirety.

10.1.1.2. Deleted in its entirety.

10.1.2. The determination of completeness shall not be based on the perceived merits of the Development proposal. The Development application shall not be reviewed on its merits until it is determined complete by the Development Authority.

10.1.3. An application for a Development Permit is not complete, where Subdivision is required, until the appropriate Subdivision is registered pursuant to the Subdivision regulations.

10.1.4. Notwithstanding Section 10.1.3 the Development Authority may approve an application for a Development Permit for a show home subsequent to an approved show home agreement for the appropriate Subdivision area in which the show home is to be located.

10.1.5. Deleted in its entirety.

10.2. **Development Permit Review Process**

10.2.1. The Development Authority may refer a Development Permit application to any City Department and to any external agency for comment and advice.

10.2.2. Where the proposed Development is located Adjacent to the municipal boundary, the Development Authority may refer a Development Permit application to Leduc County as per the requirements outlined in the City of Leduc/Leduc County Intermunicipal Development Plan Bylaw # 772-2011 which may be amended from time to time.

10.2.3. In reviewing a Development Permit application, the Development Authority shall consider any technical study deemed necessary to support the review of the application, and, based on those technical study results, recommend approval or refusal of the application and/or impose such conditions that are considered necessary to mitigate any potential problems.

10.2.4. Pursuant to Section 684 of the Act, an application for a Development Permit is, at the option of the Applicant, deemed to be refused if the decision of a Development Authority is not made within forty (40) days of a completed application being received by the City, unless the Applicant has entered into an agreement with the Development Authority to extend the forty (40) day period.

10.2.5. After twenty-one (21) days from the date of referral to any City Department or any external agency, the Development Authority may choose to start reviewing the application, whether or not comments or recommendations have been received. Notwithstanding, if forty (40) days are elapsed as per Section10.2.4, the Development Authority shall advise the Applicant that the application may be deemed refused by the Applicant unless the Applicant chooses to enter into an agreement with the Development Authority to extend the forty (40) day period.

10.2.6. For an application for a Development Permit in a Direct Control District, the Development Authority shall:

10.2.6.1. consider the application an may approve the application providing it meets the directions set out by Council, where Council has delegated the decision to the Development Authority; and

10.2.6.2. refer the Development application to Council recommending approval with or without conditions or recommending refusal, when Council has not delegated the decision to the Development Authority.

10.3. **Decision on Development Permit Application**

10.3.1. In making a decision on a Development Permit application for a Permitted Use, the Development Authority:

10.3.1.1. shall approve, with or without conditions, the application if the proposed Development conforms with this Bylaw; or

10.3.1.2. may refuse the application if the proposed Development does not conform to this Bylaw; or

10.3.1.3. may approve the permit with Variances or relaxations of the Bylaw.

10.3.2. In reviewing a Development Permit application for a Discretionary Use, the Development Authority shall have regard to:

10.3.2.1. the circumstances and merits of the application, including but not limited to:

1) the impact on properties in the vicinity by such nuisance factors as smoke, airborne emissions, odours and noise;

2) the design, character and appearance of the proposed Development and, in particular, whether it is compatible with and complementary to the surrounding properties; and

3) the servicing requirements for the proposed Development;

10.3.2.2. the purpose and intent of any Statutory Plan adopted by the City; and

10.3.2.3. the purpose and intent of any non-Statutory Plan and pertinent policy adopted by the City.

10.3.3. On making a decision on a Development Permit application for a Discretionary Use, the Development Authority:

10.3.3.1. may approve the application if it meets the requirements of this Bylaw, with or without conditions, based on the merits of the application including any approved Statutory Plan or approved policy affecting the site;

10.3.3.2. may refuse the application even though it meets the requirements of this Bylaw; or

10.3.3.3. may refuse the application if the proposed Development does not conform to this Bylaw.

10.3.4. When considering a permit for a Permitted or Discretionary Use, the Development Authority may require conformance to approved Subdivision engineering drawings including but not limited to:

10.3.4.1. Lot grading;

10.3.4.2. roadway plan;

10.3.4.3. Utility servicing plans; or

10.3.4.4. storm water servicing plan.

10.3.5. Notwithstanding any provisions or requirements of this Bylaw, the Development Authority may establish a more stringent standard for a Discretionary Use when the Development Authority deems it necessary to do so.

10.3.6. The Development Authority shall refuse a Development Permit for a use or Development that is not listed as a Permitted or Discretionary Use.

10.3.7. In the event that a Variance is granted for a Development Permit application, the Development Authority shall specify the nature of the approved Variance in the Development Permit approval.

10.3.8. Deleted

Deleted – Bylaw No. 1023-2019, adopted May 13, 2019

10.4. Conditions of a Development Permit

10.4.1. Pursuant to Section 650(1) of the Act, the Development Authority may impose such conditions on the approval of an application as, in his opinion, are necessary:

10.4.1.1. to uphold the intent and objectives of the *Municipal Development Plan* under preparation or as adopted;

10.4.1.2. to uphold the intent and objectives of an area structure plan or area redevelopment plan under preparation or as adopted;

10.4.1.3. to meet the applicable requirements of this Bylaw,

10.4.1.4. to ensure the orderly and economical Development of land within the Municipality, and

10.4.1.5. to provide security to ensure performance of the conditions imposed upon the Development Permit by this Land Use Bylaw and those imposed.

10.4.2. 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.

10.4.3. The person to whom a Development Permit has been issued shall notify the Development Authority:

10.4.3.1. when the preliminary layout of the Site is complete, but prior to the commencement of actual Development thereon; and

10.4.3.2. when the project of an approved Development Permit is complete.

10.4.4. The Development Authority may require that further to Section 10.4.3.1, the Applicant arrange with the Development Authority for an on-site inspection before construction commences.

10.4.5. The Applicant shall prevent excess soil or debris from being spilled on public streets, Lanes and Sidewalks, and shall not place soil or any other materials on Adjacent properties without permission in writing from Adjacent property owners.

10.4.6. The Development Authority may require a Real Property Report relating to the Building for which a permit has been applied.

10.4.7. 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 Authority is satisfied that the project is substantially complete in accordance with the Development Permit issued.

10.4.8. Where public sewer and water services are available, Development will be required to connect to these services.

10.4.9. 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.

10.4.10. The Development Authority may, as a condition of issuing a Development Permit, require with respect to the Development that the Applicant pay an off-site levy and/or redevelopment levy imposed by Bylaw and/or, the Applicant enter into an agreement with the Municipal Council to do all or any of the following:

10.4.10.1. to construct or pay for the construction of:

1) a road required to give access to the Development;

2) a pedestrian Walkway system to serve the Development or to give access to an Adjacent Development, or both; and

3) off-street or other parking facilities and loading and unloading facilities;

10.4.10.2. to construct, install or pay for any local improvements and utilities which are needed to serve the Development including, but not limited to, on-site storm water management facilities, any required Easements and joint drainage and access requirements;

10.4.10.3. to pay an off-site levy or redevelopment levy;

10.4.10.4. to pay a recreation contribution as per City of Leduc Development Recreation Contribution Policy No. 61.00:10.

10.4.10.5. to repair or reinstate to original condition any private or public property including, but not limited to, street furniture, curbing, Sidewalk, boulevard Landscaping or trees which may be damaged or destroyed or otherwise harmed by Development or Building operations upon the site;

10.4.10.6. to provide security acceptable to the Development Authority, to guarantee performance of the conditions imposed upon the Development Permit;

10.4.10.7. to enter into a Development Agreement with the City which may require the Applicant to perform any of the tasks set out above, in addition to other matters; and

10.4.10.8. to attend to all other matters the Development Authority considers appropriate.

10.4.11. To ensure compliance with a Development Agreement, the City may register a caveat against the property being developed which shall be discharged upon the terms of the Development Agreement being met.

10.4.12. Subject to this Bylaw, any Statutory Plan and the Act, the Development Authority may attach whatever conditions it considers appropriate to a Development Permit for either a Permitted or Discretionary Use, including, but not limited to, the following:

10.4.12.1. Landscaping requirements;

10.4.12.2. noise attenuation;

10.4.12.3. special parking provisions;

10.4.12.4. location, appearance and character of a Building;

10.4.12.5. grading of a Site to protect Adjacent properties;

10.4.12.6. conditions specified elsewhere in the Bylaw;

10.4.12.7. any other condition to ensure that the proposed Development is compatible with surrounding Land Uses; or

10.4.12.8. on-site water, sanitary, or storm servicing requirements.

10.4.13 The Development Authority may impose the condition that a proposed development is permitted temporarily on a time-limited basis.

10.5. **Notice of Decision**

10.5.1. The decision of the Development Authority on an application for a Development Permit shall be given to the Applicant in the form prescribed by the Municipality.

10.5.2. If a Development Authority refuses an application for a Development Permit, the notice of decision shall contain the reasons for the refusal.

10.5.3. When an application for a Development Permit is approved for a Discretionary Use in any Land Use District:

10.5.3.1. A notice shall be mailed forthwith to all assessed Adjacent property owners or assessed property owners within 61.0 m of the Site or such greater area as determined by the Development Authority and to those assessed property owners, who in the opinion of the Development Authority, may be affected, except where in the opinion of the Development Authority the permit issued is of a minor nature and does not have any adverse effect on Adjacent property owners. The notice shall contain the following information:

1) The location of the property for which the application has been made and the use approved;

2) The date the Development Permit was issued; and

3) 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 twenty-one (21) days after the date the Development Permit was issued.

10.5.3.2. A notice shall 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:

1) the date the Development Permit was issued; and

2) 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 twenty one (21) days after the date the Development Permit was issued.

Deleted-Replaced – Bylaw No. 1052-2020, adopted September 14, 2020

10.6. **Issuance and Validity of a Development Permit**

10.6.1. The Development Authority shall issue a Development Permit to the Applicant on the day the decision is made to approve or conditionally approve the application.

10.6.2. Notwithstanding Section 10.6.1, if an appeal is made to the Subdivision and Development Appeal Board against the Development Permit, the Development Permit will not come into effect until the Board approves or upholds the issuance of the Development Permit with or without conditions.

10.7. **On-Site Information**

10.7.1. A person to whom a Development Permit is issued shall, during Development, keep:

10.7.1.1. posted in a conspicuous place on the Site for which the permit was issued, a copy of the Development Permit or placard in lieu thereof, and

10.7.1.2. on Site at all times of Development activity, a copy of the approved drawings and specifications to which the permit pertains.

10.8. **Suspension and Cancellation of a Development Permit**

10.8.1. If the Development authorized on an approved Development Permit is not commenced within twelve (12) months from the date of its issuance, or the Applicant has not obtained an approved Building Permit within twelve (12) months from the date of its issue, the Development Permit shall be deemed void, unless the Applicant advises the Development Authority, within 30 days prior to the expiry of such twelve (12) month period, that the Applicant desires an extension and the Development Authority grants an extension. The Development Authority may grant up to a six (6) month extension of a Development Permit.

10.8.2. A Development shall be completed to the satisfaction of the Development Authority within twenty-four (24) months of the Development Authority's approval of the Development Permit, unless the Applicant applies for and obtains an extension from the Development Authority prior to the end of the twenty-four (24) month period.

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

10.8.3.1. the application contains a misrepresentation;

10.8.3.2. the fees have not been paid or a cheque is returned “NSF”;

10.8.3.3. facts have not been disclosed which should have been at the time of consideration of the application for the Development Permit;

10.8.3.4. the Development Permit was issued in error;

10.8.3.5. the requirements or conditions of the Development Permit have not been complied with; or

10.8.3.6. the Applicant requests, by way of a written notice to the Development Authority, the cancellation of the Development Permit provided that commencement of the use, Development or construction has not occurred.

10.8.4. If the Development Authority suspends or cancels a Development Permit, the Development Authority must provide written notice of the suspension or cancellation of the Applicant.

10.8.5. Upon receipt of the written notice of suspension or cancellation, the Applicant must cease all Development and activities to which the Development Permit relates.

10.9. **Guaranteed Security**

10.9.1. Guaranteed Security shall be subject to the regulations in Section 22.6 Landscaping Securities and Inspections.

10.9.2. Before any Building permit is issued and before any construction is started the Applicant shall:

10.9.2.1. execute and deliver to the City the agreement if required pursuant to Section 10.4 Conditions of a Development Permit;

10.9.2.2. deliver to the City a cash security or an irrevocable Letter of Credit, if required pursuant to the Development Permit or an agreement required pursuant to Section 10.4 Conditions of a Development Permit.

10.9.3. The amount of the irrevocable Letter of Credit or cash security required by the Development Authority will depend upon the conditions of the Development Permit for which the security is intended to ensure compliance.

10.9.4. The Development Authority may require the Applicant to provide an irrevocable Letter of Credit or cash security in the amount of $7000.00 for each as-built grading plan and each as-built Site servicing plan. The security will be released upon approval of the as-built grading and as-built site servicing plan by the City.

10.9.5. When an Applicant applies for and obtains an extension of a Development Permit from the Development Authority prior to the end of the twenty-four (24) month approval period specified in Section 10.8.2, the Development Authority shall require a security in the form of an irrevocable Letter of Credit or cash security in the amount of $10,000.00. The security will be released upon a final building inspection conducted by the City's Safety Codes Officer.

10.9.6. Pursuant to Section 22.0 Landscaping and Amenity Areas, the Development Authority shall require an irrevocable Letter of Credit or cash security in the amount of 125% of the value of the Landscaping required for the Development, which may be reduced to no less than 100% at the Development Authority's discretion.

10.9.7. The City shall hold an irrevocable Letter of Credit or cash security, without interest payable, until the conditions of the Development Permit have been met to the satisfaction of the Development Authority.

10.9.8. The Letter of Credit shall be issued by a "chartered Bank" or a "Treasury Branch" or such other security as may be approved by the solicitors for the City.

10.9.9. The Letter of Credit shall contain provisions for either a covenant by the issuer that if the issuer has not received a release from the City sixty (60) days prior to the expiry date of the security, then the security shall automatically be renewed, upon the same terms and conditions, for a further period of one (1) year.

10.9.10. Any irrevocable Letter of Credit shall allow for partial draws by the City, if the conditions of the Development Permit are not completed to the satisfaction of the Development Authority. The City may draw on a cash security or an irrevocable Letter of Credit and the amount thereof shall be paid to the City for its use absolutely. All expenses incurred by the City, to renew or draw upon any irrevocable Letter of Credit, shall be reimbursed by the owner/Developer to the City by payment of invoice or from the proceeds of the irrevocable Letter of Credit.

10.9.11. In the event the owner/Developer does not complete the required conditions of the Development Permit and the cash security or the proceeds from the irrevocable Letter of Credit are insufficient for the City to complete the required work, should it elect to do so, then the owner/Developer shall pay such deficiency to the City immediately upon being invoiced. If the owner/Developer does not pay the deficiency to the City the deficiency shall be applied to the tax role for the property in question as per the MGA.

10.9.12. Once all the conditions of the Development Permit are met, the irrevocable Letter of Credit or cash security will be released. The City shall provide an accounting to the owner indicating how the proceeds of the irrevocable Letter of Credit or cash security were applied, within sixty (60) days of completing the conditions of the Development Permit.

10.10. Reapplication for a Development Permit

10.10.1. When an application for a Development Permit is deemed refused or cancelled by the Development Authority, or on a refusal from an appeal to the Subdivision and Development Appeal Board, the submission of another application for the same or similar use on the same Parcel by the same or any other Applicant may not be made for a period of six (6) months from the date of issue of the refusal, except where Council has by resolution waived the six (6) month waiting period. If necessary, the determination of what constitutes same or similar use shall be made by referring the matter to the Development Authority.

PART 4: DISTRICT REGULATIONS AND DEVELOPMENT STANDARDS

11.0 Residential Land Use Districts

11.1. **Purpose**

11.1.1. RSE – Residential Single Detached Estate

11.1.1.1. The Residential Single Detached Estate District applies to areas of the City appropriate for both housing and limited agricultural uses that preserve the area's rural character. This District is predominantly large Lot Single Detached Dwellings. Garden Suite Dwellings, Garage Suite Dwellings and Secondary Suite Dwellings are also considered in this District.

11.1.2. RSD – Residential Standard District

11.1.2.1. The Residential Standard District is intended to provide for Single Detached and Duplex Side-By-Side Dwellings that currently exist within the City and for new Developments intending to maintain the current standards. The majority of the existing residential properties with these types of Development will conform to the RSD. Consideration for Secondary Suite Dwelling Development provides intensification opportunities in this District.

11.1.3. RNL – Residential Narrow Lot

11.1.3.1. The Residential Narrow Lot District is intended to accommodate Single Detached Dwellings on narrower lots serviced by a Lane and standard sized lots without a Lane. This District provides the opportunity for a more compact urban form through a more efficient utilization of land in new residential areas, while maintaining the privacy and independence afforded by Single Detached housing forms. Consideration for Secondary Suite Dwelling Development provides intensification opportunities in this District.

Deleted-Replaced – Bylaw No.1023-2019, adopted May 13, 2019

11.1.4. RSL – Residential Shallow Lot (With a Lane)

11.1.4.1. The Residential Shallow Lot District is intended to provide for design flexibility in new areas by allowing for affordable residential Development on shallow lots serviced by a Lane. The RSL allows for a shallower and wider lot, versus the standard deeper and narrower lots, while maintaining a Lot area, Site Coverage and Street oriented design similar to that of existing neighbourhoods. The design of the RSL allows for intensification opportunities provided through the consideration of Secondary Suite

Dwellings as well as Garage Suite Dwellings.

11.1.5. RMH – Residential Manufactured Home

11.1.5.1. The Residential Manufactured Home District is intended to provide the opportunity for comprehensively designed Manufactured Home communities owned by one corporation or held as a Condominium property.

11.2. Specific Development Regulations for Residential Land Use Districts

11.2.1. Applicability

11.2.1.1. All Developments shall be subject to the Edmonton International Airport Vicinity Protection Area (Provincial) Regulations.

11.2.1.2. Deleted.

11.2.1.3. Easements and Rights-of-Way shall be in accordance with Section 20.3 Easements of this Bylaw.

11.2.1.4. Secondary Suites, Garden Suite and Garage Suite approvals shall be subject to Section 21.7 Secondary Suite Dwelling, Garage Suite Dwelling, and Garden Suite Dwelling of this Bylaw.

11.2.1.5. New plans of Subdivision shall ensure that each proposed Lot is serviced by a Public Roadway except for new plans of Subdivision for the RSL District which shall ensure that each proposed Lot is serviced by both a Public Roadway and a Lane.

11.2.2. Site Planning and Design Standards

11.2.2.1. All new Residential Developments shall follow preapproved architectural guidelines.

11.2.3. Parking

11.2.3.1. Access to the Garage shall be the same for all residential Dwellings in one Block and be from either a Public Roadway or from a Lane.

11.2.3.2. When a Garage is not included with the Development Permit application for a Dwelling with Lane access, a Parking Pad shall be provided on each Lot prior to Occupancy and located so the pad will accommodate a Garage of a size appropriate for two parking stalls and shall be located according to Section 21.1 Accessory Developments in Residential Land Uses of this Bylaw.

11.2.3.3. When a Garage is not included with the Development Permit application for a Dwelling where there is no Lane access, a driveway shall be provided on each Lot prior to Occupancy, of a size appropriate for two parking stalls and be located to the side or front of the Dwelling in accordance to Section 21.1 Accessory Developments in Residential Land Uses of this Bylaw.

11.2.4. Pie-Shaped Lot Minimum Site Width

11.2.4.1. A standard pie-shaped Lot shall have the minimum width measured 9.0 m from the front property line.

11.2.4.2. A reverse pie-shaped Lot shall have the minimum width measured 8.0 m from the rear property line.

11.2.5. Projections into Minimum Yard Setbacks

11.2.5.1. Eaves may project a maximum of 0.6 m into the required Side Yard Setback.

11.2.5.2. The minimum Side Yard Setback for Projections shall be the minimum Side Yard Setback for each Residential Land Use District, except where specifically noted in the district regulations.

11.2.5.3. Projections shall be allowed only:

1) where the length of the Projection is a maximum of 3.0 m; and

2) where the total length of all Projections does not exceed 50% of the wall length.

11.2.6. Conversion of a single detached or duplex dwelling to a professional services or retail stores use

11.2.6.1. Conversion of a single detached or duplex dwelling to a professional services or retail stores use may only be permitted when:

1) The property is located adjacent to a Mixed-Use district and GC – General Commercial district or an area specifically identified in a Statutory Plan.

2) Parking is provided in accordance with Section 23.0 Parking and Loading of this Bylaw or such additional number of stalls as shall be determined necessary by the Development Authority giving consideration to adjacent residential areas.

3) All unenclosed off-street parking in excess of two stalls is located in the rear yard accessible from a lane.

4) Exterior renovation maintains a height and coverage generally in keeping with the height and coverage of existing adjacent single detached and two dwelling units.

5) Landscaping that meets the requirements of Section 22.0 Landscaping and Amenity Areas and of a high standard in keeping with the residential nature of the area and as required by the by the Development Authority and described in a landscaping plan.

6) 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.

7) Exterior lighting is provided as required in Section 20.13 Lighting of this Bylaw.

8) One business identification sign with a maximum face of no more than 1m ^{2} 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 Authority. Freestanding signs shall be no higher than 1.5 m, shall be located at least 3.5 m from property boundaries and shall not be illuminated from the interior.

9) The conversion in the opinion of the Development Authority 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.

11.2.6.2. In addition to the above, the Development Authority shall have regard to the following in exercising his discretion to approve such developments:

1) 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.

2) 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.

3) The conversion should not adversely affect pedestrian movement on adjacent sidewalks.

4) 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.

5) Signage should be of wood and should be of a quality that is in keeping with the residential character of the neighbourhood.

11.3. RSE – Residential Single Detached Estate

Table 3: Permitted and Discretionary Land Use Classes RSE – Residential Single Detached Estate

Permitted Uses	Discretionary Uses
Accessory Developments	Bed and Breakfast
Dwelling, Garage Suite **Delete/Replace – Bylaw 1052-2020, adopted September 14, 2020**	Boarding Facility
Dwelling, Garden Suite	Community Service Facility
Dwelling, Secondary Suite **Delete/Replace – Bylaw 1052-2020, adopted September 14, 2020**	Home Occupation
Dwelling, Single Detached	Park
Group Home	Pet Care Service
Identification Sign	Place of Worship
Radio Communication Facility	Temporary Shelter Services
Radio Communication Facility (Limited)	
Residential Sales Centre	
Swimming Pool	
Utility	

Table 4: Single Detached Dwelling in the RSE District

Site Subdivision Regulations	
	Single Detached Dwelling
SITE AREA MINIMUM	1800.00 m^2
SITE WIDTH MINIMUM	30.0 m
SITE DEPTH MINIMUM	60.0 m

Site Development Regulations	
	Single Detached Dwelling
FRONT YARD MINIMUM SETBACK	12.0 m
FLANKING FRONT YARD MINIMUM SETBACK	20% of the Lot width for a Corner Lot on the side Abutting a street, but in no case less than 3.8 m
REAR YARD MINIMUM SETBACK	12.0 m
SIDE YARD MINIMUM SETBACK	4.5 m
CORNER PARCEL	Sight line regulations Section 20.7 Corner Lot and Sight Triangle Provisions
BUILDING HEIGHT MAXIMUM	11.0 m **Deleted-Replaced – Bylaw No.1023-2019, adopted May 13, 2019**
SITE COVERAGE MAXIMUM	45% • The maximum Site Coverage for the Principal Building, excluding any attached garage, shall be 35% • The maximum Site Coverage for Accessory Developments, including a Garage, shall be 15%
DWELLING DENSITY MAXIMUM	The maximum Dwelling Unit Density shall be two (2) units per Parcel, one (1) principal Dwelling and one (1) may be in the form of either a Secondary Suite Dwelling, Garage Suite Dwelling, or Garden Suite Dwelling.

11.4. **Specific Development Regulations for RSE**

11.4.1. Projections shall be measured from the property line to the outside wall of the Projection.

11.4.2. Projections are permitted to extend into the front, side and rear Setback a maximum of 0.6 m for all Projections.

11.4.3. To the Maximum Extent Feasible, a residential Development that includes access to a Garage from the Street shall have a Snow Storage Space of 1.2 m at both sides of the Parcel. This Snow Storage Space shall be measured from a line drawn from the Side Lot Line to the curb at the back of the sidewalk or, where a Parcel is not serviced by a public sidewalk, to the curb. This Snow Storage Space shall only be required on pie-shaped Lots as determined by the Development Authority or Subdivision Authority. In the case of adjoining Driveways, a Snow Storage Space shall only be required on the side of the Driveway not adjoined.

11.5. RSD – Residential Standard District

Table 5: Permitted and Discretionary Land Use Classes RSD – Residential Standard District

Permitted Uses	Discretionary Uses
Accessory Developments	Bed and Breakfast
Dwelling, Duplex Side-By-Side	Community Service Facility
Dwelling, Secondary Suite **Delete/Replace – Bylaw 1052-2020, adopted September 14, 2020**	Dwelling, Duplex Stacked
Dwelling, Single Detached	Home Occupation
Group Home	Park
Identification Sign	Place of Worship
Radio Communication Facility	Temporary Shelter Services
Radio Communication Facility (Limited)	
Residential Sales Centre	
Swimming Pool	
Utility	

Table 6: Single Detached Dwelling in the RSD District

Site Subdivision Regulations	
	Single Detached Dwelling
SITE AREA MINIMUM	374.0 m² (414.8 m² on a Corner site)
SITE WIDTH MINIMUM	11.0 m (12.2 m on a Corner site)
SITE DEPTH MINIMUM	34.0 m; and 31.0 m for lots fronting on the bulb of a cul-de-sac

Site Development Regulations	
	Single Detached Dwelling
FRONT YARD MINIMUM SETBACK	6.0 m (primary front street access); or 4.0 m (primary Lane access)
FLANKING FRONT YARD SETBACK	20% of the Lot width for a Corner Lot on the side Abutting a street, but in no case: • less than 2.4 m; nor • more than 4.5 m.
REAR YARD MINIMUM SETBACK	7.0 m; or 4.5 m on a Corner Lot with access to a Lane
AMENITY AREA (REAR YARD) MINIMUM	16 m^2 **Deleted-Replaced – Bylaw No. 1023-2019, adopted May 13, 2019**
SIDE YARD MINIMUM SETBACK	1.2 m
CORNER PARCEL	Sight line regulations Section 20.7 Corner Lot and Sight Triangle Provisions
BUILDING HEIGHT MAXIMUM	11.0 m **Deleted-Replaced – Bylaw No. 1023-2019, adopted May 13, 2019**
SITE COVERAGE MAXIMUM	45% • The maximum Site Coverage for the principal Building, excluding an attached Garage, shall be 35% • The maximum Site Coverage for Accessory Developments, including a Garage, shall be 15%
DWELLING DENSITY MAXIMUM	The maximum Dwelling Unit Density shall be two (2) units per Parcel, one (1) of which shall be the principal Dwelling and one (1) may be in the form of a Secondary Suite Dwelling

Table 7: Duplex Side-By-Side Dwelling in the RSD District

Site Subdivision Regulations	
	Duplex Side-By-Side Dwelling
SITE AREA MINIMUM	258.0 m² (299.2 m² on a Corner site)
SITE WIDTH MINIMUM	7.6 m (8.8 m on a Corner site)
SITE DEPTH MINIMUM	34.0 m
Site Development Regulations	
	Duplex Side-By-Side Dwelling
FRONT YARD MINIMUM SETBACK	6.0 m (primary front street access); or 4.0 m (primary Lane access)
FLANKING FRONT YARD SETBACK	20% of the Lot width for a Corner Lot on the side Abutting a street, but in no case: • less than 2.4 m; nor • more than 4.5 m.
REAR YARD MINIMUM SETBACK	7.0 m; or 4.5 m on a Corner Lot with access to a Lane
SIDE YARD MINIMUM SETBACK	1.2 m
CORNER PARCEL	Sight line regulations Section 20.7 Corner Lot and Sight Triangle Provisions
BUILDING HEIGHT MAXIMUM	11.0 m **Deleted-Replaced – Bylaw No. 1023-2019, adopted May 13, 2019**
SITE COVERAGE MAXIMUM	45% • The maximum Site Coverage for the principal Building, excluding an attached Garage, shall be 35% • The maximum Site Coverage for Accessory Developments, including a detached Garage, shall be 15% • The maximum Site Coverage for the principal Building, with an attached Garage designed as an integral part of a Dwelling, shall be 40%
DWELLING DENSITY MAXIMUM	The maximum Dwelling Unit Density shall be two (2) units per Parcel, one (1) of which shall be the principal Dwelling and one (1) may be in the form of a Secondary Suite Dwelling. **Deleted-Replaced – Bylaw No. 1052-2020, adopted September 14, 2020**

11.6. **Specific Development Regulations for RSD**

11.6.1. A Duplex Stacked Dwelling shall follow the regulations as set out in Section 12.4 Table 16: Duplex Stacked Dwelling, Triplex Dwelling and Fourplex Dwelling in the MUR

District.

11.6.2. To the Maximum Extent Feasible, a residential Development that includes access to a Garage from the Street shall have a Snow Storage Space of 1.2 m at both sides of the Parcel. This Snow Storage Space shall be measured from a line drawn from the Side Lot Line to the curb at the back of the sidewalk or, where a Parcel is not serviced by a public sidewalk, to the curb. This Snow Storage Space shall only be required on pie-shaped Lots as determined by the Development Authority or Subdivision Authority. In the case of adjoining Driveways, a Snow Storage Space shall only be required on the side of the Driveway not adjoined

11.7. RNL – Residential Narrow Lot

Table 8: Permitted and Discretionary Land Use Classes RNL – Residential Narrow Lot

Permitted Uses	Discretionary Uses
Accessory Developments	Community Service Facility
Dwelling, Duplex Side-By-Side	Dwelling, Duplex Stacked
Dwelling, Secondary Suite **Delete/Replace – Bylaw No. 1052-2020, adopted September 14, 2020**	Home Occupation
Dwelling, Single Detached	Park
Group Home	Place of Worship
Identification Sign	Temporary Shelter Services
Radio Communication Facility	
Radio Communication Facility (Limited)	
Residential Sales Centre	
Swimming Pool	
Utility	

Table 9: Single Detached Dwelling in the RNL District

Site Subdivision Regulations	
Serviced by a Lane	**Single Detached Dwelling**
SITE AREA MINIMUM	312.8 m² (353.6 m² on a Corner site)
SITE WIDTH MINIMUM	9.2 m (10.4 m on a Corner site)
SITE DEPTH MINIMUM	34.0 m
Not Serviced by a Lane	**Single Detached Dwelling**
SITE AREA MINIMUM	374.0 m² (414.8 m² on a Corner site)
SITE WIDTH MINIMUM	11.0 m (12.2 m on a Corner site)
SITE DEPTH MINIMUM	34.0 m; and 31.0 m for lots fronting on the bulb of a cul-de-sac

Site Development Regulations	
	Single Detached Dwelling
FRONT YARD MINIMUM SETBACK	6.0 m (primary front street access); or 4.0 m (primary Lane access)
FLANKING FRONT YARD SETBACK	20% of the Lot width for a Corner Lot on the side Abutting a street, but in no case: • less than 2.4 m; nor • more than 4.5 m.
REAR YARD MINIMUM SETBACK	7.0; or 4.5 m on a Corner Lot with access to a Lane
AMENITY AREA (REAR YARD) MINIMUM (Only applicable for rear detached Garage)	16 m^2 **Deleted-Replaced – Bylaw No. 1023-2019, adopted May 13, 2019**
SIDE YARD MINIMUM SETBACK	1.2 m
CORNER PARCEL	Sight line regulations Section 20.7 Corner Lot and Sight Triangle Provisions
BUILDING HEIGHT MAXIMUM	11.0 m **Deleted-Replaced – Bylaw No. 1023-2019, adopted May 13, 2019**
SITE COVERAGE MAXIMUM	45% • The maximum Site Coverage for the principal Building, excluding an attached Garage, shall be 35% • The maximum Site Coverage for all Accessory Developments, including a Garage, shall be 15%
DWELLING DENSITY MAXIMUM	The maximum Dwelling Unit Density shall be two (2) units per Parcel, one (1) of which shall be the principal Dwelling and one (1) may be in the form of a Secondary Suite Dwelling

11.8. **Specific Development Regulations for RNL**

11.8.1. No access to a detached garage shall be from the front yard where a lot has access to a Lane.

11.8.2. A Duplex Side-By-Side Dwelling shall follow the regulations as set out in Section 11.5 Table 7: Duplex Side-By-Side Dwelling in the RSD District.

11.8.3. Duplex Stacked Dwelling shall follow the regulations as set out in Section 12.4 Table 16: Duplex Stacked Dwelling, Triplex Dwelling, and Fourplex Dwelling in the MUR District.

11.8.4. One Side Yard Setback for Dwellings, Single Detached may be reduced to 0 m where:

11.8.4.1. the other Side Setback is a minimum of 1.5 m;

11.8.4.2. all roof leaders from Accessory Developments are directed to drain directly to an adjacent lane;

11.8.4.3. no roof leader discharge shall be directed to the maintenance easement; and

11.8.4.4. the owner of the adjacent Site register against title, at the time of subdivision, a private maintenance easement a minimum of 1.5 m wide that provides for:

1) a 0.30 m eave encroachment easement with the requirement that the eaves must not be closer than 0.90 m to the eaves on the adjacent building;

2) a 0.60 m footing encroachment easement;

3) a drainage swale, constructed as per the City of Leduc Minimum Engineering Standards; and

4) permission to access the easement area for maintenance of both properties.

11.8.5. In a case where a detached Garage would be developed with a Dwelling, Single Detached that has one 0 m Side Yard Setback, the detached Garage may have the same Side Yard Setback reduced to 0 m, but shall:

11.8.5.1. have minimum comparable Side Yard Setbacks on both sides;

11.8.5.2. and meet all the regulations in Section 11.8.4.

11.8.6. Minimum Lot Widths and Lot Areas may be reduced, if a Development complies with Section 11.8.4., as follows:

11.8.6.1. Where the proposed Development has primary access from a Lane, the Lot width may be a minimum of 7.6 m (10.0m on a Corner Lot), with a minimum Lot area of 258.4 m^2 (340.0m2 on a Corner Lot); and

Deleted-Replaced – Bylaw No. 1023-2019, adopted May 13, 2019

11.8.6.2. Where the proposed Development has primary access from a front street, the Lot width may be a minimum of 9.2m (11.6m on a Corner Lot), with a minimum Lot are of 312.8 m^2 (394.4m2 on a Corner Lot).

Deleted-Replaced – Bylaw No. 1023-2019, adopted May 13, 2019

11.8.7. For Developments in the RNL district, a detached Garage shall be separated from the Principal Building by a minimum of 4.9 m; unless it is a Corner Lot, in which case the Development Authority may reduce this minimum Setback to no less than 2.0 m.

11.8.8. To the Maximum Extent Feasible, a residential Development that includes access to a Garage from the Street shall have a Snow Storage Space of 1.2 m at both sides of the Parcel. This Snow Storage Space shall be measured from a line drawn from the Side Lot Line to the curb at the back of the sidewalk or, where a Parcel is not serviced by a public sidewalk, to the curb. This Snow Storage Space shall only be required on pie-shaped Lots as determined by the Development Authority or Subdivision Authority. In the case of adjoining Driveways, a Snow Storage Space shall only be required on the side of the Driveway not adjoined.

11.9. RSL – Residential Shallow Lot (With a Lane)

Table 10: Permitted and Discretionary Land Use Classes RSL – Residential Shallow Lot (With a Lane)

Permitted Uses	Discretionary Uses
Accessory Developments	Boarding Facility
Dwelling, Duplex Side-By-Side	Community Service Facility
Dwelling, Garage Suite **Deleted-Replaced – Bylaw No. 1052-2020, adopted September 14, 2020**	Dwelling, Duplex Stacked
Dwelling, Secondary Suite **Deleted-Replaced – Bylaw No. 1052-2020, adopted September 14, 2020**	Home Occupation
Dwelling, Single Detached	Park
Group Home	Place of Worship
Identification Sign	Temporary Shelter Services
Radio Communication Facility	
Radio Communication Facility (Limited)	
Residential Sales Centre	
Swimming Pool	
Utility	

Table 11: Single Detached Dwelling in the RSL District

Site Subdivision Regulations	
	Single Detached Dwelling
SITE AREA MINIMUM	366.0 m² (402.0 m² on a Corner site)
SITE WIDTH MINIMUM	12.2 m (13.4 m on a Corner site)
SITE DEPTH MINIMUM	30.0 m

Site Development Regulations	
	Single Detached Dwelling
FRONT YARD MINIMUM SETBACK	4.0 m
FLANKING FRONT YARD SETBACK	20% of the Lot width for a Corner Lot on the side Abutting a street, but in no case: • less than 2.4 m; nor • more than 4.5 m.
REAR YARD MINIMUM SETBACK	7.0 m; or 4.5 m on a Corner Lot with access to a Lane
AMENITY AREA (REAR YARD) MINIMUM	16 m^2 **Deleted-Replaced – Bylaw No. 1023-2019, adopted May 13, 2019**
SIDE YARD MINIMUM SETBACK	1.2 m
CORNER PARCEL	Sight line regulations Section 20.7 Corner Lot and Sight Triangle Provisions
BUILDING HEIGHT MAXIMUM	11.0 m **Deleted-Replaced – Bylaw No. 1023-2019, adopted May 13, 2019**
SITE COVERAGE MAXIMUM	45% • The maximum Site Coverage for the Principal Building shall be 25% and the maximum Site Coverage of all Accessory Developments, including a Detached Garage, shall be 20%. The Site Coverage for the principal Dwelling shall be larger than the Site Coverage of all Accessory Developments.
DWELLING DENSITY MAXIMUM	The maximum Dwelling Unit Density shall be two (2) units per Parcel, one (1) of which shall be the principal Dwelling and one (1) may be in the form of a Secondary Suite Dwelling or Garage Suite Dwelling.

Table 12: Duplex Side-By-Side Dwelling in the RSL District

Site Subdivision Regulations	
	Duplex Side-By-Side Dwelling
SITE AREA MINIMUM	318.0 m² (354.0 m² on a Corner site)
SITE WIDTH MINIMUM	10.6 m (11.8 m on a Corner site)
SITE DEPTH MINIMUM	30.0 m
Site Development Regulations	
	Duplex Side-By-Side Dwelling
FRONT YARD MINIMUM SETBACK	4.0 m
FLANKING FRONT YARD SETBACK	20% of the Lot width for a Corner Lot on the side Abutting a street, but in no case: • less than 2.4 m; nor • more than 4.5 m.
REAR YARD MINIMUM SETBACK	7.0 m; or 4.5 m on a Corner Lot
AMENITY AREA (REAR YARD) MINIMUM	16 m^2 **Deleted-Replaced – Bylaw No. 1023-2019, adopted May 13, 2019**
SIDE YARD MINIMUM SETBACK	1.2 m
CORNER PARCEL	Sight line regulations Section 20.7 Corner Lot and Sight Triangle Provisions
BUILDING HEIGHT MAXIMUM	11.0 m **Deleted-Replaced – Bylaw No. 1023-2019, adopted May 13, 2019**
SITE COVERAGE MAXIMUM	45% • The maximum Site Coverage for the Principal Building shall be 25% and the maximum Site Coverage of all Accessory Developments including a Detached Garage, shall be 20%.
DWELLING DENSITY MAXIMUM	The maximum Dwelling Unit Density shall be two (2) units per Parcel, one (1) of which shall be the principal Dwelling and one (1) may be in the form of a Secondary Suite Dwelling or Garage Suite Dwelling. **Deleted-Replaced – Bylaw No. 1052-2020, adopted September 14, 2020**

11.10. **Specific Development Regulations for RSL**

11.10.1. Where a lot has access to a lane, no access to a detached garage shall be from the front yard.

11.10.2. A Duplex Side-By-Side Dwelling shall follow the regulations as set out in Section

11.5 Table 7: Duplex Side-By-Side Dwelling in the RSD District.

11.10.3. A Duplex Stacked Dwelling shall follow the regulations as set out in Section 12.4 Table 16: Duplex Stacked Dwelling, Triplex Dwelling, and Fourplex Dwelling in the MUR District.

11.10.4. To the Maximum Extent Feasible, a residential Development that includes access to a Garage from the Street shall have a Snow Storage Space of 1.2 m at both sides of the Parcel. This Snow Storage Space shall be measured from a line drawn from the Side Lot Line to the curb at the back of the sidewalk or, where a Parcel is not serviced by a public sidewalk, to the curb. This Snow Storage Space shall only be required on pie-shaped Lots as determined by the Development Authority or Subdivision Authority. In the case of adjoining Driveways, a Snow Storage Space shall only be required on the side of the Driveway not adjoined.

11.11. RMH – Residential Manufactured Home

Table 13: Permitted and Discretionary Land Use Classes RMH – Residential Manufactured Home

Permitted Uses	Discretionary Uses
Accessory Developments	Community Service Facility
Amenity Area	Park
Group Home	Swimming Pool
Identification Sign (for Manufactured Home Community)	
Manufactured Home	
Manufactured Home Community	
Private Outdoor Amenity Area	
Radio Communication Facility	
Radio Communication Facility (Limited)	
Residential Sales Centre	
Utility	

Table 14: Manufactured Home in the RMH District

Site Subdivision Regulations	
	Manufactured Home
UNIT SITE AREA MINIMUM	325.0 m²
Site Development Regulations	
	Manufactured Home
MINIMUM DISTANCE BETWEEN SITE BOUNDARY AND UNIT	2.0 m along one side 1.2 m for all other sides
MINIMUM DISTANCE FROM ADJOINING INTERNAL ACCESS ROAD OR COMMON PARKING AREAS	3.0 m
UNIT SITE COVERAGE MAXIMUM	45%
DWELLING DENSITY MAXIMUM	16.0 units per hectare

11.12. Specific Development Regulations for RMH

11.12.1. All areas not required for parking Driveway and Buildings shall be:

11.12.1.1. landscaped subject to an approved Landscaping plan that meets Section 22.0 Landscaping and Amenity Areas and 23.7 Shared Parking and Alternative Parking Ratios or Alternative Number of Parking Spaces standards; and

11.12.1.2. shall be maintained as a landscaped area.

11.12.2. A Development Permit is required for placing a Manufactured Home on a site. The Development Authority may refuse an application when finding:

11.12.2.1. the Manufactured Home quality is not compatible with Adjacent homes;

11.12.2.2. the Site plan does not indicate acceptable and adequate separation from Adjacent Manufactured Homes; and

11.12.2.3. the Manufactured Home Community does not meet the requirement of this Bylaw.

11.12.3. 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.

11.12.4. Each Manufactured Home shall be built according to Alberta Building Code standards, Canadian Standards Association and suitable for permanent Occupancy.

11.12.5. Parking shall be provided in accordance with Section 23.0 Parking and Loading of this Bylaw.

11.12.6. Detached Garages and Accessory Developments

11.12.6.1. Detached Garages and Accessory Developments shall meet the regulations under Section 21.1 Accessory Developments in Residential Land Uses of this Bylaw, except for the following.

11.12.6.2. 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:

1) the Garage Site shall be of size that accommodates two (2) Parking Spaces; and

2) a detached Garage shall be separated from the Dwelling Unit a minimum of 2.0 m.

11.12.6.3. 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.

11.12.6.4. For carports attached to the side of the Dwelling Unit, the minimum Setbacks shall be:

1) 3.2 m from the side unit Site boundary to the Dwelling Unit; and

2) a minimum 1.2 m from the side unit Site boundary to the attached carport.

11.12.6.5. All Accessory Developments 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.

11.12.6.6. Deleted.

11.12.6.7. Decks shall have a minimum side yard Setback of 1.5 m.

11.12.7. Each Manufactured Home must be placed upon a Foundation of concrete blocks, poured concrete or a series of piers as approved by the Development Authority.

11.12.8. Parking Requirements

11.12.8.1. Minimum Parking Spaces shall be:

1) two (2) stalls at each home site; and

2) one (1) visitor Parking Space for every eight (8) home sites provided in the Manufactured Home Community.

11.12.8.2. A Parking Pad shall be provided on each unit Site 90 days prior to Occupancy, weather permitting, and shall be 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; or

2) where there is no access to a Lane, at the front of the Dwelling Unit there shall be a paved Driveway to accommodate two (2) Parking Spaces.

11.12.9. Land Use Designation

11.12.9.1. 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.

11.12.10. The particular regulation for the areas designated RMH(1) on the Land Use Map are as follows:

11.12.10.1. that one Duplex Side-By-Side Dwelling only be permitted and that this requirement shall not be affected by any future subdivision of Lot H, Plan 5190RS;

11.12.10.2. that in no case shall the approved Duplex Side-By-Side Dwelling be enlarged or altered in any manner;

11.12.10.3. that the setback requirements be as approved by the Development Authority;

11.12.10.4. that an enclosed front yard Private Amenity Area be provided for each Residential Unit to the satisfaction of the Development Authority; and

11.12.10.5. that there be two designated Parking Spaces provided for each Residential Unit.

11.12.11. To the Maximum Extent Feasible, a residential Development that includes access to a Garage from the Street shall have a Snow Storage Space of 1.2 m at both sides of the Parcel. This Snow Storage Space shall be measured from a line drawn from the Side Lot Line to the curb at the back of the sidewalk or, where a Parcel is not serviced by a public sidewalk, to the curb. This Snow Storage Space shall only be required on pie-shaped Lots as determined by the Development Authority or Subdivision Authority. In the case of adjoining Driveways, a Snow Storage Space shall only be required on the side of the Driveway not adjoined.

11.12.12. The undercarriage of each Manufactured Home shall be suitably enclosed from view by skirting, or such other means satisfactory to the Development Authority, 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.

12.0 Mixed-Use Land Use Districts

12.1. **Purpose**

12.1.1. Mixed use is encouraged in order to provide more housing options, reduce traffic congestion, provide a stronger economy in commercial areas, and Encourage pedestrian trips. Mixed use also has the potential to provide increased opportunities for affordable housing. In order to accomplish these goals, higher intensities of Land Use are permitted for mixed-use Structures than for the individual uses permitted.

12.1.2. MUR – Mixed-Use Residential

12.1.2.1. This Mixed Use Residential District provides for the Development of a range of Dwelling Unit types and densities, along with community supporting services. This District accommodates a limited amount of Single Detached Dwellings, as well as Duplex Side-By-Side Dwellings and residential Multi-Unit Developments of up to six (6) Dwellings. This District provides a transition from Residential Land Use Districts to more medium Density residential uses in a mixed-use setting. Only uses with no or minimal impact on low Density residential uses will be permitted.

12.1.3. MUN – Mixed-Use Neighbourhood

12.1.3.1. The Mixed Use Neighbourhood District provides for the Development of complete neighbourhood units by permitting a range of Dwelling Unit types and densities, neighbourhood commercial uses, recreational opportunities and professional uses oriented towards local neighbourhood markets. This District accommodates forms of Duplex Side-By-Side and Duplex Stacked Dwellings and residential Multi-Unit Developments including apartments up to four (4) Storeys. This District continues to provide a transition from Residential Land Use and Mixed Use Residential Districts to a higher Density more urban setting. Only uses with no or minimal impact to medium Density residential uses will be permitted.

12.1.4. MUC – Mixed-Use Comprehensive

12.1.4.1. The Mixed Use Comprehensive District provides for a range of higher Density housing forms with close access to neighbourhood commercial uses, recreational opportunities and professional uses oriented towards local neighbourhood markets. This District accommodates residential Multi-Unit Developments including apartments between five (5) and ten (10) Storeys. This District is the final transition between Residential Land Uses and Commercial Land Uses, providing higher Density residential uses in a more urban setting.

12.2. Specific Development Regulations for Mixed-Use Districts

12.2.1. Applicability

12.2.1.1. All Developments shall be subject to the Edmonton International Airport Vicinity Protection Area (Provincial) Regulations.

12.2.1.2. Deleted.

12.2.1.3. Easements and Rights-of-Way shall be in accordance with Section 20.3 Easements of this Bylaw.

12.2.1.4. Development in this District, including Residential Multi-Unit Developments and Condominium Developments, shall follow an approved Design Plan for the area. To the satisfaction of the Development Authority, a Design Plan shall include:

1) an overview of the site design and surrounding areas that addresses the following:

a) the surrounding context which should include existing and proposed land uses, with densities and height indicated

b) any natural or manmade constraints,

c) roadway network and pedestrian circulation,

d) any other information the Development Authority deems necessary based on site specific circumstances.

12.2.1.5. A Mixed Use Development incorporates different types of residential uses and/or non-residential uses (e.g. Commercial uses) either vertically or horizontally on the same site. A Design Plan shall be required which would be circulated to the appropriate departments and agencies for review and comment.

12.2.1.6. Design Plans may identify single uses such as Residential in a Mixed-Use District, provided that a minimum of two (2) housing types are proposed on the same site.

12.2.1.7. Notwithstanding Subsection 12.2.1.6, a single Residential use proposing one (1) housing type or a single Commercial use on a site may be permitted if the development adequately addresses the following items, to the satisfaction of the Development Authority:

1) compatibility with adjacent buildings and development;

2) transition between the site and surrounding development;

3) traffic and parking impacts; and

4) any other significant development considerations, at the discretion of the Development Authority.

12.2.1.8. If any one of the uses of the Mixed Use Development is a Discretionary Use, then the Development in its entirety shall be considered a Discretionary Use.

12.2.1.9. Only uses allowed in the underlying districts shall be permitted in a Mixed-Use Development.

12.2.1.10. New plans of Subdivision shall ensure that each proposed Lot is serviced by a Public Roadway, with the exception of subdivisions registered as bareland condominiums.

12.2.1.11. The maximum permitted Floor Area of any individual commercial use shall be 275.0 m^2.

12.2.1.12. The siting and appearance of all Buildings or improvements, and the Landscaping of the site, shall be to the satisfaction of the Development Authority in order to ensure general conformity with Adjacent Buildings and adequate protection to the amenities of Adjacent Buildings. The form and character of Buildings shall complement the Adjacent residential character of the neighbourhood.

12.2.1.12. For Apartment Dwellings, Projections for Verandas, Balconies, Porches, eaves, bay or oval windows, and chimneys are permitted to extend 0.6 m into the front, rear, and side yards subject to:

1) the length of the Projection being a maximum of 3.0 m; and

2) the total length of all Projections not exceeding 50% of the wall length.

12.2.1.13. For all other residential uses, Projections shall be subject to the same minimum Side Yard Setback as outlined for the Principal Use within this bylaw and shall be allowed only:

1) where the length of the Projection is a maximum of 3.0 m; and

2) where the total length of all Projections does not exceed 50% of the wall length.

12.2.2. Private Internal Roadways

12.2.2.1. Where residential access is from a private internal roadway and / or the parking stalls for each dwelling unit are provided in an Underground Parking Facility, the minimum lot area required for a dwelling unit may be reduced at the discretion of the Development Authority.

12.2.2.2. Where there is a private internal roadway, the design and location of parking shall meet the requirement of this Bylaw and be satisfactory to the Development Authority.

12.2.3. Parking

12.2.3.1. Garage access shall be the same for all residential Single Detached Dwellings and Duplex Side-By-Side Dwellings in one Block and shall be from either a Public Roadway or from a Lane.

12.2.3.2. For proposed Single Detached Dwellings, Duplex Side-By-Side Dwellings and Townhouse Dwellings when a Detached Garage is not included with the Development Permit application for a Dwelling with Lane access, a Parking Pad shall be provided on each Lot prior to Occupancy and located so the pad will accommodate a Garage of a size appropriate for two parking stalls and shall be located according to Section 21.1 Accessory Developments in Residential Land Uses of this Bylaw.

12.2.3.3. For proposed Single Detached Dwellings and Duplex Side-By-Side Dwellings when a Detached Garage is not included with the Development Permit application for a Dwelling where there is no Lane access, a driveway shall be provided on each Lot prior to Occupancy, of a size appropriate for two parking stalls and be located to the side or front of the Dwelling in accordance to Section 21.1 Accessory Developments in Residential Land Uses of this Bylaw.

12.2.3.4. To the Extent Reasonably Feasible, Development plans shall be arranged so that any parking facilities or other vehicle use areas, if not underground or within a Structure, are located in side or Rear Yards, not in Front Yards.

12.2.3.5. Parking facilities, to the Maximum Extent Feasible, shall be designed for the safe and orderly flow of pedestrians and vehicle traffic to avoid pedestrian/vehicular conflict, and to include appropriate Landscaping to reduce the visual impact from Public Roadways and pedestrian and Amenity Areas.

12.3. Site Planning and Design Standards for Mixed-Use Districts

12.3.1. Site Planning

12.3.1.1. Unless part of a larger complex or Mixed Use Development, stand alone or single use Buildings, to the Maximum Extent Feasible, shall be oriented toward the primary interior roads and designed to complement Adjacent Developments to maintain or establish a clear Building edge.

12.3.1.2. The Lot size and layout pattern of residential Multi-Unit Developments and / or Mixed Use Developments, to the Extent Reasonably Feasible, shall be designed to orient Buildings toward the primary interior roads and designed to complement Adjacent Developments to maintain or establish a clear Building edge.

12.3.1.3. Front Yard Setbacks may be reduced to 0.0 m to address pedestrian oriented streets, at the discretion of the Development Authority.

12.3.2. Housing Types

12.3.2.1. A mix of housing types, to the Extent Reasonably Feasible, shall be included in any individual Development plan, depending on the size of the Development. To the Maximum Extent Feasible, housing types, Block dimensions, Garage placement, Lot sizes and Lot dimensions shall be significantly and substantially varied to avoid repetitive rows of housing and monotonous streetscapes.

12.3.2.2. Each residential Building form shall have at least two (2) characteristics from the following list which clearly and obviously distinguish it from the other housing types:

1) different floor plans;
2) exterior materials;
3) roof lines;
4) Garage placement;
5) placement of the footprint on the Lot and/or front Elevation.

12.3.2.3. In addition to the aforementioned, no Single Detached Dwelling of identical (or similar in the opinion of the Development Authority) appearance, on either side of a street, shall be located within six (6) sites from each other. Notwithstanding the aforementioned, these requirements shall not apply to Developments containing ten (10) or fewer Dwelling Units.

12.3.2.4. Deleted.

Deleted – Bylaw No. 1023-2019, adopted May 13, 2019

12.3.3. Building Design

12.3.3.1. Each Residential Unit, to the Maximum Extent Feasible, shall be designed and constructed to minimize non-residential Development noise levels.

12.3.3.2. For all Developments, to the Maximum Extent Feasible, there should be no more than two (2) similar Buildings placed next to each other along a street, street-like private drive or major Walkway spine.

12.3.3.3. Buildings shall be considered similar unless they vary significantly through one or more of the following items:

1) footprint size and shape;
2) architectural evaluation and entrance features;
3) roof form within a coordinated overall theme;
4) massing proportion; and
5) other significant Building characteristics, at the discretion of the Development Authority.

12.3.4. Roofs

12.3.4.1. Roof lines are Encouraged to include at least two (2) of the following elements:

1) The primary roof line shall be articulated through a variation or terracing in Height, detailing and/or change in massing.
2) Secondary roofs shall transition over entrances, Porches, Garages, dormers, towers or other architectural Projections.
3) Offsets in roof planes shall be a minimum of 0.60 m in the vertical plane.

4) Termination at the top of flat roof parapets shall be articulated by design details and/or changes in materials and colour.

5) Rooftop equipment shall be hidden from view by incorporating equipment screens of compatible design and materials.

12.3.5. Facades and walls

12.3.5.1. Building Facades, to the Extent Reasonably Feasible, shall be articulated with horizontal and/or vertical elements that break up Blank Walls of 30.0 m or longer. Facade articulation may be accomplished by offsetting the floor plan, recessing or Projection of design elements, change in materials and/or change in contrasting colours.

12.3.6. Pedestrian Environment / Entrances

12.3.6.1. To the Maximum Extent Feasible, entrances shall be clearly visible from the Street and public areas through the use of architectural elements and Landscaping.

12.3.6.2. To the Maximum Extent Feasible, all primary Buildings entrances shall face an Abutting Public Roadway that is not an arterial.

12.3.6.3. The internal Street system and pedestrian linkages / Walkways, to the Extent Reasonably Feasible, shall be designed to foster connectivity to the various amenities and facilities such as parking areas, public perimeter Sidewalks and bus stops within the neighbourhood.

12.3.6.4. Internal and perimeter streets, to the Extent Reasonably Feasible, shall be tree lined and lit with appropriate lighting.

12.3.7. Parks, Central Features or Gathering Places

12.3.7.1. Within any Development proposal that contains a residential component, at least ninety percent (90%) of the Dwellings of a residential Development proposal shall be located within 400.0 m of either a neighbourhood park, a privately owned Park or a central feature or gathering place that is located either within the Development or within Adjacent Development.

12.3.7.2. All residential Multi-Unit Developments shall provide a minimum of 7.5 m^2 of Private Outdoor Amenity Area per proposed Dwelling Unit and may include balconies, gardens/Patios, rooftops and terraces. The Private Outdoor Amenity Area shall:

1) have a width and length of no less than 4.0 m, except when it is provided above the first Storey then the minimum dimension shall be 2.5 m;

2) be allowed to be located in any Yard;

3) be landscaped and / or surfaced for convenient use of the proposed outdoor activities; and

4) be allowed to take the form of consolidated private Amenity Areas for the use of onsite residents and shall be located immediately Adjacent to the Dwellings it is intended to serve.

12.3.7.3. Such Private Outdoor Amenity Areas, to the Maximum Extent Feasible, shall be highly visible in a secure setting formed by the Street layout and pattern of lots and easily observed from streets.

12.3.7.4. Rear Facades and Rear Yards of Dwellings shall not abut more than two (2) sides or more than fifty percent (50%) of the perimeter Frontage of the Private Outdoor Amenity Areas.

12.3.7.5. Deleted.

12.3.7.6. Such Private Outdoor Amenity Areas shall include walking paths and a minimum of one (1) of the following items:

1) multiple-use areas;

2) plazas;

3) pavilions;

4) picnic tables;

5) benches; or

6) other features for various age groups to utilize, at the discretion of the Development Authority.

12.4. MUR – Mixed-Use Residential

Table 15: Permitted and Discretionary Land Use Classes MUR – Mixed Use Residential

Permitted Uses	Discretionary Uses
Accessory Developments	Assisted Living Facility
Assisted Living Facility (Limited)	Bed and Breakfast
Banner Sign (With a Multi-Unit Residential Development or commercial use only)	Boarding Facility
Dwelling, Duplex Side-By-Side	Business Support Service
Dwelling, Duplex Stacked	Community Service Facility
Dwelling, Fourplex	Day Care Facility
Dwelling, Secondary Suite **Deleted-Replaced – Bylaw No. 1052-2020, adopted September 14, 2020**	Drive Through Service
Dwelling, Single Detached	Eating and Drinking Establishment
Dwelling, Townhouse	Health Service
Dwelling, Triplex	Home Occupation
Eating and Drinking Establishment (Limited)	Parking Facility
Fascia Sign (With a commercial use only)	Personal Service
Freestanding Sign (With a commercial use only)	Place of Worship
Group Home	Private Club
Identification Sign	Professional, Financial and Office Service
Park	Service Station (Limited)
Projecting Sign (With a commercial use only)	Swimming Pool
Radio Communication Facility	Temporary Shelter Services
Radio Communication Facility (Limited)	
Residential Sales Centre	
Retail Store (Neighbourhood)	
Temporary Portable Sign (With a commercial use only)	
Utility	

12.4.1. Notwithstanding the permitted uses set out Table 15, if an Area Structure Plan applicable to a parcel of land specifies one or more particular class (commercial, residential, industrial or institutional) of use for the land, only those permitted uses listed which fall within that class or classes, shall be permitted uses on that parcel. The remaining permitted uses listed in Table 15 for the applicable land use district shall be treated as discretionary uses.

12.4.2. If section 12.4.1. applies, the uses treated as discretionary applicable to the parcel of land, shall only be considered discretionary uses if a development permit for a permitted use as described in section 12.4.1. has been issued for the parcel.

Table 16: Duplex Stacked Dwelling, Triplex Dwelling, and Fourplex Dwelling in the MUR District

Site Subdivision Regulations			
	Duplex Stacked Dwelling	**Triplex Dwelling**	**Fourplex Dwelling**
SITE AREA MINIMUM	374.0 m² (414.8 m² on a Corner site)	414.8 m² (455.6 m² on a Corner site)	523.6 m² (564.4 m² on a Corner site)
SITE WIDTH MINIMUM	11.0 m (12.2 m on a Corner Site)	12.2 m (13.4 m on a Corner site)	15.4 m (16.6 m on a Corner site)
SITE DEPTH MINIMUM	34.0 m	34.0 m	34.0 m
Site Development Regulations			
	Duplex Stacked Dwelling	**Triplex Dwelling**	**Fourplex Dwelling**
FRONT YARD MINIMUM SETBACK	6.0 m (primary front street access); or 4.0 m (primary Lane access)	6.0 m (primary front street access); or 4.0 m (primary Lane access)	6.0 m (primary front street access); or 4.0 m (primary Lane access)
FLANKING FRONT YARD MINIMUM SETBACK	2.4 m	2.4 m	2.4 m
REAR YARD MINIMUM SETBACK	7.0 m; or 4.5 m on a Corner Lot with access to a Lane	7.0 m; or 4.5 m on a Corner Lot with access to a Lane	7.0 m; or 4.5 m on a Corner Lot with access to a Lane

AMENITY AREA (REAR YARD) MINIMUM (Only applicable for rear detached Garage)	16 m^2 **Deleted-Replaced – Bylaw No. 1023-2019, adopted May 13, 2019**	16 m^2 **Deleted-Replaced – Bylaw No. 1023-2019, adopted May 13, 2019**	16 m^2 **Deleted-Replaced – Bylaw No. 1023-2019, adopted May 13, 2019**
SIDE YARD MINIMUM SETBACK	1.2 m	1.2 m	1.2 m
CORNER PARCEL	Sight line regulations Section 20.7 Corner Lot and Sight Triangle Provisions	Sight line regulations Section 20.7 Corner Lot and Sight Triangle Provisions	Sight line regulations Section 20.7 Corner Lot and Sight Triangle Provisions
BUILDING HEIGHT MAXIMUM	12.0 m **Deleted-Replaced – Bylaw No. 1023-2019, adopted May 13, 2019**	12.0 m **Deleted-Replaced – Bylaw No. 1023-2019, adopted May 13, 2019**	12.0 m **Deleted-Replaced – Bylaw No. 1023-2019, adopted May 13, 2019**
SITE COVERAGE	45% • The maximum Site coverage for the Principal Building shall be 35% and the maximum Site coverage of all Accessory Developments including a Garage, shall be 15%	45% • The maximum Site coverage for the Principal Building shall be 35% and the maximum Site coverage of all Accessory Developments including a Garage, shall be 15%	45% • The maximum Site coverage for the Principal Building shall be 35% and the maximum Site coverage of all Accessory Developments including a Garage, shall be 15%
DWELLING DENSITY	**Deleted – Bylaw No. 1052-2020, adopted September 14, 2020**	**Deleted – Bylaw No. 1052-2020, adopted September 14, 2020**	**Deleted – Bylaw No. 1052-2020, adopted September 14, 2020**

Table 17: Townhouse Dwelling in the MUR District

Site Subdivision Regulations	
	Townhouse Dwelling
SITE AREA MINIMUM	911.2 m^2
SITE WIDTH MINIMUM	7.6 m or; 6.1 m for internal lots
SITE DEPTH MINIMUM	34.0 m
Site Development Regulations	
	Townhouse Dwelling
FRONT YARD MINIMUM SETBACK	6.0 m (primary front street access); or 4.0 m (primary Lane access)
FLANKING FRONT YARD SETBACK	20% of the Lot width for a Corner Lot on the side Abutting a street, but in no case: • less than 2.4 m; nor • more than 4.5 m.
REAR YARD MINIMUM SETBACK	7.0 m; or 4.5 m on a Corner Lot with access to a Lane
AMENITY AREA (REAR YARD) MINIMUM (Only applicable for rear detached Garage)	16 m^2 **Deleted-Replaced – Bylaw No. 1023-2019, adopted May 13, 2019**
SIDE YARD MINIMUM SETBACK	1.2 m
CORNER PARCEL	Sight line regulations Section 20.7 Corner Lot and Sight Triangle Provisions
SITE COVERAGE	60% • The maximum Site coverage for the Principal Building shall be 35% and the maximum Site coverage of all Accessory Developments including a Garage, shall be 35%
BUILDING HEIGHT MAXIMUM	12.0 m **Deleted-Replaced – Bylaw No. 1023-2019, adopted May 13, 2019**

Table 18: Commercial, Community, Educational & Recreational Uses in the MUR District

Site Subdivision Regulations	
	Commercial, Community, Educational & Recreational Uses
SITE AREA MINIMUM	475.0 m^2
SITE AREA MAXIMUM	2.0 ha
SITE WIDTH MINIMUM	At the discretion of the Development Authority.
SITE DEPTH MINIMUM	At the discretion of the Development Authority.
Site Development Regulations	
	Commercial, Community, Educational & Recreational Uses
FRONT YARD MINIMUM SETBACK	6.0 m (primary front street access); or 4.5 m (primary Lane access)
REAR YARD MINIMUM SETBACK	None where the Rear Yard abuts a commercial district; 7.5 m where the Rear Yard abuts any other district; 6.0 m minimum dimension if a Rear Yard is proposed; and 6.0 m if loading, parking and/or waste disposal areas are required in the Rear Yard.
SIDE YARD MINIMUM SETBACK	None where the Side Yard abuts a commercial district; and 2.5 m or one-half the Height of the Building whichever is the greater, where the Side Yard abuts a residential district.
CORNER PARCEL	Sight line regulations Section 20.7 Corner Lot and Sight Triangle Provisions
BUILDING HEIGHT MAXIMUM	12.0 m **Deleted-Replaced – Bylaw No. 1023-2019, adopted May 13, 2019**
SITE COVERAGE MAXIMUM	35%

12.5. **Specific Development Regulations for MUR**

12.5.1. A Single Detached Dwelling shall follow the regulations as set out in Section 11.5 Table 6: Single Detached Dwelling in the RSD District. Where Lane access is provided, Single Detached Dwelling Developments have the option of following Section 11.7 Table 9: Single Detached Dwelling in the RNL District.

12.5.2. A Duplex Side-By-Side Dwelling shall follow the regulations as set out in Section 11.5 Table 7: Duplex Side-By-Side Dwelling in the RSD District.

12.5.3. Maintenance, drainage and/or utility Easement(s) may be required between Abutting Buildings and/or through private yards of one or more Dwellings to ensure adequate access for property, drainage and utility maintenance.

12.5.4. Multi-Unit Development, not including commercial or industrial uses, located on one site and bare land condominium projects shall follow regulations as set out above including the following:

12.5.4.1. Maximum density for the Site shall be 45 units per hectare.

12.5.4.2. The minimum front yard Setback:

1) For the Site shall be 6.0 m;

2) For the internal Dwelling Units shall be 3.0 m except 6.0 m where a garage or carport access is from an internal roadway measured from the internal curb or sidewalk.

3) 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.

12.5.4.3. The minimum side yard Setback:

1) For the site shall be:

a) 1.5 m for the interior side, and

b) 3.8 m for the side abutting a public roadway.

2) For the internal dwelling units, separation distances shall be determined by the Alberta Building Code; and

3) Notwithstanding 1) and 2) above, where all dwelling units front onto a public roadway:

a) 1.5 m for the interior side; and

b) 3.8 m for the side abutting a public roadway.

12.5.4.4. The minimum rear yard Setback for a bare land condominium only shall be:

1) 7.0 m; and

2) 4.5 m for a corner unit.

12.5.5. To the Maximum Extent Feasible, a residential Development that includes access to a Garage from the Street shall have a Snow Storage Space of 1.2 m at both sides of the Parcel. This Snow Storage Space shall be measured from a line drawn from the Side Lot Line to the curb at the back of the sidewalk or, where a Parcel is not serviced by a public sidewalk, to the curb. This Snow Storage Space shall only be required on pie-shaped Lots as determined by the Development Authority or Subdivision Authority. In the case of adjoining Driveways, a Snow Storage Space shall only be required on the side of the Driveway not adjoined.

12.6. Site Planning and Design Standards for MUR

12.6.1. Applicability

12.6.1.1. The following standards are intended to ensure complementary and supporting Land Uses that serve a neighbourhood and are developed and operated in harmony with the residential characteristics of a neighbourhood.

12.6.2. Housing Types

12.6.2.1. If a Single Detached Dwelling is proposed, an equivalent number or more of higher Density Dwelling types (or combination thereof) shall also be proposed.

12.7. MUN – Mixed-Use Neighbourhood

Table 19: Permitted and Discretionary Land Use Classes MUN – Mixed Use Neighbourhood

Permitted Uses	Discretionary Uses
Accessory Developments	Assisted Living Facility
Assisted Living Facility (Limited)	Boarding Facility
Banner Sign (With a Multi-Unit Residential Development or commercial use only)	Business Support Service
Dwelling, Apartment (1-4 Storeys)	Commercial School
Dwelling, Fourplex	Community Service Facility
Dwelling, Townhouse	Day Care Facility
Dwelling, Triplex	Drive Through Service
Eating and Drinking Establishment (Limited)	Dwelling, Apartment (5 or more Storeys) **Deleted-Replaced – Bylaw No. 1023-2019, adopted May 13, 2019**
Fascia Sign (With a commercial use only)	Dwelling, Duplex Side-By-Side
Freestanding Sign (With a commercial use only)	Dwelling, Duplex Stacked
Group Home	Eating and Drinking Establishment
Health Service	Farmers/Flea Market
Identification Sign	Government Service
Park	Home Occupation
Personal Service	Parking Facility
Professional, Financial and Office Service	Place of Worship
Projecting Sign (With a commercial use only)	Private Club
Radio Communication Facility	Retail Store (General)
Radio Communication Facility (Limited)	Retail Store (Liquor)
Residential Sales Centre	Service Station (Limited)
Retail Store (Neighbourhood)	Swimming Pool
Temporary Portable Sign (With a commercial use only)	Temporary Shelter Services
Utility	Veterinary Clinic
	Uses similar to the permitted and discretionary uses listed above

12.7.1. Notwithstanding the permitted uses set out Table 19, if an Area Structure Plan applicable to a parcel of land specifies one or more particular class (commercial, residential, industrial or institutional) of use for the land, only those permitted uses listed which fall within that class or classes, shall be permitted uses on that parcel. The remaining permitted uses listed in Table 19 for the applicable land use district shall be treated as discretionary uses.

12.7.2. If section 12.7.1. applies, the uses treated as discretionary applicable to the parcel of land, shall only be considered discretionary uses if a development permit for a permitted use as described in section 12.7.1. has been issued for the parcel.

Table 20: Apartment Dwelling – One (1) to Four (4) Storeys in the MUN District

Site Subdivision Regulations	
	Apartment Dwelling – One (1) to Four (4) Storeys
SITE AREA MINIMUM	748.0 m² (918.0 m² on a Corner site)
SITE WIDTH MINIMUM	22.0 m (27.0 m on a Corner site)
SITE DEPTH MINIMUM	34.0 m
Site Development Regulations	
	Apartment Dwelling – One (1) to Four (4) Storeys
FRONT YARD MINIMUM SETBACK	5.0 m
FRONT YARD MAXIMUM SETBACK	7.5 m
FLANKING FRONT YARD MINIMUM SETBACK	5.0 m
REAR YARD MINIMUM SETBACK	7.0 m
SIDE YARD MINIMUM SETBACK	4.5m
CORNER PARCEL	Sight line regulations Section 20.7 Corner Lot and Sight Triangle Provisions
BUILDING HEIGHT MAXIMUM	17.0 m **Deleted-Replaced – Bylaw No. 1023-2019, adopted May 13, 2019**
SITE COVERAGE	The minimum total Site coverage shall be 30% and the maximum total Site coverage shall not exceed 45%
DWELLING DENSITY MAXIMUM	105 units per hectare

12.8. Specific Development Regulations for MUN

12.8.1. A Duplex Side-By-Side Dwelling shall follow the regulations as set out in Section 11.5 Table 7: Duplex Side-By-Side Dwelling in the RSD District.

12.8.2. Duplex Stacked Dwelling, Triplex Dwelling and Fourplex Dwelling uses shall follow the regulations as set out in Section 12.4 Table 16: Duplex Stacked Dwelling, Triplex Dwelling, and Fourplex Dwelling in the MUR District.

12.8.3. A Townhouse Dwelling shall follow the regulations as set out in Section 12.4 Table 17: Townhouse Dwelling in the MUR District.

12.8.4. A commercial, institutional, educational or recreational use shall follow the regulations as set out in section 12.4. Table 18: Commercial, Community, Educational & Recreational Uses in the MUR District.

12.8.5. Multi-Unit Development, not including commercial or industrial uses, located on one Site and bare land condominium projects shall follow the regulations as set out in subsection 12.5.4. in the MUR District.

12.8.6. To the Maximum Extent Feasible, a residential Development that includes access to a Garage from the Street shall have a Snow Storage Space of 1.2 m at both sides of the Parcel. This Snow Storage Space shall be measured from a line drawn from the Side Lot Line to the curb at the back of the sidewalk or, where a Parcel is not serviced by a public sidewalk, to the curb. This Snow Storage Space shall only be required on pie-shaped Lots as determined by the Development Authority or Subdivision Authority. In the case of adjoining Driveways, a Snow Storage Space shall only be required on the side of the Driveway not adjoined.

12.9. Site Planning and Design Standards for MUN

12.9.1. Applicability

12.9.1.1. The following standards are intended to ensure residential neighbourhoods, services and conveniences are fully integrated into the larger community by the pattern of streets and Blocks, and that other linkages are available to residents within neighbourhood centres and parks.

12.9.2. Housing Types

12.9.2.1. If a Duplex Side-By-Side Dwelling is proposed, an equivalent number or more of other higher Density Dwelling Units (or combination thereof) shall also be proposed.

12.9.3. Building Design

12.9.3.1. To the Extent Reasonably Feasible, design techniques including, but not limited to, the use of sloped roof, variations in Building Setbacks and articulation of Building Facades shall be utilized in order to minimize the perception of massing of residential Multi-Unit Developments or Mixed-use Buildings when viewed from Adjacent sites and Public Roadways.

12.9.3.2. To the Extent Reasonably Feasible, primary emphasis shall be placed on design elements and façade enhancements, particularly to the first and second levels of Buildings to create a pedestrian friendly environment. Lower floors should be strongly articulated to add variety, interest and a human scale dimension. Design elements may include placement of windows to allow for viewing into the Building by pedestrians; entrance features; street furniture; canopies and features that lend visual interest and create a human scale.

12.9.3.3. An Apartment Dwelling is Encouraged to be articulated with Projections, recesses, covered doorways, balconies, covered box or bay windows and/or other similar features, dividing large Facades and walls into human-scaled proportions similar to any Adjacent Single Detached Dwellings or Duplex Side-By-Side Dwellings, and not having repetitive, undifferentiated wall planes.

12.9.4. Pedestrian Environment / Entrances

12.9.4.1. To the Extent Reasonably Feasible, Development within this District shall ensure that the design of the pedestrian environment is comfortable, convenient, visually attractive, safe for human activity, focused on a neighbourhood centre or park, and may include such things as entrance features, pedestrian Signage, outdoor sitting areas, canopies, Landscaping, convenient parking and other features that lend visual interest and a human scale to Development.

12.10. MUC – Mixed-Use Comprehensive

Table 21: Permitted and Discretionary Land Use Classes MUC – Mixed Use Comprehensive

Permitted Uses	Discretionary Uses
Accessory Developments	Assisted Living Facility
Assisted Living Facility (Limited)	Boarding Facility
Banner Sign (With a Multi-Unit Residential Development or commercial use only)	Business Support Service
Dwelling, Apartment (1-4 Storeys)	Commercial School
Dwelling, Apartment (5 or more Storeys) **Deleted-Replaced – Bylaw No. 1023-2019, adopted May 13, 2019**	Community Service Facility
Eating and Drinking Establishment (Limited)	Day Care Facility
Fascia Sign (With a commercial use only)	Drive Through Service
Freestanding Sign (With a commercial use only)	Dwelling, Fourplex
Government Service	Dwelling, Townhouse
Group Home	Dwelling, Triplex
Health Service	Eating and Drinking Establishment
Identification Sign	Entertainment Facility, Indoor
Park	Entertainment Facility, Outdoor
Parking Facility	Farmers/Flea Market
Personal Service	Home Occupation
Professional, Financial and Office Service	Hotel
Projecting Sign (With a commercial use only)	Place of Worship
Radio Communication Facility	Private Club
Radio Communication Facility (Limited)	Retail Store (General)
Residential Sales Centre	Retail Store (Liquor)
Retail Store (Neighbourhood)	Retail Store (Secondhand Shop)
Temporary Portable Sign (With a commercial use only)	Seasonal Garden Centre
Utility	Service Station (Limited)
	Swimming Pool
	Temporary Shelter Services

Permitted Uses	Discretionary Uses
	Veterinary Clinic
	Uses similar to the permitted and discretionary uses listed above

12.10.1. Notwithstanding the permitted uses set out Table 21, if an Area Structure Plan applicable to a parcel of land specifies one or more particular class (commercial, residential, industrial or institutional) of use for the land, only those permitted uses listed which fall within that class or classes, shall be permitted uses on that parcel. The remaining permitted uses listed in Table 21 for the applicable land use district shall be treated as discretionary uses.

12.10.2. If section 12.10.1. applies, the uses treated as discretionary applicable to the parcel of land, shall only be considered discretionary uses if a development permit for a permitted use as described in section 12.10.1. has been issued for the parcel.

Table 22: Apartment Dwelling – Five (5) or more Storeys in the MUC District

Deleted-Replaced – Bylaw No. 1023-2019, adopted May 13, 2019

Site Subdivision Regulations	
	Apartment Dwelling – Five (5) or more Storeys
SITE AREA MINIMUM	900.0 m^2
SITE AREA MAXIMUM	15,000.0 m^2
SITE WIDTH MINIMUM	30.0 m
Site Development Regulations	
	Apartment Dwelling – Four (4) or more Storeys
FRONT YARD MINIMUM SETBACK	5.0 m
FRONT YARD MAXIMUM SETBACK	7.5 m
FLANKING FRONT YARD MINIMUM SETBACK	5.0 m
REAR YARD MINIMUM SETBACK	7.0 m
SIDE YARD MINIMUM SETBACK	5.0 m
CORNER PARCEL	Sight line regulations Section 20.7 Corner Lot and Sight Triangle Provisions
BUILDING HEIGHT MAXIMUM	33.3 m **Deleted-Replaced – Bylaw No. 1023-2019, adopted May 13, 2019**
SITE COVERAGE	The minimum total Site coverage shall be 30% and the maximum total Site coverage shall not exceed 50%

DWELLINGDENSITY MAXIMUM	200 units per hectare

12.11. **Specific Development Regulations for MUC**

12.11.1. Triplex Dwellings and Fourplex Dwellings shall follow the regulations as set out in Section 12.4 Table 16: Duplex Stacked Dwelling, Triplex Dwelling, and Fourplex Dwelling in the MUR District.

12.11.2. A Townhouse Dwelling shall follow the regulations as set out in Section 12.4 Table 17: Townhouse Dwelling in the MUR District.

12.11.3. To the Extent Reasonably Feasible, all parking Structures shall meet the following design criteria:

12.11.3.1. Where parking Structures abut a Public Roadway, retail and other uses shall be located along the ground level Frontage to minimize interruptions in pedestrian interest and activity. The Development Authority may grant an exception to this standard for all or part of the ground level Frontage on streets with low pedestrian interest or activity.

12.11.3.2. Parking design, awnings, Signage and architectural elements are encouraged to promote pedestrian activity at the street-facing level.

12.11.3.3. Auto entrances shall be located to minimize pedestrian/auto conflicts.

12.11.4. A commercial, institutional, educational or recreational use shall follow the regulations as set out in section 12.4. Table 18: Commercial, Community, Educational & Recreational Uses in the MUR District.

12.11.5. Multi-Unit Development, not including commercial or industrial uses, located on one site and bare land condominium projects shall follow the regulations as set out in subsection 12.5.4. in the MUR District.

12.12. **Site Planning and Design Standards for MUC**

12.12.1. Applicability

12.12.1.1. The following standards are intended to ensure services and conveniences are fully integrated into the larger community by the pattern of streets and Blocks, and that other linkages are available to residents within neighbourhood centres and parks.

12.12.2. Site Planning

12.12.2.1. To the Extent Reasonably Feasible, community, educational and recreational Land Uses shall be placed in central locations as highly visible focal points. To the Maximum Extent Feasible, the Height, mass and materials of these Developments shall convey a sense of permanence and importance. To the Extent Reasonably Feasible, they shall be close to a transit stop.

12.12.3. Building Design

12.12.3.1. To the Extent Reasonably Feasible, design techniques including, but not limited to, the use of sloped roof, variations in Building Setbacks and articulation of Building Facades shall be utilized in order to minimize the perception of massing of the Building when viewed from Adjacent sites and Public Roadways.

12.12.3.2. To the Extent Reasonably Feasible, primary emphasis shall be placed on design elements and façade enhancements, particularly to the first and second levels of Buildings to create a pedestrian friendly environment. Lower floors should be strongly articulated to add variety, interest and a human scale dimension. Design elements may include placement of windows to allow for viewing into the Building by pedestrians; entrance features; street furniture; canopies and features that lend visual interest and create a human scale.

12.12.3.3. Developments are encouraged to promote and accommodate outdoor activity with balconies, arcades, terraces, Decks and courtyards for residents' and workers' use and interaction.

12.12.4. Facades and Walls

12.12.4.1. An Apartment Dwelling Encouraged to be articulated with Projections, recesses, covered doorways, balconies, covered box or bay windows and/or other similar features, dividing large Facades and walls into human-scaled proportions similar to any Adjacent Single Detached Dwellings or Duplex Side-By-Side Dwellings and not having repetitive, undifferentiated wall planes.

12.12.5. Street Level Design

12.12.5.1. At the discretion of the Development Authority, restaurants may be allowed to operate outdoor cafes on Sidewalks, including areas within the public right-of-way and in courtyards, provided that pedestrian circulation and access to store entrances shall not be impaired. Outdoor cafes may also be permitted to operate on rooftops, balconies or other similar locations at the discretion of the Development Authority.

13.0 Commercial Land Use Districts

13.1. **Purpose**

13.1.1. CBD – Central Business District

13.1.1.1. The Central Business District is intended 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 area and is intended to be a pedestrian friendly walkable environment with reduced parking opportunities. The commercial uses in this District are typically smaller than those in other Commercial Land Use Districts and feature local retail or Eating and Drinking Establishments.

13.1.2. GC – General Commercial

13.1.2.1. The General Commercial District is generally intended to provide sites for the Development of business areas intended to serve vehicular traffic. This District is located on sites Adjacent to arterial roadways, primary Highways and secondary Highways in order to minimize the intrusion of vehicle traffic into residential areas and to promote the orderly flow of vehicular traffic utilizing these sites. Typical commercial uses are larger than those in the Central Business District and are designed with parking areas on-site.

13.1.3. CSC – Commercial Shopping Centre

13.1.3.1. The Commercial Shopping Centre District is intended to provide sites for larger retail and service Developments which may serve the community, district or regional trade area. This District will normally be applied in areas served by major collector or arterial roadways. Office and entertainment uses may also be included within such shopping centres. Typical uses can be disruptive to Adjacent residential uses and require adequate buffering and additional Land Use regulations to protect all those areas.

13.1.4. CBO – Commercial Business Oriented

13.1.4.1. The Commercial Business Oriented District is intended to provide employment opportunities in close proximity to residential areas. This District includes a limited range of commercial and light industrial Developments that may be operated such that no nuisance factor is created or apparent outside the Building, and where adequate buffering and Land Use regulations can be applied to protect all Adjacent residential areas. Commercial Business Oriented sites can buffer residential/mixed-use

neighbourhoods from Shopping Centres and Industrial Land Uses.

13.2. Specific Development Regulations for Commercial Districts

13.2.1. Applicability

13.2.1.1. All Developments shall be subject to the Edmonton International Airport Vicinity Protection Area (Provincial) Regulations.

13.2.1.2. Deleted.

13.2.1.3. Easements and Rights-of-Way shall be in accordance with Section 20.3 Easements and shall be protected. No Building or Structure shall be located closer than 3.0 m to the boundary of any Easement or right-of-way containing the Utility.

13.2.1.4. To the Maximum Extent Feasible, the positioning and appearance of Buildings, improvements, lighting and Landscaping shall be in conformity with Adjacent Buildings.

13.2.1.5. The regulations of the MUN – Mixed-Use Neighbourhood shall apply where Dwellings are permitted above the first Storey.

13.2.1.6. Within all commercial Land Use districts, the following landscape and Screening provisions shall apply, in addition to the requirements in Section 22.0 Landscaping and Amenity Areas of this Bylaw:

1) Required Yards Abutting Public Roadways, other than a Lane and /or residential Developments, must be landscaped to buffer parking, loading and other hard surfaced areas from these Developments.

2) The Development Authority may require other types of Screening in accordance with Section 22.0 Landscaping and Amenity Areas.

13.2.2. Interface with Adjacent Residential

13.2.2.1. Where a proposed commercial use will be located on a Site Adjacent to a residential use or district, the Development Authority may require mitigation of potential Development impacts on the residential uses, including:

1) provision of noise attenuation walls;

2) increased Landscaping, including a landscaped buffer;

3) relocation of parking areas, Walkways, business entrances or other high activity areas away from residential property lines;

4) Screening or relocating on-site lighting to avoid spillage onto residential properties;

5) restricting the location of outdoor speakers; and

6) changing the proposed Structure to mitigate the noise, light or glare impacts.

13.2.3. Driveway Accesses

13.2.3.1. To the Extent Reasonably Feasible, Driveway accesses shall be limited to one (1) access to major collector and arterial roadways or joint access points with Adjacent properties.

13.2.3.2. To the Extent Reasonably Feasible, Driveway accesses shall have a maximum of two (2) access points to any other Street or roadway.

13.2.3.3. To the Extent Reasonably Feasible, Driveway access shall be laid out having regard to the continuity of traffic flow and the safety of vehicles.

13.2.3.4. Driveway accesses shall avoid dangerous intersections to the satisfaction of the Development Authority.

13.3. Site Planning and Design Standards for Commercial Districts

13.3.1. Applicability

13.3.1.1. These standards are intended to promote the design of an urban environment that addresses human scale and Encourages attractive Street fronts and other connecting Walkways to accommodate pedestrians as the first priority, while also accommodating vehicular movement.

13.3.2. Site Planning

13.3.2.1. In the case of multiple Parcel ownership, to the Extent Reasonably Feasible, an Applicant shall enter into cooperative agreements with Adjacent property owners to create a comprehensive Development plan that establishes an integrated pattern of streets, outdoor spaces, Building styles and Land Uses.

13.3.2.2. Where the Development abuts a residential area, there shall be no drastic and abrupt change in the scale and Height of Buildings, at the discretion of the Development Authority.

13.3.2.3. Except for off-street parking, loading areas and approved Patios, all business activities shall be carried out entirely within completely enclosed Buildings or Structures.

13.3.2.4. At least one (1) main entrance shall face and open directly onto a connecting Walkway with pedestrian Frontage.

13.3.2.5. The positioning and appearance of the buildings and improvements shall, to the satisfaction of the Development Authority be in conformity with adjacent buildings.

13.3.3. Building Design

13.3.3.1. To the Extent Reasonably Feasible, Building design shall contribute to the uniqueness of a district with predominant materials, elements, features and activity areas tailored specifically to the Site and its context. In the case of a multiple Building Development, each individual Building should include predominant characteristics shared by all Buildings in the Development so that the Development forms a cohesive place within the district or community

13.3.4. Massing and Building Articulation

13.3.4.1. A single, large, dominant Building Mass shall be avoided in new Buildings and, to the Extent Reasonably Feasible, in Development projects involving changes to the mass of existing Buildings. Methods of addressing Building Massing include, but are not limited to, changes in Height, projecting or recessing of elements, entrances, the integral Structure and/or the organization of interior spaces and activities.

13.3.4.2. Facades and Walls

1) All Facades are Encouraged to have a recognizable "base" and “top” consisting of, but not limited to, cornice treatments, other than just coloured "stripes" or "bands," with integrally textured materials such as stone or other masonry or differently coloured materials; sloping roof with overhangs and brackets; and stepped parapets.

2) To the Extent Reasonably Feasible, Building Facades shall be articulated with horizontal and/or vertical elements that break up Blank Walls of 30.0 m or longer. Facade articulation may be accomplished by offsetting the floor plan, recessing or Projection of design elements, change in materials and/or change in contrasting colours.

13.3.5. Pedestrian Environment / Entrances

13.3.5.1. To the Extent Reasonably Feasible, Buildings shall provide a primary entrance that faces and opens directly onto the Abutting Street Sidewalk or a Walkway, plaza or courtyard that has direct linkage to the Street Sidewalk without requiring pedestrians to cross any intervening Driveways or parking lots.

13.3.5.2. Buildings may orient away from the Street if the Development provides a campus or park-like Development Block with a unifying, formative internal framework of outdoor spaces and connecting Walkways that function as an alternative to Street Sidewalks by connecting Buildings within the Site and directly connecting to common destinations in the district (such as transit stops, restaurants, child care facilities and convenience retail). Such an internal network shall provide direct pedestrian access to the Street Sidewalk(s).

13.3.5.3. To the Extent Reasonably Feasible, primary Building entrances shall be clearly defined and recessed or framed by a sheltering element such as an awning, arcade, portico or any other similar architectural feature in order to provide shelter from the elements.

13.3.6. Design Standards for Retail Establishments

13.3.6.1. The following regulations shall apply to all retail general establishments, excluding retail convenience. These standards are intended to ensure that general retail Building Development is compatible with its surrounding area.

1) To the Maximum Extent Feasible, at least two (2) sides of a large retail establishment shall feature operational customer entrances. The two (2) required sides shall be those that are planned to have the highest level of public pedestrian activity, one (1) of which shall also be the side that most directly faces a Street with pedestrian access. The other side having an operational customer entrance may face a second Street with pedestrian access, and/or a main parking Lot area.

2) To the Extent Reasonably Feasible, ground floor Facades that face public streets shall have arcades, display windows, entry areas, awnings or other such features along their horizontal length.

3) Sidewalks shall be provided along all sides of the Lot that abut a public street, to the discretion of the Development Authority.

4) To the Maximum Extent Feasible, continuous internal pedestrian Walkways shall be provided from the public Sidewalk or right-of-way to the principal customer entrance of all general retail establishments on the site. At a minimum, Walkways shall connect focal points of pedestrian activity such as, but not limited to, transit stops, Street crossings, Building and store entry points, and shall feature adjoining landscaped areas.

5) To the Extent Reasonably Feasible, all internal pedestrian Walkways and/or physical barriers shall be distinguished from driving surfaces through the use of durable, low maintenance surface materials to enhance pedestrian safety and comfort, as well as the attractiveness of the Walkways.

6) To the Maximum Extent Feasible, no more than fifty percent (50%) of the off-street parking area for the Site of land devoted to the general retail establishment shall be located between the front Facade of the Development and the Abutting streets. The front parking area shall be determined by drawing a line from the front corners of the Building to the nearest property corners.

13.4. CBD – Central Business District

Table 23: Permitted and Discretionary Land Use Classes CBD – Central Business District

Permitted Uses	Discretionary Uses
Banner Sign	Accessory Developments
Cinema	Bars and Neighbourhood Pubs
Commercial School	Business Support Service
Custom Manufacturing Establishment **Deleted-Replaced – Bylaw No. 1052-2020, adopted September 14, 2020.**	Community Service Facility
Eating and Drinking Establishment	Day Care Facility
Eating and Drinking Establishment (Limited)	Digital Sign
Farmers/Flea Market	Drive Through Service
Fascia Sign	Dwellings, Apartment (Above the First Floor)
Freestanding Sign	Emergency Response Service
Health Service	Entertainment Facility, Indoor
Identification Sign	Entertainment Facility, Outdoor
Inflatable Sign	Funeral Home
Live Work Unit **Deleted-Replaced – Bylaw No. 1052-2020, adopted September 14, 2020.**	Gaming Establishment
Personal Service	Government Service
Professional, Financial and Office Service	Hotel
Projecting Sign	Pet Care Service
Radio Communication Facility	Parking Facility
Radio Communication Facility (Limited)	Place of Worship
Recreation Facility, Indoor	Private Club
Retail Store (Neighbourhood)	Retail Store (Liquor)
Retail Store (General)	Retail Store (Secondhand Shop)
Roof Sign	Service Station
Temporary Portable Sign	Service Station (Limited)
Utility	Temporary Shelter Services
	Vehicle Sales, Leasing or Rental Facility (Limited)
	Uses similar to the permitted and Discretionary Uses listed above

Table 24: CBD Site Subdivision Regulations

Site Subdivision Regulations	
	CBD - Central Business District
SITE AREA MINIMUM	150.0 m²
SITE AREA MAXIMUM	At the discretion of the Subdivision or the Development Authority
SITE WIDTH MINIMUM	5.0 m
SITE DEPTH MINIMUM	30.0 m
Site Development Regulations	
	CBD - Central Business District
FRONT YARD MINIMUM SETBACK	None except as specified in Section 20.7 Corner Lot and Sight Triangle Provisions of this Bylaw
FRONT YARD MAXIMUM SETBACK	6.0 m
REAR YARD MINIMUM SETBACK	None where the Rear Yard abuts a commercial district; 7.5 m where the Rear Yard abuts a residential district; 6.0 m where the Rear Yard abuts any other district; and 6.0 m if loading, parking and/or waste disposal areas are required in the Rear Yard.
SIDE YARD MINIMUM SETBACK	None where the Side Yard abuts a commercial District; 2.5 m or one half the Height of the Building whichever is the greater, where the Side Yard abuts a residential district; and a right-angle triangle with sides of 3.0 m where the Parcel abuts two intersecting Lanes.
CORNER PARCEL	Sight line regulations Section 20.7 Corner Lot and Sight Triangle Provisions
BUILDING HEIGHT MAXIMUM	6 Storeys or 20.0 m; and
SITE COVERAGE MAXIMUM	100% provided that adequate provision is made for parking, loading and garbage facilities and Landscaping where required.

13.5. GC – General Commercial

Table 25: Permitted and Discretionary Land Use Classes GC – General Commercial

Permitted Uses	Discretionary Uses
Accessory Developments	Auctioneering Facility
Banner Sign	Bars and Neighbourhood Pubs
Billboard Sign	Casino
Business Support Service	Commercial Storage Facility
Cinema	Community Service Facility
Commercial School	Day Care Facility
Contractor Service	Emergency Response Service
Custom Manufacturing Establishment **Deleted-Replaced – Bylaw No. 1052-2020, adopted September 14, 2020.**	Entertainment Facility, Indoor
Digital Sign	Entertainment Facility, Outdoor
Drive Through Service	Farmers/Flea Market
Eating and Drinking Establishment	Funeral Home
Eating and Drinking Establishment (Limited)	Gaming Establishment
Fascia Sign	Government Service
Freestanding Sign	Greenhouse
Health Service	Kennel
Hotel	Late Night Club
Identification Sign	Minor Impact Utility Service
Inflatable Sign	Pawn Shop
Motel	Place of Worship
Parking Facility	Private Club
Personal Service	Recreation Facility, Indoor
Pet Care Service	Recycling Depot
Professional, Financial and Office Service	Research and Development Facility
Projecting Sign	Retail Store (Liquor)
Radio Communication Facility	Retail Store (Secondhand Shop)
Radio Communication Facility (Limited)	Service Station
Retail Store (Neighbourhood)	Service Station (Bulk Fuel Depot)

Permitted Uses	Discretionary Uses
Retail Store (General)	Surveillance Suite
Roof Sign	Temporary Shelter Services
Service Station (Limited)	Vehicle Repair Facility (Limited)
Temporary Portable Sign	Vehicle Sales, Leasing or Rental Facility
Utility	Veterinary Clinic
Vehicle Oriented Service	Warehouse Sales
Vehicle Sales, Leasing or Rental Facility (Limited)	Uses similar to the permitted and Discretionary Uses listed above

Table 26: GC Site Subdivision Regulations

Site Subdivision Regulations	
	GC – General Commercial
SITE AREA MINIMUM	650.0 m²
SITE AREA MAXIMUM	At the discretion of the Subdivision or the Development Authority
SITE WIDTH MINIMUM	5.0 m
SITE DEPTH MINIMUM	30.0 m

Site Development Regulations	
	GC – General Commercial
FRONT YARD MINIMUM SETBACK	7.6 m; and for Motels, a greater Setback may be required, at the discretion of the Development Authority
FRONT YARD MAXIMUM SETBACK	At the discretion of the Subdivision or the Development Authority
REAR YARD MINIMUM SETBACK	None where the Rear Yard abuts a commercial district; 7.5 m where the Rear Yard abuts a residential district; 6.0 m where the Rear Yard abuts any other district; 6.0 m if loading, parking and/or waste disposal areas are required in the Rear Yard; and 5.0 m where Abutting a railway line.
SIDE YARD MINIMUM SETBACK	10% of the width of the lots; or 4.0 m, whichever is the lesser
CORNER PARCEL	Sight line regulations Section 20.7 Corner Lot and Sight Triangle Provisions
BUILDING HEIGHT MAXIMUM	5 Storeys or 20.0 m
SITE COVERAGE MAXIMUM	30%

13.6. **Specific Development Regulations for GC**

13.6.1. Queen Elizabeth 2 Highway:

13.6.1.1. general Setback requirements shall be 15.0 m;

13.6.1.2. 6.0 m landscaped area shall be required Adjacent to the Highway right-of- way; and

13.6.1.3. the landscaped area may be reduced to 3.0 m by the Development Authority considering Site visibility.

13.6.2. The number and design of accesses provided to a roadway from a Development shall be to the satisfaction of the Development Authority.

13.6.3. The positioning and appearance of the Buildings, improvements and Landscaping shall, to the satisfaction of the Development Authority, meet the purpose and standards of Section 22.0 Landscaping and Amenity Areas.

13.6.4. Deleted.

13.6.4.1. Deleted.

13.6.4.2. Deleted

13.6.4.3. Deleted.

13.6.5. Deleted.

13.6.5.1. Deleted.

13.6.6. Deleted.

13.6.6.1. Deleted.

13.6.6.2. Deleted.

13.6.7. Proposed Casino Developments shall be located north of 65th Avenue and the Casino shall be ancillary to a Principal Use.

13.7. CSC - Commercial Shopping Centre

Table 27: Permitted and Discretionary Land Use Classes CSC – Commercial Shopping Centre

Permitted Uses	Discretionary Uses
Banner Sign	Accessory Developments
Bars and Neighbourhood Pubs	Commercial Storage Facility
Billboard Sign	Community Service Facility
Business Support Service	Day Care Facility
Cinema	Dwellings, Apartment (Above the First Floor)
Commercial School	Emergency Response Service
Custom Manufacturing Establishment **Deleted-Replaced – Bylaw No. 1052-2020, adopted September 14, 2020.**	Entertainment Facility, Indoor
Digital Sign	Entertainment Facility, Outdoor
Drive Through Service	Farmers/Flea Market
Eating and Drinking Establishment	Gaming Establishment
Eating and Drinking Establishment (Limited)	Government Service
Fascia Sign	Greenhouse
Freestanding Sign	Hotel
Health Service	Late Night Club
Identification Sign	Pet Care Service
Inflatable Sign	Place of Worship
Parking Facility	Private Club
Personal Service	Recreation Facility, Indoor
Professional, Financial and Office Service	Recycling Depot
Projecting Sign	Retail Store (Liquor)
Radio Communication Facility	Retail Store (Secondhand Shop)
Radio Communication Facility (Limited)	Service Station
Retail Store (Neighbourhood)	Temporary Shelter Services
Retail Store (General)	Vehicle Oriented Service
Roof Sign	Vehicle Sales, Leasing or Rental Facility (Limited)
Service Station (Limited)	Veterinary Clinic
Temporary Portable Sign	Warehouse Sales

Permitted Uses	Discretionary Uses
Utility	Uses similar to the Permitted and Discretionary Uses listed above

Table 28: CSC Site Subdivision Regulations

Site Subdivision Regulations	
	CSC– Commercial Shopping Centre
SITE AREA MINIMUM	1.0 ha
SITE AREA MAXIMUM	At the discretion of the Subdivision or Development Authority.
SITE WIDTH MINIMUM	At the discretion of the Subdivision or Development Authority.
SITE DEPTH MINIMUM	At the discretion of the Subdivision or Development Authority.
Site Development Regulations	
	CSC– Commercial Shopping Centre
FRONT YARD, REAR YARD & SIDE YARD MINIMUM SETBACKS	At the discretion of the Development Authority; provide areas for parking, loading, circulation and Landscaping; and shield Adjacent residential areas.
CORNER PARCEL	Sight line regulations Section 20.7 Corner Lot and Sight Triangle Provisions
BUILDING HEIGHT MAXIMUM	5 Storeys or 20.0 m
SITE COVERAGE MAXIMUM	25%

13.8. **Specific Development Regulations for CSC**

13.8.1. The minimum front yard, side yard and rear yard setbacks shall:

13.8.1.1. be at the discretion of the Development Authority;

13.8.1.2. provide areas for parking, loading, circulation and Landscaping; and

13.8.1.3. shield adjacent residential areas.

13.9. CBO – Commercial Business Oriented

Table 29: Permitted and Discretionary Land Use Classes CBO – Commercial Business Oriented

Permitted Uses	Discretionary Uses
Accessory Developments	Bars and Neighbourhood Pubs
Banner Sign	Community Service Facility
Cinema	Emergency Response Service
Commercial School	Entertainment Facility, Indoor
Contractor Service	Entertainment Facility, Outdoor
Custom Manufacturing Establishment **Deleted-Replaced – Bylaw No. 1052-2020, adopted September 14, 2020.**	Farmers/Flea Market
Digital Sign	Gaming Establishment
Drive Through Service	Greenhouse
Eating and Drinking Establishment (Limited)	Hotel
Fascia Sign	General Industrial (Light)
Freestanding Sign	Kennel
Government Service	Minor Impact Utility Service
Health Service	Motel
Identification Sign	Pet Care Service
Inflatable Sign	Place of Worship
Light Business Facility	Private Club
Parking Facility	Recreation Facility, Indoor
Personal Service	Recycling Depot
Professional, Financial and Office Service	Research and Development Facility
Projecting Sign	Retail Store (General)
Radio Communication Facility	Retail Store (Liquor)
Radio Communication Facility (Limited)	Retail Store (Secondhand)
Retail Store (Neighbourhood)	Service Station
Roof Sign	Surveillance Suite
Service Station (Limited)	Temporary Shelter Services
Temporary Portable Sign	Vehicle Repair Facility (Limited)
Utility	Vehicle Sales, Leasing or Rental Facility

Permitted Uses	Discretionary Uses
Vehicle Oriented Service	Veterinary Clinic
Vehicle Sales, Leasing or Rental Facility (Limited)	Warehouse Sales
	Uses similar to the permitted and Discretionary Uses listed above

Table 30: CBO Site Subdivision Regulations

Site Subdivision Regulations	
	CBO – Commercial Business Oriented
SITE AREA MINIMUM	1300.0 m^2
SITE AREA MAXIMUM	At the discretion of the Subdivision or the Development Authority
SITE WIDTH MINIMUM	30.0 m
SITE DEPTH MINIMUM	34.0 m
Site Development Regulations	
	CBO – Commercial Business Oriented
FRONT YARD MINIMUM SETBACK	6.0 m
FLANKING FRONT YARD MINIMUM SETBACK	4.5 m
REAR YARD MINIMUM SETBACK	5.0 m
SIDE YARD MINIMUM SETBACK	1.2 m (An additional 1.0 m shall be added for every additional Storey over four (4) Storeys or 14.0 m).
CORNER PARCEL	Sight line regulations Section 20.7 Corner Lot and Sight Triangle Provisions
BUILDING HEIGHT MAXIMUM	4 Storeys or 14.0 m (the maximum Height may be increased up to six (6) Storeys or 21.0 m at the discretion of the Subdivision or Development Authority.
SITE COVERAGE MAXIMUM	The minimum total Site coverage shall be 30%. The maximum total Site coverage shall not exceed 60%.

13.10. **Excluded Discretionary Uses for CBO**

13.10.1. Only those Industrial – General uses where:

1) all activities are confined primarily within an enclosed building; and

2) no significant adverse effect or nuisance is created or apparent outside the principal building shall be considered as Discretionary Uses within the CBO land use district.

14.0 Industrial Land Use Districts

14.1. **Purpose**

14.1.1. IL – Light Industrial

14.1.1.1. The Light Industrial District is intended to provide for light industrial uses that do not adversely affect Adjacent Land Uses by permitting uses where there are no significant, external, objectionable or dangerous conditions outside of any Building on the site. This District can be applied to sites Adjacent to major roadways on the periphery of industrial areas and may serve as a buffer between heavier industrial and other Land Uses.

14.1.2. IM – Medium Industrial

14.1.2.1. The Medium Industrial District establishes an area of industrial uses where Site regulations require a high standard of Site design, open space and Landscaping. This District accommodates indoor and outdoor industrial uses where there are no significant, external, objectionable or dangerous conditions beyond the IM Land Use District. This District will be separated from Commercial and Residential Districts by the Light Industrial District. The Medium Industrial District must be served by adequate industrial roads.

14.1.3. IBL – Business Light Industrial

14.1.3.1. The Business Light Industrial District is intended to provide for a selection of light industrial and commercial uses that: (1) are readily evacuated; (2) do not encourage large gatherings of people; and (3) do not adversely affect Adjacent Land Uses by permitting uses where there are significant, external, objectionable or dangerous conditions outside of any Building on the Site. This District can be applied to Sites adjacent to major roadways on the periphery of industrial areas and may serve as a buffer between medium industrial or special industrial and other Land Uses.

14.1.4. IS – Special Industrial

14.1.4.1. The Special Industrial District establishes an area of industrial uses where Site regulations require a high standard of Site design, open space and Landscaping. This District accommodates indoor and outdoor industrial uses where there are no significant, external, or objectionable conditions beyond the Special Industrial Land Use District, and acceptable limited dangerous conditions beyond the Special Industrial Land Use District. This District will be separated from Commercial and Residential Districts by the Light Industrial, Business Light Industrial, and Medium Industrial Districts. The Special Industrial District must be served by adequate industrial roads.

14.2. Specific Development Regulations for Industrial Districts

14.2.1. Applicability

14.2.1.1. All Developments shall be subject to the Edmonton International Airport Vicinity Protection Area (Provincial) Regulations.

14.2.1.2. Deleted.

14.2.2. Applicant Requirements

14.2.2.1. The Applicant is required to ensure:

1) that the proposal meets the provincial and /or federal government environmental legislation and standards as set out in Section 1.4 Compliance with Other Legislation of this Bylaw;

2) the reliability and record of the methods, equipment and techniques in controlling or mitigating the adverse effect or nuisance; and

3) in addition to the regulations in Section 23.0 Parking and Loading, parking and loading areas shall be designed so that trucks have ample room to turn around within the site.

4) Sight Triangles shall be maintained on Corner Lots as specified in Section 20.7 Corner Lot and Sight Triangle Provisions of this Bylaw.

14.2.3. Interface with Adjacent Non-Industrial Uses

14.2.3.1. Where a proposed industrial use will be located on a Site Adjacent to a non-industrial use or district, the Development Authority may require mitigation of potential Development impacts on the Adjacent lands, including:

1) provision of noise attenuation walls;

2) increased Landscaping, including a landscaped buffer;

3) relocation of parking areas, Walkways, business entrances or other high activity areas away from residential property lines;

4) Screening or relocating on-site lighting to avoid spillage onto residential properties;

5) restricting the location of outdoor speakers; and

6) changing the proposed Structure to mitigate noise, light or glare impacts.

14.2.4. Front Yards

14.2.4.1. The Front Yard shall not be used for the storage of unfinished goods or supplies.

14.2.4.2. The Front Yard setback may be varied where a berm with intensive Landscaping is proposed, at the discretion of the Development Authority.

14.2.5. Driveway Accesses

14.2.5.1. To the Extent Reasonably Feasible, Driveway accesses shall be limited to one (1) access to major collector or arterial roadways or joint access points with Adjacent properties.

14.2.5.2. To the Extent Reasonably Feasible, Driveway accesses shall have a maximum of two (2) access points to any other Street or roadway.

14.2.5.3. To the Extent Reasonably Feasible, Driveway access shall be laid out having regard to the continuity of traffic flow and the safety of vehicles.

14.2.5.4. Driveway accesses shall avoid dangerous intersections to the satisfaction of the Development Authority.

14.2.6. Site Maintenance

14.2.6.1. 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. In particular the architectural appearance shall meet the standards set out in Section 20.5 Site Grading of this Bylaw.

14.2.7. Outdoor Storage

14.2.7.1. Outdoor Storage is only allowed when accessory to a permitted Principal Use.

14.2.8. Garbage Disposal

14.2.8.1. An approved storage area for garbage disposal shall be screened to the height of the garbage bins if visible from the public Street and considered necessary by the Development Authority.

14.2.9. Burning Facilities

14.2.9.1. Burning facilities will be permitted within this District provided they have been approved by the Department of the Environment and the Local Fire Department.

14.2.10. Easements and Rights-of-Way

14.2.10.1. Easements and Rights-of-Way shall be in accordance with Section 20.3 Easements and shall be protected. No Building or Structure shall be located closer than:

1) 15.0 m 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;

2) 5.0 m to a railway right-of-way; and

3) no closer than 3.0 m to the boundary of any Easement or right-of-way containing the Utility.

14.3. Site Planning and Design Standards for Industrial Districts

14.3.1. Site Planning

14.3.1.1. To the Extent Reasonably Feasible, Site plans shall coordinate with nearby Developments to take advantage of similar perimeter landscape themes, common access or other features.

14.3.1.2. Building Setbacks and Site coverage shall comply with the limitations specified in each district. To the Extent Reasonably Feasible, Buildings shall be located and oriented to provide a strong visual and functional relationship with the Site and nearby Developments.

14.3.1.3. To the Extent Reasonably Feasible, accessory facilities such as mechanical equipment, waste collection, storage areas and vehicle service areas shall be located away from areas highly visible from Public.

14.3.1.4. To the Extent Reasonably Feasible, Front Yards shall be used for less intensive automobile parking. Vehicle operations and storages areas shall be predominately located in rear and Side Yards. Where the Site is along a district edge that abuts a non-industrial Land Use district, to the Extent Reasonably Feasible, the rear or Side Yard along the district edge shall be finished with an attractive Building wall and Landscaping.

14.3.1.5. The positioning and appearance of the buildings and improvements shall, to the satisfaction of the Development Authority be in conformity with adjacent buildings.

14.3.2. Air and Water Quality

14.3.2.1. Development shall conform to all applicable local, provincial and federal air quality regulations and standards, including, but not limited to, those regulating odour, dust, fumes or gases which are noxious, toxic or corrosive, and suspended solid or liquid particles.

14.3.2.2. Development shall comply with all applicable local, provincial and federal water quality standards, including, but not limited to, those regulating erosion and sedimentation, storm drainage and runoff control, solid wastes and hazardous substances.

14.3.3. Noise and Vibration

14.3.3.1. The proposed Land Uses and activities shall be conducted so that any vibration created by the use of the property will be imperceptible without instruments at any point along the property line. Noise generated by emergency vehicles and airplanes shall be exempted from the requirements of this provision.

14.3.4. Hazardous Materials

14.3.4.1. The proper location, construction and processing of hazardous material facilities shall be considered to control community risk. If the type and magnitude of hazardous material emergencies can be predicted, the potential impact on Adjacent Land Uses, emergency providers and the environment can be minimized. If any use on the Development Site may entail the use or storage of hazardous materials (including hazardous wastes) on-site, the project shall be designed to comply with all safety, fire and Building codes for the use and storage of the hazardous materials involved. Adequate precautions shall be taken to protect against negative off-site impacts of a hazardous materials release, using the best available technology.

14.3.4.2. In order to evaluate the impact of hazardous materials risk, Development proposals that have the potential to cause off-site impacts during the release of a hazardous material may be required to include a Dangerous Goods Impact Assessment (DGIA) at the discretion of the Development Authority. These include Land Uses such as Service Station, Bulk Fuel Depot; General Industrial (Medium); General Industrial (Special) and similar establishments that require the use or storage of flammable or toxic substances. This assessment shall be prepared and signed by a qualified professional engineer and include the following:

1) Basis for Risk Assessment.

- Identify substances regulated under the Environmental Emergency (E2) Regulations (SOR/2003-307). Public risks are only evaluated for those substances identified in the E2. Reference Section 9, Risk Evaluation Framework for guidance.
- Include substances imported to the industrial facility handled onsite and exported from the industrial facility.
- Reference the Industrial Facility E2 Plan Risk Evaluation including toxic, fire, and explosion hazard analysis provide two risk scenarios; namely a most likely and a worst case accidental release of each substance that is regulated.

2) Develop Hazard Scenarios.

Hazard scenarios are specific to the site operations and the substance storage and handling conditions.

- Develop a hazard scenario describing an accidental release of material for each substance identified in (1).
- Develop one or more hazard scenarios (as appropriate) for each substance identified in (1) to determine worst credible and worst catastrophic release consequences.

- Determine the release characteristics required to assess the consequences from the accidental release.

3) Analyze Consequences for Each Hazard Scenario.

- Determine the toxic, fire and explosion consequence maximum distances from the accidental release location to where public casualties (offsite) may be expected for each hazard scenario developed in (2). Airborne substance releases are influenced by meteorological conditions. The threshold for public casualties is dependent upon the substance that is released.

- The estimated risks shall be identified by using the Major Industrial Accidents Counsel of Canada (MIACC) Version 1 methodology (The MIACC's Acceptability Criteria). Identify and map the risk of fatality to a million at what distance from the facility.

- Identify and map the surrounding land uses including adjacent hazardous facilities, sensitive land uses such as school, hospitals prisons, intensive parks and recreation areas, commercial, hotel, office or residential areas.

- Identify and map sensitive environmental features such as water bodies, streams, storm water ponds and ditch or pipe connections to them.
- Analyze consequences for both the most likely and the worst base conditions at the site.

4) Analyze the Probability for Each Public Consequence.

- Estimate the probability of the accidental release and associated public casualty for each public consequence determined in (3).
- Include the impact of risk mitigation measures incorporated at the industrial facility. These will involve both preventative measures and consequence mitigation measures (following an accidental release).

5) Estimate the Public Risk.

- Estimate the public annual individual risk profile based on the results from (3) and (4).
- The individual public risk for the facility can be compared to the MIACC reference Annual Individual Risk for Allowable Land Uses.

Based on the information provided in the DGIA, recommendations will be made by the Fire Authority to the relevant Development Officer to protect against off-site impacts. If a DGIA is required for a Development application, a statement indicating that such a study has been required will be included in all required written notices to property owners as defined by Section 9.3 Notification and Community Consultation of Proposed Development of this Bylaw.

14.4. IL – Light Industrial

Table 31: Permitted and Discretionary Land Use Classes IL – Light Industrial

Permitted Uses	Discretionary Uses
Accessory Developments	Adult Entertainment Facility
Air Supported and Fabric Covered Structures	Auctioneering Facility
Billboard Sign	Commercial School
Business Support Service	Commercial Storage Facility
Container, Shipping Container or Sea Can	Eating and Drinking Establishments (Limited)
Contractor Service	Entertainment Facility, Indoor
Digital Sign	Government Service
Drive Through Service	Kennel
Emergency Response Service	Pet Care Service
Equipment Rental	Place of Worship
Fascia Sign	Recreation Facility, Indoor
Freestanding Sign	Recreation Facility, Outdoor
General Industrial (Light)	Retail Store (Liquor)
Greenhouse	Retail Store (Neighbourhood)
Identification Sign	Service Station (Bulk Fuel Depot)
Inflatable Sign	Surveillance Suite
Park	Temporary Shelter Services
Parking Facility	Temporary Storage
Projecting Sign	Vehicle Repair Facility
Radio Communication Facility	Veterinary Clinic
Radio Communication Facility (Limited)	Warehouse Sales
Recycling Depot	Uses similar to the Permitted and Discretionary Uses listed above
Roof Sign	
Service Station	
Service Station (Limited)	
Spray Painting Operation	
Surveillance Suite	

Permitted Uses	Discretionary Uses
Temporary Portable Sign	
Utility	
Vehicle Oriented Service	
Vehicle Repair Facility (Limited)	
Vehicle Sales, Leasing or Rental Facility	
Vehicle Sales, Leasing or Rental Facility (Limited)	

Table 32: IL Site Subdivision Regulations

Site Subdivision Regulations	
	IL – Light Industrial
SITE AREA MINIMUM	0.2 ha
SITE AREA MAXIMUM	At the discretion of the Subdivision or Development Authority.
SITE WIDTH MINIMUM	40.0 m
SITE DEPTH MINIMUM	At the discretion of the Subdivision or Development Authority.
Site Development Regulations	
	IL – Light Industrial
FRONT YARD MINIMUM SETBACK	6.0 m; unless a greater distance is deemed necessary by the Development Authority; and this Front Yard may be varied where a berm with intensive Landscaping is proposed.
FRONT YARD MAXIMUM SETBACK	At the discretion of the Subdivision or Development Authority.
REAR YARD MINIMUM SETBACK	5.0 m where Abutting a railway line; and Elsewhere at the discretion of the Development Authority.
SIDE YARD MINIMUM SETBACK	6.0 m on one side of the Building; 1.5 m on the other side of the Building; and for a Building over 4.5 m in Height there shall be an additional 0.3 m of Setback for every additional meter of Height up to a maximum Setback of 6.0 m.
CORNER PARCEL	Sight line regulations Section 20.7 Corner Lot and Sight Triangle Provisions
BUILDING HEIGHT MAXIMUM	14.0 m
SITE COVERAGE MAXIMUM	60%

14.5. Specific Development Regulations for IL

14.5.1. Adverse Effects or Nuisances for Proposed Development

14.5.1.1. Developments in this district shall not have any significant adverse effect or nuisance created or apparent outside the principal building.

Deleted-Replaced – Bylaw No. 1023-2019, adopted May 13, 2019

14.5.1.2. Deleted.

Deleted-Replaced – Bylaw No. 1023-2019, adopted May 13, 2019

14.5.2. Container, Shipping Container and Sea Can Sea and Shipping Containers

14.5.2.1. Container, Shipping Container or Sea Can Developments shall be in accordance with the regulations in Section 21.3.2.

14.5.3. Air Supported and Fabric-Covered Structures

14.5.3.1. Air Supported and Fabric Covered Structures shall be in accordance with the regulations in Section 21.3.3.

14.5.4. Prebuilt Buildings

14.5.4.1. Buildings that have been brought to the Site prebuilt shall be visually compatible with the Site, in the opinion of the Development Authority.

14.5.5. **Deleted – Bylaw No. 1052-2020, adopted September 14, 2020.**

14.5.6. **Deleted – Bylaw No. 1052-2020, adopted September 14, 2020.**

14.5.7. Service Station and Service Station (Limited)

14.5.7.1. Any Eating and Drinking Establishment and Eating and Drinking Establishment, Limited within a Service Station or Service Station (Limited) within the Industrial Protection Overlay area shall be limited to a maximum of 10 seating spaces.

14.5.8. Adult Entertainment Facility

14.5.8.1. May be considered in Light Industrial Land Use Districts north of 65 Avenue only.

14.6. IM – Medium Industrial

Table 33: Permitted and Discretionary Land Use Classes IM – Medium Industrial

Permitted Uses	Discretionary Uses
Accessory Developments	Business Support Service
Air Supported and Fabric Covered Structures	Commercial Storage Facility
Billboard Sign	Drive Through Service
Container, Shipping Container or Sea Can	Eating and Drinking Establishment (Limited)
Contractor Service	General Industrial (Medium)
Digital Sign	Retail Store (Drug Paraphernalia)
Emergency Response Service	Retail Store (Liquor)
Equipment Rental	Retail Store (Neighbourhood)
Fascia Sign	Surveillance Suite
Freestanding Sign	Temporary Storage
General Industrial (Light)	Vehicle Repair Facility
Greenhouse	Warehouse Sales
Identification Sign	Uses similar to the Permitted and Discretionary Uses listed above
Inflatable Sign	
Park	
Parking Facility	
Projecting Sign	
Radio Communication Facility	
Radio Communication Facility (Limited)	
Recycling Depot	
Roof Sign	
Service Station	
Service Station (Bulk Fuel Depot)	
Service Station (Limited)	
Spray Painting Operation	

Permitted Uses	Discretionary Uses
Temporary Portable Sign	
Utility	
Vehicle Oriented Service	
Vehicle Repair Facility (Limited)	
Vehicle Sales, Leasing or Rental Facility	
Vehicle Sales, Leasing or Rental Facility (Limited)	

Table 34: IM Site Subdivision Regulations

Site Subdivision Regulations	
	IM – Medium Industrial
SITE AREA MINIMUM	0.4 ha
SITE AREA MAXIMUM	At the discretion of the Subdivision or the Development Authority
SITE WIDTH MINIMUM	40.0 m
SITE DEPTH MINIMUM	At the discretion of the Subdivision or the Development Authority
Site Development Regulations	
	IM – Medium Industrial
FRONT YARD MINIMUM SETBACK	6.0 m; this Front Yard may be varied where a berm with intensive Landscaping is proposed.
FRONT YARD MAXIMUM SETBACK	At the discretion of the Subdivision or the Development Authority
REAR YARD MINIMUM SETBACK	5.0 m where Abutting a railway line; and elsewhere at the discretion of the Development Authority.
SIDE YARD MINIMUM SETBACK	6.0 m on one side of the Building; 1.5 m on the other side of the Building; and for a Building over 4.5 m in Height there shall be an additional 0.3 m of Setback for every additional meter of Height up to a maximum Setback of 6.0 m.
CORNER PARCEL	Sight line regulations Section 20.7 Corner Lot and Sight Triangle Provisions
BUILDING HEIGHT MAXIMUM	14.0 m
SITE COVERAGE MAXIMUM	60%

14.7. Specific Development Regulations for IM

14.7.1. Adverse Effects or Nuisances for Proposed Development

14.7.1.1. In determining the significance of adverse effects or nuisances of a proposed Development on Adjacent or nearby sites, the Development Authority can consider the following aspects:

1) the magnitude of the adverse effect or nuisance;

2) the extent, frequency and duration of exposure to the adverse effect or nuisance; and

3) the use and sensitivity of Adjacent or nearby sites relative to the adverse effect or nuisance.

14.7.1.2. General Industrial (Medium) and General Industrial (Light) developments shall not create significant adverse effect or nuisance such as noise, effluent, odour or emissions beyond the IM Land Use District. General Industrial (Medium) developments that include on-site Dangerous or Hazardous Goods that may have impacts beyond the IM Land Use District may be considered based on the results of a DGIA and the MIACC's Acceptability Criteria.

14.7.2. Prebuilt Buildings

14.7.2.1. Buildings that have been brought to the Site prebuilt shall be visually compatible with the site, in the opinion of the Development Authority.

14.7.3. Container, Shipping Container and Sea Can Sea and Shipping Containers

14.7.3.1. Container, Shipping Container or Sea Can Developments shall be in accordance with the regulations in Section 21.3.2.

14.7.4. Air Supported and Fabric-Covered Structures

14.7.4.1. Air Supported and Fabric Covered Structures shall be in accordance with the regulations in Section 21.3.3.

14.7.5. Service Station and Service Station (Limited)

14.7.5.1. Any Eating and Drinking Establishment and Eating and Drinking Establishment, Limited within a Service Station or Service Station (Limited) within the Industrial Protection Overlay area shall be limited to a maximum of 10 seating spaces.

14.8. IBL – Business Light Industrial

Table 33.1: Permitted and Discretionary Land Use Classes IBL – Business Light Industrial

Permitted Uses	Discretionary Uses
Accessory Developments	Commercial Storage Facility
Air Supported and Fabric Covered Structures	Container, Shipping Container or Sea Can **Addition – Bylaw No. 1040-2019, adopted August 17, 2020**
Banner Sign	Drive Through Service
Billboard Sign	Pawn Shop
Business Support Service	Research & Development Facility
Contractor Service	Retail Store (Neighbourhood)
Custom Manufacturing	Retail Store (Liquor)
Digital Sign	Service Station
Equipment Rental	Service Station (Limited)
Fascia Sign	Surveillance Suite
Freestanding Sign	Temporary Storage
General Industrial (Light)	Vehicle Repair Facility
Greenhouse	Warehouse Sales
Identification Sign	Uses similar to the Permitted and Discretionary Uses listed above
Inflatable Sign	
Park	
Parking Facility	
Pet Care Service **Addition – Bylaw No. 1023-2019, adopted May 13, 2019**	
Professional, Financial and Office Service	
Projecting Sign	
Radio Communication Facility	
Radio Communication Facility (Limited)	
Recycling Depot	
Roof Sign	
Spray Painting Operation	
Temporary Portable Sign	

Permitted Uses	Discretionary Uses
Utility	
Vehicle Oriented Service	
Vehicle Repair Facility (Limited)	
Vehicle Sales, Leasing or Rental Facility	
Vehicle Sales, Leasing or Rental Facility (Limited)	

Table 33.2: IBL Site Subdivision Regulations

Site Subdivision Regulations	
	IBL – Business Light Industrial
SITE AREA MINIMUM	650.0 m²
SITE AREA MAXIMUM	At the discretion of the Subdivision or the Development Authority
SITE WIDTH MINIMUM	5.0 m
SITE DEPTH MINIMUM	30.0 m
Site Development Regulations	
	IBL – Business Light Industrial
FRONT YARD MINIMUM SETBACK	7.6 m; and
FRONT YARD MAXIMUM SETBACK	At the discretion of the Subdivision or the Development Authority
REAR YARD MINIMUM SETBACK	6.0 m where the Rear Yard abuts any other district; 6.0 m if loading, parking and/or waste disposal areas are required in the Rear Yard; and 5.0 m where Abutting a railway line.
SIDE YARD MINIMUM SETBACK	10% of the width of the lots; or 4.0 m, whichever is the lesser
CORNER PARCEL	Sight line regulations Section 20.7 Corner Lot and Sight Triangle Provisions
BUILDING HEIGHT MAXIMUM	3 Storeys or 12.0 m
SITE COVERAGE MAXIMUM	30%

14.9. **Specific Development Regulations for IBL**

14.9.1. The number and design of accesses provided to a roadway from a Development shall be to the satisfaction of the Development Authority.

14.9.2. The positioning and appearance of the Buildings, improvements and Landscaping shall, to the satisfaction of the Development Authority, meet the purpose and standards of Section 22.0 Landscaping and Amenity Areas.

14.9.3. Any Eating and Drinking Establishment and Eating and Drinking Establishment, Limited within a Service Station or Service Station (Limited) shall be limited to a maximum of 10 seating spaces.

14.9.4. Any Pet Care Service within this district shall be limited to locations south of 65 Avenue.

Addition – Bylaw No. 1023-2019, adopted May 13, 2019

14.9.5. Adverse Effects or Nuisances for Proposed Development

14.9.5.1. Developments in this district shall not have any significant adverse effect of nuisance created or apparent outside the Principal Building

Addition – Bylaw No. 1023-2019, adopted May 13, 2019

14.9.5.2. Buildings that have been brought to the Site prebuilt shall be visually compatible with the Site, in the opinion of the Development Authority, and may require a Development Permit.

Addition – Bylaw No. 1023-2019, adopted May 13, 2019

14.9.6. Despite Table 33.1 Permitted and Discretionary Land Use Classes IBL – Business Light Industrial, any use within this district where the business activity occurs both inside and outside the Principal Building shall be treated as a Discretionary Use within the IBL land use district.

Addition – Bylaw No. 1023-2019, adopted May 13, 2019

14.9.7. Container, Shipping Container or Sea Can developments shall be in accordance with the regulations in Sections 21.3.2

Addition – Bylaw No. 1040-2019, adopted August 17, 2020

14.9.8. Container, Shipping Container or Sea Can uses will be considered as a temporary use with a maximum 5 year approval from date of development permit issuance.

Addition – Bylaw No. 1040-2019, adopted August 17, 2020

14.9.9. No site accessing or facing directly onto an arterial road may contain a Container, Shipping Container or Sea Can use.

Addition – Bylaw No. 1040-2019, adopted August 17, 2020

14.9.10. Air Supported and Fabric Covered Structures

14.9.10.1. Air Supported and Fabric Covered Structures shall be in accordance with the regulations in Section 21.3.3.

Addition – Bylaw No. 1052-2020, adopted September 14, 2020.

14.10. IS – Special Industrial

Table 33.3: Permitted and Discretionary Land Use Classes IS – Special Industrial

Permitted Uses	Discretionary Uses
Accessory Developments	Surveillance Suite
Air Supported and Fabric Covered Structures	
Banner Sign	
Billboard Sign	
Container, Shipping Container or Sea Can	
Digital Sign	
Fascia Sign	
Freestanding Sign	
General Industrial (Special)	
Identification Sign	
Projecting Sign	
Radio Communication Facility	
Radio Communication Facility (Limited)	
Roof Sign	
Service Station (Bulk Fuel Depot)	
Spray Painting Operation	
Temporary Portable Sign	
Utility	

Table 33.4: IS Site Subdivision Regulations

Site Subdivision Regulations	
	IS– Special Industrial
SITE AREA MINIMUM	0.4 ha
SITE AREA MAXIMUM	At the discretion of the Subdivision or the Development Authority
SITE WIDTH MINIMUM	40.0 m
SITE DEPTH MINIMUM	At the discretion of the Subdivision or the Development Authority
Site Development Regulations	
	IS – Special Industrial
FRONT YARD MINIMUM SETBACK	6.0 m; this Front Yard may be varied where a berm with intensive Landscaping is proposed.
FRONT YARD MAXIMUM SETBACK	At the discretion of the Subdivision or the Development Authority
REAR YARD MINIMUM SETBACK	5.0 m where Abutting a railway line; and elsewhere at the discretion of the Development Authority.
SIDE YARD MINIMUM SETBACK	6.0 m on one side of the Building; 1.5 m on the other side of the Building; and for a Building over 4.5 m in Height there shall be an additional 0.3 m of Setback for every additional meter of Height up to a maximum Setback of 6.0 m.
CORNER PARCEL	Sight line regulations Section 20.7 Corner Lot and Sight Triangle Provisions
BUILDING HEIGHT MAXIMUM	14.0 m
SITE COVERAGE MAXIMUM	60%

14.11. Specific Development Regulations for IS

14.11.1. Adverse Effects or Nuisances for Proposed Development

14.11.1.1. In determining the significance of adverse effects or nuisances of a proposed Development on Adjacent or nearby sites, the Development Authority shall consider the following aspects:

1) the magnitude of the adverse effect or nuisance;

2) the extent, frequency and duration of exposure to the adverse effect or nuisance; and

3) the use and sensitivity of Adjacent or nearby sites relative to the adverse effect or nuisance.

4) A Dangerous Goods Impact Assessment (DGIA) identifying the estimated risks using the Major Industrial Accidents Counsel of Canada (MIACC) Version 1 methodology (The MIACC's Acceptability Criteria).

15.0 Institutional Land Use Districts

15.1. **Purpose**

15.1.1. US – Urban Services

15.1.1.1. The Urban Services District is to accommodate public and/or privately owned institutions or community services.

15.1.2. GR – General Recreation

15.1.2.1. The General Recreation District is intended to accommodate areas used for public parks to meet active or passive recreational and leisure pursuits at neighbourhood, district and regional levels.

15.1.3. ERD – Environmental Restricted Development

15.1.3.1. The Environmental Restricted Development District is intended 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, in accordance with the Act.

15.1.4. UR – Urban Reserve

15.1.4.1. The Urban Reserve District is 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.

15.2. **Specific Development Regulations for Institutional Districts**

15.2.1. Applicability

15.2.1.1. All Developments shall be subject to the Edmonton International Airport Vicinity Protection Area (Provincial) Regulations.

15.2.1.2. Deleted.

15.2.1.3. Easements and Rights-of-Way shall be in accordance with Section 20.3 Easements and shall be protected. No Building or Structure shall be located closer than 3.0 m to the boundary of any Easement or right-of-way containing the Utility.

15.3. Site Planning and Design Standards for Institutional Districts

15.3.1. All Institutional Districts shall follow the regulations as set out in Section 13.3 Site Planning and Design Standards for Commercial Districts.

15.4. US – Urban Services

Table 35: Permitted and Discretionary Land Use Classes US – Urban Service

Permitted Uses	Discretionary Uses
Accessory Developments	Assisted Living Facility
Banner Sign	Assisted Living Facility (Limited)
Community Service Facility	Cemetery
Digital Sign	Day Care Facility
Education (Public)	Eating and Drinking Establishment (Limited)
Emergency Response Service	Health Service
Fascia Sign	Hospital
Freestanding Sign	Parking Facility
Government Service	Private Club
Inflatable Sign	Recreation Facility, Outdoor
Identification Sign	Recycling Depot
Park	Temporary Shelter Services
Places of Worship	Uses similar to the Permitted and Discretionary uses listed above
Projecting Sign	
Radio Communication Facility	
Radio Communication Facility (Limited)	
Roof Sign	
Temporary Outdoor Event, approved by the City's Community Development & Service Planning Department	
Temporary Portable Sign	
Utility	

Table 36: US Site Subdivision Regulations

Site Subdivision Regulations	
	US – Urban Service
SITE AREA MINIMUM	At the discretion of the Subdivision or the Development Authority
SITE AREA MAXIMUM	At the discretion of the Subdivision or the Development Authority
SITE WIDTH MINIMUM	At the discretion of the Subdivision or the Development Authority
SITE DEPTH MINIMUM	At the discretion of the Subdivision or the Development Authority
Site Development Regulations	
	US – Urban Service
FRONT YARD MINIMUM SETBACK	6.0 m
FRONT YARD MAXIMUM SETBACK	At the discretion of the Subdivision or the Development Authority
REAR YARD MINIMUM SETBACK	7.6 m
SIDE YARD MINIMUM SETBACK	4.5 m
CORNER PARCEL	Sight line regulations Section 20.7 Corner Lot and Sight Triangle Provisions
BUILDING HEIGHT MAXIMUM	20.0 m **Deleted-Replaced – Bylaw No. 1052-2020, adopted September 14, 2020.**
SITE COVERAGE MAXIMUM	50% **Deleted-Replaced – Bylaw No. 1052-2020, adopted September 14, 2020.**
FLOOR AREA MINIMUM	At the discretion of the Subdivision or the Development Authority
FLOOR AREA MAXIMUM	At the discretion of the Subdivision or the Development Authority

15.5. GR – General Recreation

Table 37: Permitted and Discretionary Land Use Classes GR – General Recreation

Permitted Uses	Discretionary Uses
Accessory Developments	Campground
Air Supported and Fabric Covered Structures	Commercial School
Banner Sign	Day Care Facility
Community Service Facility	Eating and Drinking Establishment (Limited)
Digital Sign	Education (Private)
Education (Public)	Entertainment Facility, Indoor
Farmers/Flea Market	Entertainment Facility, Outdoor
Fascia Sign	Government Service
Freestanding Sign	Parking Facility
Natural Conservation	Private Club
Identification Sign	Uses similar to the permitted and discretionary uses listed above
Inflatable Sign	
Park	
Projecting Sign	
Recreation Facility, Indoor	
Recreation Facility, Outdoor	
Roof Sign	
Temporary Outdoor Event, approved by the City's Community Development & Service Planning Department	
Temporary Portable Sign	
Utility	

Table 38: GR Site Subdivision Regulations

Site Subdivision Regulations	
	GR – General Recreation
SITE AREA MINIMUM	At the discretion of the Subdivision or the Development Authority
SITE AREA MAXIMUM	At the discretion of the Subdivision or the Development Authority
SITE WIDTH MINIMUM	At the discretion of the Subdivision or the Development Authority
SITE DEPTH MINIMUM	At the discretion of the Subdivision or the Development Authority
Site Development Regulations	
	GR – General Recreation
FRONT YARD MINIMUM SETBACK	15.0 m; and greater Setbacks may be required by the Development Authority to preserve the amenity of the area and to protect Development or potential Development on Adjacent sites.
FRONT YARD MAXIMUM SETBACK	At the discretion of the Subdivision or the Development Authority
REAR YARD MINIMUM SETBACK	15.0 m; and greater Setbacks may be required by the Development Authority to preserve the amenity of the area and to protect Development or potential Development on Adjacent sites.
SIDE YARD MINIMUM SETBACK	15.0 m; 7.5 m when Adjacent to a street; and greater Setbacks may be required by the Development Authority to preserve the amenity of the area and to protect Development or potential Development on Adjacent sites.
CORNER PARCEL	Sight line regulations Section 20.7 Corner Lot and Sight Triangle Provisions
BUILDING HEIGHT MAXIMUM	10.0 m
SITE COVERAGE MAXIMUM	15%
FLOOR AREA	At the discretion of the Subdivision or the Development Authority

15.6. **Specific Development Regulations for GR**

15.6.1. Landscaping

15.6.1.1. The Development design, siting, Landscaping, Screening and buffering shall:

1) minimize and compensate for any objectionable aspects or potential incompatibility with Development in Abutting districts; and

2) be at the discretion of the Development Authority site regulations may be modified to achieve (1) above.

15.7. **ERD – Environmental Restricted Development**

Table 39: Permitted and Discretionary Land Use Classes ERD – Environmental Restricted Development

Permitted Uses
Natural Conservation
Park (excluding playgrounds)
Trail System
Utility

15.8. **Specific Development Regulations for ERD**

15.8.1. All Development shall proceed in an environmentally approved manner to minimize any affects on the natural environment.

15.9. UR – Urban Reserve

Table 40: Permitted and Discretionary Land Use Classes UR – Urban Reserve

Permitted Uses	Discretionary Uses
Accessory Developments	Community Service Facility
Agriculture	Dwelling, Single Detached
Billboard Sign	Greenhouse
Emergency Response Service	Kennel
Recreation Facility, Indoor	Natural Resource Development
Recreation Facility, Outdoor	Park
Temporary Portable Sign	Private Club
Utility	Any temporary use or building at the discretion of the Development Authority
	Uses similar to the permitted and discretionary uses listed above

15.10. Specific Development Regulations for UR

15.10.1. The minimum Site Area shall be 8.0 ha.

15.10.2. The maximum Building Height, not including Buildings or Structures accessory to a farm operation, shall be 10.0 m.

15.10.3. The minimum Front Yard Setback for the principal Building, Accessory Developments and parking shall be 20.0 m.

15.10.4. Minimum Side Yard, Rear Yard and other Development regulations shall be at the discretion of the Development Authority except where a Single Detached Dwelling is proposed, in which case the regulations of the RSD District shall apply.

15.10.5. The Development Authority 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.

15.10.6. There shall be a maximum of one (1) Single Detached Dwelling per Parcel.

16.0 Direct Control Distinctive Design

16.1. **Purpose**

16.1.1. 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. Development proposals may have unique characteristics, innovative ideas and sites with unusual constraints, thus requiring distinctive design and specific regulations.

16.2. **Amendments to a Direct Control District**

16.2.1. Amending the Bylaw to change a Parcel to this District requires:

16.2.1.1. An application that:

1) contains the information required by the Section 4.0 Amendments for amendments 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.

16.2.1.2. Regard for:

1) the relationship of the proposed Development to 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; and

g) ongoing maintenance of buffers, planted areas communal open spaces, recreation facilities and lands which are not to be conveyed to the City.

16.2.1.3. Sign provisions for the entire project.

16.2.1.4. Restrictive covenants or Development agreements needed to maintain the design integrity of the project and to control any future additions, temporary vacant areas, Accessory Developments or renovations.

16.2.1.5. Assurance that the proposed Development:

1) is appropriate for the site;

2) meets the policies and objectives of the *Municipal Development 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.

16.3. **General Regulations**

16.3.1. The areas within this District shall:

16.3.1.1. continue to be subject to all the provisions of this Bylaw;

16.3.1.2. be subject to the specific Development regulations stated in the amending bylaw; and

16.3.1.3. 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.

16.3.2. The uses permitted shall be as stated in the amending bylaw.

16.3.3. The Map Symbol identifies on the Land Use Map the area affected by the specific Development regulations.

16.3.4. The specific Development regulations are attached as Appendix 1 and form part of this Bylaw.

17.0 Establishment of Direct Control Districts

Table 41: 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	Fourplex Apartment	DC(16)
719-2009		49 Street/52 Avenue	8 Unit Apartment with Commercial on Main Floor	DC(17)
805-2012	947-2017 998-2018	50 Street/43A Avenue	3 Multi-Bay Commercial Office Buildings	DC(22)
860-2014		4610 – 48A Street	Commercial Building	DC(19)
924-2016		Part of SW ¼ 33-49-25-W4 (Woodbend)	Narrow Lot Single Detached Residential (laned and unlaned)	DC(20)
932-2016		49 Avenue/47 Street	Commercial Building	DC(21)
968-2017		Part E & W ½ of NW ¼ 22-49-25-W4 (Black Stone)	Narrow Lot Zero Lot Line	DC(23)

992-2018		Plan 1410MC, Block 37, Lots B, C and D (Linsford Park)	Linsford Gardens Housing Project	DC(24)
1047-2020		4309 – 48 Street	Fourplex	DC(25)
1054-2020		Woodbend (SW ¼ 33-49-25-W4)	Smaller Lot Products Including Zero Lot Line	DC(26)
1051-2020		Robinson (SW ¼ 19-49-24-W4)	Narrow Lot Zero Lot Line (laned and unlaned)	DC(27)

17.1. **Direct Control Districts**

17.1.1. Pursuant to Section 1.3.6 of this Bylaw, the Direct Control District listed in Table 41 form part of this bylaw.

18.0 Overlays

PREAMBLE

This Section includes the regulations associated with the each of the map Overlays.

Note: The text contained within this grey box does not form a part of the Land Use Bylaw and is only provided as context for the reader.

18.1. **Airport Vicinity Protection Area Overlay**

18.1.1. Applicability

18.1.1.1. The AVPA Overlay shall apply to all lands included in the established *Edmonton International Airport Vicinity Protection Area* established under AR 55/2006 as amended from time to time.

18.1.1.2. The Development Authority shall notify the Airport Operator where a Subdivision of land has been approved or a Development Permit has been issued relating to land in the Protection Area in a NEF Area of 30 or more and the use of the land will change as a result. See *Figure 1: Noise Exposure Forecast Areas*

18.1.2. Interpretation

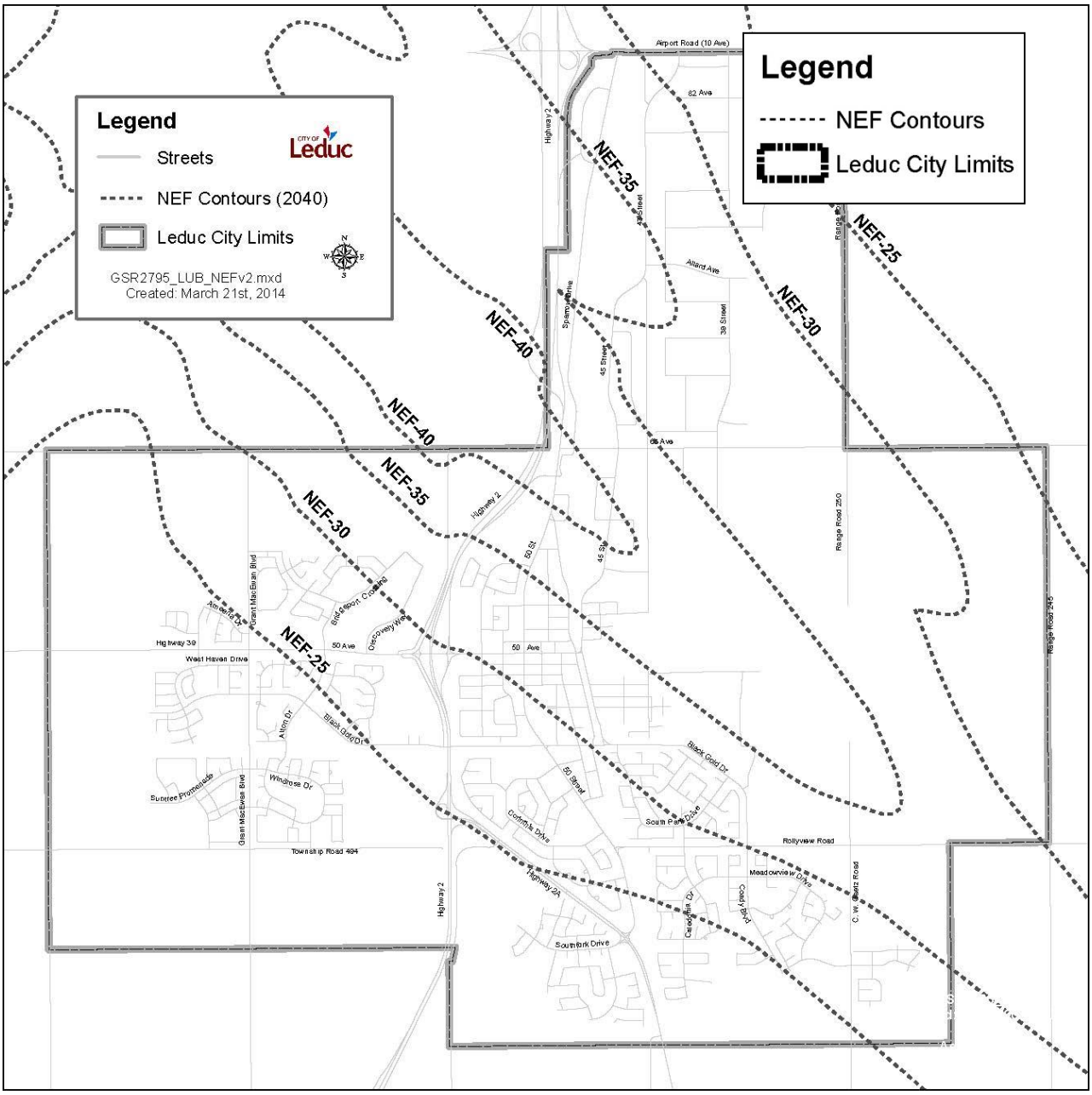
18.1.2.1. Table 42: AVPA Land Use Translation outlines the interpretation of AVPA Land Uses and this Bylaw to provide clarification of the types of Development that are restricted within Noise Exposure Forecast (NEF) contours. Where there is more than one definition in the Bylaw to address a Land Use from the AVPA, the appropriate use is at the discretion of the Development Authority. *Figure 1: Noise Exposure Forecast Areas* below represents the areas within the City of Leduc affected by the NEF contours.

Table 42: AVPA Land Use Translation

Edmonton International Airport Vicinity Protection Area AR 55/2006	Land Use Bylaw
Airport	Airport
Airport Operator	Airport Operator
Billiards, Bowling and Arcades	Gaming Establishment
Campgrounds	Campground
Churches	Place of Worship
Cinemas	Cinema
Clinic	Health Service

Edmonton International Airport Vicinity Protection Area AR 55/2006	Land Use Bylaw
Day Care	Day Care Facility Day Care Facility (Limited)
Development Permit	Development Permit
Eating and Drinking Establishments	Eating and Drinking Establishment Eating and Drink Establishment (Limited)
Emergency Reponses Services	Emergency Response Service
Funeral Homes	Funeral Home
Gambling Facilities	Casino
Halls Auditorium	Auditorium
Hospitals	Hospital
Hotels / Motels	Hotel Motel
Libraries	Community Service Facility
Municipality	Municipality
Nursing Homes	Assisted Living Facility
Office and Retail Facility	Professional, Financial and Office Service Retail Store (Neighbourhood) Retail Store (General)
Outdoor Recreation Facility	Recreation Facility, Outdoor
Private Clubs and Lodges	Private Club
Residence	Dwelling or Dwelling Unit
Schools	Education (Private) Education (Public)
Spectator Entertainment Facilities (Outdoor)	Entertainment Facility, Outdoor
Spectator Entertainment Facility	Entertainment Facility, Indoor
Spectator Sport Facility	Entertainment Facility, Outdoor

Figure 1: Noise Exposure Forecast Contour Areas

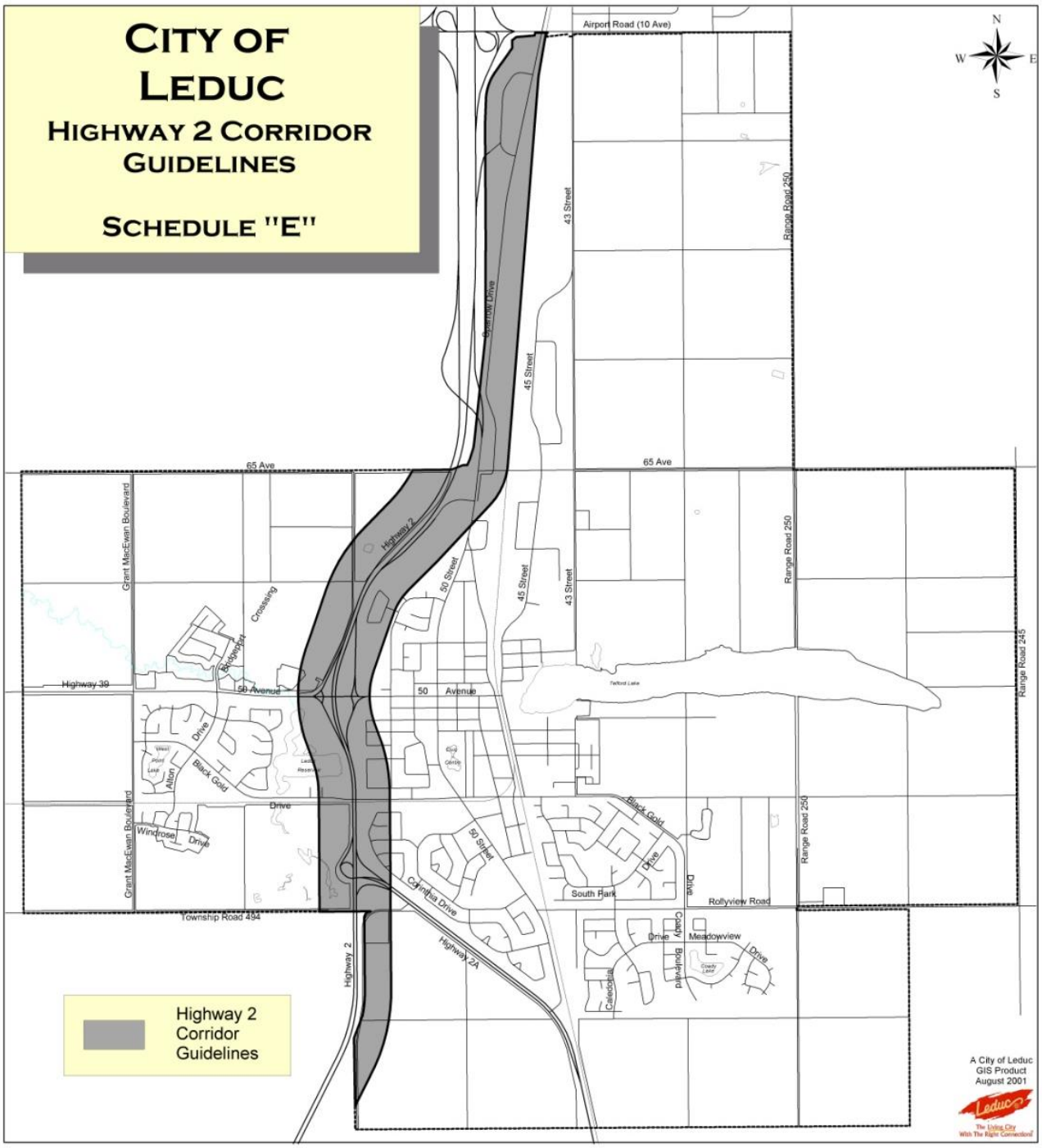


18.2. **Highway 2 Corridor Guidelines**

18.2.1. The regulations of this Section apply to those lands shown on Figure 2: Queen Elizabeth 2 Highway Corridor Map.

18.2.2. The Development Authority, when deciding on a Development application, will have regard for the *Highway 2 Corridor Design Guidelines*.

Figure 2: Queen Elizabeth 2 Highway Corridor Map



(Source: Highway 2 Corridor Design Guidelines, 1995)

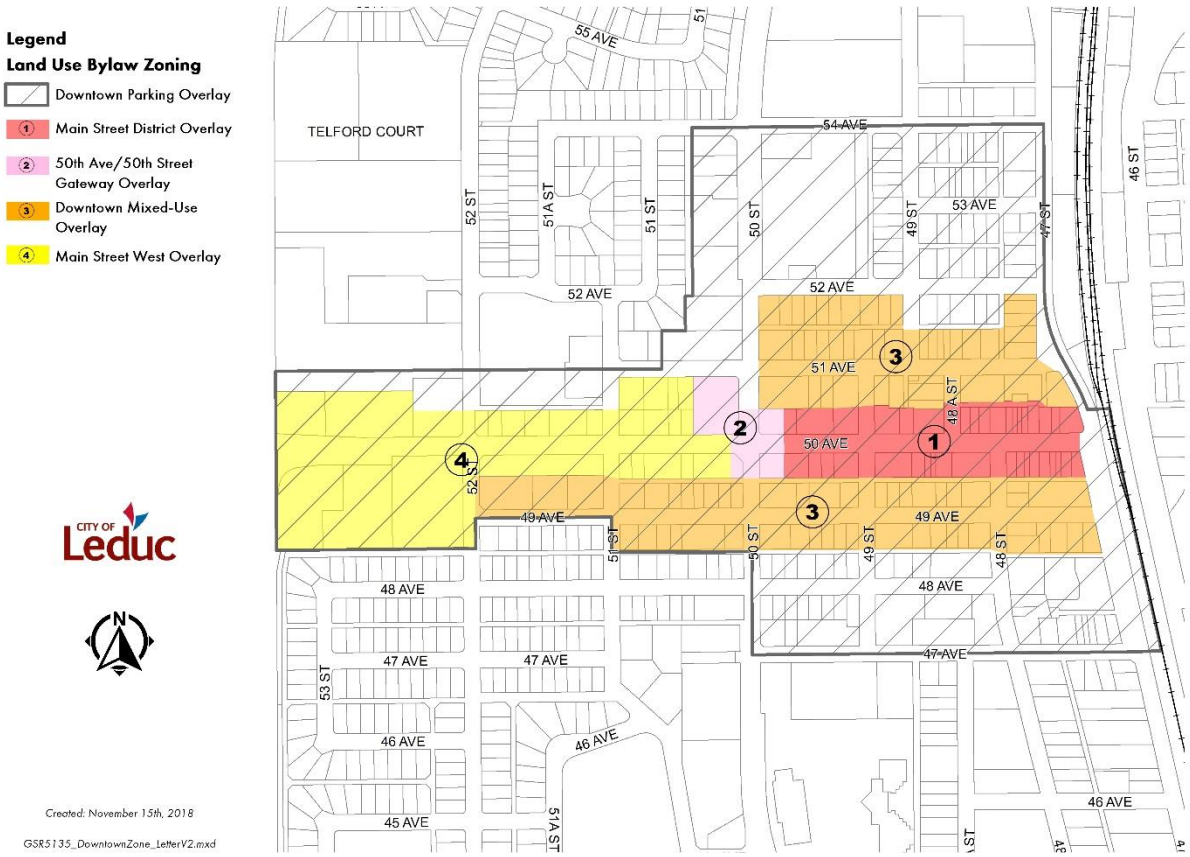
18.3. **Downtown Parking Overlay**

18.3.1. The regulations of this Section apply to those lands shown as Downtown Parking Overlay on Figure 3: City of Leduc Map of Downtown Overlays.

18.3.2. The minimum number of off-street Parking Spaces required on lands within the Downtown Parking Overlay shall be calculated by multiplying the number of stalls normally required under Section 23.0 Parking and Loading for the proposed use or Building by 0.66. Where there are a fractional number of Parking Spaces required, the next highest number of stalls shall be provided.

18.3.3. Notwithstanding 18.3.2. residential uses shall provide parking at a rate of one (1) parking space for every one (1) dwelling units.

Figure 3: City of Leduc Map of Downtown Overlays



(Source: City of Leduc Downtown Master Plan 2012, pg. 47)

18.4. 50th Avenue/50th Street Gateway Overlay

18.4.1. Purpose

18.4.1.1. 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:

1) apply detailed and sensitive control of development and redevelopment for the properties adjacent to the gateway intersection at 50th Street and 50th Avenue;

2) encourage a highly pedestrian, retail commercial environment on the main floor with mixed commercial uses on the upper floors;

3) 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.

18.4.2. Applicability

18.4.2.1. 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. These lands are identified in Area 2 of Figure 3: City of Leduc Map of Downtown Overlays, which for greater certainty includes the following parcels of land:

1) Plan 8821510, Block 23, Lot 11;

2) Plan T5, Block 16, Lots 6, 7 and 8;

3) Plan T5, Block 17, Lots 9 and 10; and

4) Plan 5500R, Block 24, Lots 17, 18, 19 and 20.

18.4.2.2. Where there appears to be a conflict between the provisions of this Overlay and the Downtown Parking Overlay, the provisions of this Overlay shall take precedence and effect.

18.4.3. Application Requirements

18.4.3.1. All development and major redevelopment applications are subject to the Development Authority'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.

18.4.4. Development Regulations

18.4.4.1. Development within this overlay shall be evaluated with respect to compliance with the CBD - 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 Authority's discretion.

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

1) Permitted Uses:

a) Health Service

b) Commercial Schools (second Storey only)

c) Eating and Drinking Establishments (Limited)

d) Professional, Financial and Office Services (second Storey only)

e) Retail Store (General)

f) Eating & Drinking Establishment

g) Fascia Sign

h) Projecting Sign

i) Temporary Portable Sign

2) Discretionary Uses:

a) Business Support Services (second Storey only)

b) Community Service Facilities

c) Contractor Service

d) Entertainment Facility (Indoor)

e) Professional, Financial and Office Services (first Storey)

f) Hotel

g) Cinema

h) Personal Service

i) Veterinary Clinics (for small animals only)

j) Uses similar to the permitted and Discretionary uses listed above

18.4.4.3. Notwithstanding Table 24: CBD Site Subdivision Regulations of the Land Use Bylaw, the Front-Yard Setback shall be a minimum 1.8m to a maximum 2.0m to allow for landscaping treatments.

18.4.4.4. Notwithstanding Table 24: CBD Site Subdivision Regulations of the Land Use Bylaw, the minimum Side Yard Setback adjacent to a street shall be 1.8m and to a maximum 2.0m to allow for landscaping treatments.

18.4.4.5. Subject to the Development Authority'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.

18.4.5. Urban Design Regulations

18.4.5.1. Subject to the Development Authority's approval, buildings may incorporate rooftop patios, rooftop gardens and/or greenroof technologies.

18.4.5.2. The overall site development shall be in accordance with the urban design regulations 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:

1) not exceed nor be less than two (2) Storeys or 8.5m in height. An additional 2.74m in height will be allowed for architectural ornamentation (e.g. tower feature) that enhances and compliments the character of the gateway;

2) provide distinguished massing with the bottom, middle and top of the building defined by cornice lines and other architectural elements which articulate the building;

3) incorporate first Storey windows that span the entire vertical distance from the sill to the header;

4) not have any solid wall face fronting a public street;

5) be compatible with adjacent buildings in the transition of form and massing;

6) incorporate a prominent top building feature, such as a tower feature with roof;

7) have a rooftop that enhances views from taller surrounding buildings.

18.4.5.3. Building exteriors shall feature an attractive and unified architectural presentation and shall:

1) incorporate weather protection over the public sidewalk using canopies or awnings;

2) maintain compatible and harmonious finishing materials that are of high quality and craftsmanship;

3) be of wood or concrete incorporating stone detailing, secondary cladding, ornamental glass, and/or metal siding;

4) be principally of earth tones with complimentary secondary accents that may include brighter primary colors;

5) conform to CPTED standards (Crime Prevention through Urban Design);

6) incorporate a main entranceway that is clearly articulated and framed to distinguish it from any other entrance to the building;

7) have entrances located at street level that are universally accessible to all persons, including persons with physical disabilities;

8) 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;

9) divide all upper Storey windows horizontally using the same modulation pattern established on the first Storey wall face;

10) incorporate modules that are consistently repetitious on both the front and flanking wall faces;

11) incorporate a symmetrical fenestration pattern on the upper Storey which evenly situates windows within modules;

12) screen all exterior mechanical equipment from view, including roof mechanical units, in a manner compatible with the architectural character of the building;

13) 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;

14) have at least 50% window transparency on the bottom Storey with no reflective glazing.

18.4.5.4. A Development Permit is required for all Façade improvements and exterior Building improvements to existing buildings related to Section 18.4.5.

18.4.6. Signage

18.4.6.1. Signage shall be in accordance with Section 24.0 Signs of this Bylaw and shall be:

1) in the form of a Fascia Sign, Projecting Sign and/or Temporary Portable Sign only;

2) have a maximum copy area of 3.0 m^2 or 0.30 m^2 for each 1.0 m of frontage, whichever is lesser;

3) in the case of an illuminated sign, shall be illuminated by a remote light source or if illuminated directly, shall be constructed of neon tubing;

4) deleted in its entirety;

5) 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 Area;

6) in the case of Projecting Signs, located between the first Storey window headers or a line 3.04 m above the sidewalk level, whichever is higher, and the upper Storey window sills;

7) if located on the windows of the premises, the Sign shall not exceed a coverage of more than 25% of any window area.

18.4.7. Lighting

18.4.7.1. If lighting fixtures are installed on the building exterior, lighting fixtures shall:

1) be limited to downcast lighting;

2) be made of high quality lighting fixtures that compliment the building's overall character and design;

3) be located at regular intervals that are consistently symmetrical to building modules for both front and flanking wall faces;

4) or in the case of remotely lit signage, fixture(s) that are proportionally aligned to the sign.

18.4.8. Parking and Loading

18.4.8.1. Parking requirements are waived for developments in this Overlay excepting:

a) for residential uses, which shall provide parking at a rate of one (1) parking space for every one (1) dwelling units; and

b) for Eating & Drinking Establishments, which shall provide parking at a rate calculated by multiplying the number of stalls normally required under Section 23.0 Parking and Loading for the proposed use or Building by 0.66. Where there are a fractional number of Parking Spaces required, the next highest number of stalls shall be provided.

18.4.8.2. In addition to the requirements of Section 23.0 Parking and Loading, if a Development within this Overlay is to provide parking, parking shall:

1) be located and designed to improve the safety and attractiveness of the intersection;

2) 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 so that the building can be set close to the street and emphasize pedestrian orientation;

3) be prohibited between the building and any public street or sidewalk;

4) 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;

5) provide vehicular access from abutting lanes only;

6) where there is no abutting lane, provide vehicular access from the street by consolidating and minimizing driveways and curb crossings across public sidewalks;

7) be accessed from an Adjacent Lane. If no Lane is present, access may be taken from an Adjacent Street.

18.4.8.3. Loading, storage and trash collection areas shall be located at the rear of the principle building.

18.5. Main Street District Overlay

18.5.1. Purpose

18.5.1.1. The purpose of this Overlay is to ensure that the historic pattern of the Street and massing is retained for continuity and unity in the Downtown Core area and that historic buildings and sites are preserved and complemented to the greatest extent possible.

18.5.2. Applicability

18.5.2.1. This Overlay shall apply to Area 1 as identified in Figure 3: City of Leduc Map of Downtown Overlays. Wherever the policies or provisions of the Downtown Master Plan make reference to the Downtown Core, the regulations contained within this Overlay shall apply.

18.5.2.2. Where there appears to be a conflict between the provisions of this Overlay and the Downtown Parking Overlay, the provisions of this Overlay shall take precedence and effect.

18.5.3. Development Regulations

18.5.3.1. Development within this overlay shall be evaluated with respect to compliance with the CBD - Central Business District and all other provisions of this Bylaw where not specifically overridden by this overlay.

18.5.3.2. Land Uses

1) The ground floor of the Development shall be dedicated to commercial Land Uses allowed in the underlying district except:

a) Vehicle Oriented Service shall not be allowed; and

b) the AVPA Overlay shall be applied to further restrict the allowable Land Uses.

2) The commercial uses may be in the form of live/work spaces with the residential component visually integrated with the commercial uses.

3) Individual commercial units shall not exceed 1000.0 m^2 on Street level.

18.5.3.3. Site Planning

1) Buildings shall be built close to the front and side property boundaries on internal and corner sites and shall, at the discretion of the Development Authority, closely align with adjacent development. The Development Authority may allow building Setbacks up to 3.0 m to accommodate street-related activities such as sidewalk cafes, architectural features and Landscaping that contribute to the pedestrian-oriented shopping character of the area.

2) Development in the Downtown Core shall be built close to the Street property line with parking to the side or preferably to the rear of the Development and access to parking shall not be allowed from the street.

3) Development shall be placed close to the Street property line to create a continuous Street Wall and more pedestrian-friendly streetscape.

4) Infill residential Development behind the existing commercial Development shall be compatible with the local areas off 50 Avenue and complement the two (2) Storey Buildings on 50 Avenue and elsewhere in the adjoining neighbourhoods.

18.5.3.4. Building Height

1) New Development along 50 Avenue shall be a maximum of two (2) Storeys to develop a consistent and mixed use character and fit within the historic character of the area.

18.5.4. Urban Design Regulations

18.5.4.1. Building Form and Massing

1) Retail commercial storefronts shall to the Maximum Extent Feasible exhibit the following features with each front façade module (refer to page 58 of the *Downtown Master Plan* for diagrams):

a) all buildings shall respect and complement the traditional character of streets and buildings of Main Street;

b) historic buildings in the Downtown core area shall be restored to their former character to the Extent Reasonably Feasible;

c) developments shall feature an attractive and unified architectural presentation;

d) buildings shall have distinct bases, middles and tops articulated by horizontal materials;

e) deleted in its entirety;

f) horizontal stretches of uninterrupted façade shall not exceed 2.5 m in length or width. Façades shall be broken up by articulation of wall design, the placement of windows or doors, or through any other similar method;

g) buildings shall provide large windows along the building façade to create a large, airy and inviting volumes with slightly recessed building entries;

h) at least 50% of the ground floor building façade shall be glazed to the exterior on street frontage sides;

i) the windows shall be larger on the ground floor for the commercial uses but shall not extend to the ground level;

j) window headers shall be at the same level of the entry door headers, and sills at 0.25 m to 0.4 m above sidewalk grade;

k) entry doors shall be centred in the module in which entry occurs. A module that has an entry door not centred within itself will be allowed when mirrored to the adjacent module;

l) commercial uses that cannot accommodate large display windows may, at the discretion of the Development Authority, replace such windows with an opaque panel so long as the panel visually maintains the proportions of the window it replaces;

m) first Storey commercial window openings shall span the entire vertical distance from the sill to the header;

n) the height to width ratio of first Storey window openings shall range from 0.5 to 3.0. The ratio chosen shall be consistent across the entire first Storey of the building;

o) blank building facades shall be avoided by ensuring that flanking sides are consistent with facades in architectural presentation through the continuation of building modules, window windows, cornices, and other key building features;

p) all buildings and their primary doorways shall be oriented directly toward Main Street; and

q) secondary doorways may be allowed on flanking sides of the building, at the discretion of the Development Authority.

18.5.4.2. Upper Storey Elements

1) Front and flanking facades in this Downtown Core area shall have commercial character, and therefore, upper Storey architectural elements shall, to the Maximum Extent Feasible, include some or all of the following:

a) all upper Storey facades shall be divided horizontally into the same module established on the first Storey façade. On the upper Storeys, however, the method of division need not be as direct as the columns or pilasters used on the first Storey. The division into modules may be accomplished simply by the fenestration pattern;

b) for buildings on corner sites, the module, once established, shall be repeated along the entire flanking façade;

c) the fenestration pattern on the upper Storey shall be symmetrical, including the even placement of window frames, within each module; and

d) the fenestration patterns shall be complimentary to the adjacent buildings to provide a consistent pattern along the street.

18.5.4.3. Roofs, Cornices and Parapets

1) To the Extent Reasonably Feasible, roofs shall be flat.

2) Mechanical equipment on the roof of any building shall be concealed by carefully incorporating it within the building roof, or by screening it in a way that is consistent with the character and finishing of the building.

3) The top of every façade shall be delineated by a cornice, a parapet, or both. Once established, the cornice or parapet shall be consistent along the entire width of the front, and for corner buildings the flanking façade. The parapet is Encouraged to have simple central features following with historic traditions in the Downtown Core area.

4) At the discretion of the Development Officer, rooftop gardens, rooftop patios, and/or "green roof technology" are Encouraged as rooftop uses to improve rooftop appearances and sustainable functions.

18.5.4.4. Pedestrian Weather Protection

1) All first Storey front facades located within 1.0 m of the front property line shall include a form of rain protection for the sidewalk area immediately Adjacent to the front of the building and:

a) may take the form of an awning or Canopy that is compatible with the design of the façade;

b) to the Maximum Extent Feasible, shall be impervious to water, and be at least 2.75 m above the sidewalk; and

c) shall extend from the façade to a line at least 2.5 m from front property line, or to a line 0.15 m behind the existing curb, whichever is the lesser. This weather protection shall be secured to the building front.

18.5.4.5. Façade Materials & Colors

1) The predominant materials, excluding window glass, shall be horizontal wood siding, standard modular brick, ceramic tile, or cut or rusticated stone. Metal, plastic and concrete (stucco) shall not count toward this quota. However, any of these materials may be used in lieu of the above acceptable materials so long as, in its final installation, it is indistinguishable from stone, brick, tile or wood in terms of colour, texture, and reflectance.

2) Wood, metals and plastics shall be deemed acceptable as trim materials for window and door frames, cornices, and awnings or canopies.

3) Building colours shall be limited to white or earth tone colours including browns, yellows, reds, blues, greens, or similar colours.

4) Façade trim work, including window and door frames, cornices, pilasters, awnings, canopies and other elements may be any color, with the exception of luminescent, fluorescent or metallic colors.

18.5.4.6. A Development Permit is required for all Façade improvements and exterior Building improvements to existing buildings related to Section 18.5.4.

18.5.5. Signage

18.5.5.1. In addition to the regulations of Section 24.0 Signs of this Bylaw, signage within this overlay shall comply with the following:

1) be in the form of a Fascia Sign or Projecting Sign only;

2) have a maximum copy area of 3.0 m^2 or 0.30 m^2 for each 1.0 m of frontage, whichever is lesser;

3) 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 Area;

4) in the case of Projecting Signs, located above the first Storey window headers, a minimum of 2.75 m above the Sidewalk level, and the upper Storey window sills; and

5) shall only be illuminated by a remote light source shining on the Sign, or directly but only if constructed of neon tubing. Backlighting of Signs is not permitted.

18.5.6. Parking

18.5.6.1. Parking requirements are waived for developments in this Overlay excepting residential uses, which shall provide parking at a rate of one (1) parking space for every one (1) dwelling units.

18.5.6.2. Parking shall be provided on the Street and via access Lanes to the rear or side of the Building so that the Building can be set close to the Street and emphasize pedestrian orientation. No access to parking shall be allowed from the front street.

18.5.6.3. No street-fronting surface parking shall be allowed.

18.5.6.4. In the case of a Mixed Use Development, separate parking for residences shall be provided and residences shall be accessed via a separate entrance from the commercial uses, excepting the live/work situations which may combine the entries.

18.5.7. Landscaping

18.5.7.1. At the discretion of the Development Authority, Landscaping shall screen parking areas from Adjacent streets and “soften” the overall appearance of the Development.

18.5.7.2. Pedestrian areas shall feature distinct surface treatments (concrete, brick or stone) from vehicular parking and maneuvering areas.

18.6. Main Street West Overlay

18.6.1. Purpose

18.6.1.1. The purpose of this Overlay is to ensure that the historic pattern of the Street and massing is retained for continuity and unity in the Downtown Core area.

18.6.2. Applicability

18.6.2.1. This Overlay shall apply to Area 4 as identified in Figure 3: City of Leduc Map of Downtown Overlays. Wherever the policies or provisions of the Downtown Master Plan make reference to the West Gateway, the regulations contained within this Overlay shall apply.

18.6.2.2. Where there appears to be a conflict between the provisions of this Overlay and the Downtown Parking Overlay, the provisions of this Overlay shall take precedence and effect.

18.6.3. Development Regulations

18.6.3.1. Development within this overlay shall be evaluated with respect to compliance with the CBD - Central Business District and all other provisions of this Bylaw where not specifically overridden by this overlay.

18.6.3.2. Land Uses

1) The ground floor of the Development shall be dedicated to commercial Land Uses allowed in the underlying district except:

a) Vehicle Oriented Services shall not be allowed; and

b) the AVPA Overlay shall be applied to further restrict the allowable Land Uses.

2) The commercial uses may be in the form of live/work spaces with the residential component visually integrated with the commercial uses.

18.6.3.3. Site Planning

1) Development in the West Gateway area shall be built close to the front property line with parking to the side or preferably to the rear of the Development and shall have a minimum front setback of 2.0 m. Notwithstanding the above, for sites west of 52 Street this setback may be increased at the discretion of the Development Authority, to no more than 45.0 m.

2) Development should be placed close to the Street property line to create a continuous Street Wall and more pedestrian-friendly streetscape.

3) Space between buildings, if used for parking, shall be no more than 20.0 m wide between buildings

18.6.3.4. Building Height

1) New Development along 50 Avenue shall be no more than two (2) Storeys to develop a consistent and mixed-use character and fit within the historic character of the area, excepting (2) below.

2) Any Sites west of 52 Street shall be no more than four (4) Storeys in Height. At the discretion of the Development Authority, the maximum Height may be five (5) Storeys.

18.6.4. Urban Design Regulations

18.6.4.1. To provide active and inviting streetscapes at the ground level, Development shall incorporate architectural features such as, but not limited to, doorways, and windows at ground level, as well as weather protection features such as awnings, canopies and arcades.

18.6.4.2. To the reasonable extent feasible, larger Buildings with long Street fronts shall be designed with detail and articulation to create an attractive streetscape.

18.6.4.3. Blank Walls shall be avoided, horizontal stretches of uninterrupted façade should be limited to 12.0 m in length and façades shall be broken up by articulation of wall design, the addition of windows or doors, or through other similar methods.

18.6.4.4. Any commercial Development should be designed to provide an inviting and interesting Street presence/entrance, as well as attractive Building Facades facing the street.

18.6.4.5. In addition to the Urban Design Regulations set out above, the Development Authority shall advise the applicant of and strongly Encourage compliance with the *City of Leduc Downtown Master Plan 2012*; *Section 4.0 Design Guidelines*.

18.6.4.6. A Development Permit is required for all Façade improvements and exterior Building improvements to existing buildings related to Section 18.6.4.

18.6.5. Parking

18.6.5.1. Parking requirements are waived for developments in this Overlay excepting:

1) commercial uses located west of 52 Street, which shall provide parking at a rate calculated by multiplying the number of stalls normally required under Section 23.0 Parking and Loading for the proposed use or Building by 0.66. Where there are a fractional number of Parking Spaces required, the next highest number of stalls shall be provided; and

2) residential uses, which shall provide parking at a rate of one (1) parking space for every one (1) dwelling units. Parking shall be provided on the Street and via access Lanes to the rear or side of the Building so that the Building can be set close to the Street and emphasize pedestrian orientation.

18.6.5.2. In cases where parking lots are located at the side of Buildings, landscaped strips including benches, planting and low fencing is required to buffer the parked cars and create an attractive Street front.

18.6.5.3. In cases where parking lots are located at the side of Buildings, sidewalks with a minimum width of 1.5 m shall be required along the side of the Building adjacent to the parking area.

18.6.5.4. No street-fronting surface parking shall be allowed.

18.6.5.5. In the case of a Mixed Use Development, separate parking for residences shall be provided and residences shall be accessed via a separate entrance from the commercial uses, excepting the live/work situations which may combine the entries.

18.6.6. Landscaping

18.6.6.1. Landscaping shall screen parking areas from Adjacent streets and “soften” the overall appearance of the Development.

18.6.6.2. Pedestrian areas shall feature distinct surface treatments (concrete, brick or stone) from vehicular parking and maneuvering areas.

18.6.7. Signage

18.6.7.1. In addition to the regulations of Section 24.0 Signs of this Bylaw, signage within this overlay shall comply with the following:

1) Be in the form of a Fascia Sign, Freestanding Sign, Projecting Sign, or Temporary Portable Sign only.

18.7. Downtown Mixed-Use Overlay

18.7.1. Purpose

18.7.1.1. The purpose of this Overlay is to expand the commercial and residential mixed use into adjoining neighbourhoods to the north and south of main street, while still ensuring the Development of the "Saddle Concept" around main street.

18.7.2. Applicability

18.7.2.1. This Overlay shall apply to Area 3 as identified in Figure 3: City of Leduc Map of Downtown Overlays. Where there appears to be a conflict between the provisions of this Overlay and the Downtown Parking Overlay, the provisions of this Overlay shall take precedence and effect.

18.7.3. Development Regulations

18.7.3.1. Development within this overlay shall be evaluated with respect to compliance with the CBD - Central Business District and all other provisions of this Bylaw where not specifically overridden by this overlay.

18.7.3.2. Land Uses

1) The following uses shall be permitted in the first Storey:

a) Retail Stores; Eating and Drinking Establishments; Business Support Services; Personal Service.

2) The following uses shall be discretionary in the first Storey:

a) Residential uses, Health Service, Day Care Facility and Community Service Facility.

3) Ground floor of the Development shall be dedicated to commercial Land Uses allowed in the underlying district except:

a) Vehicle Oriented Service shall not be allowed; and

b) the AVPA Overlay shall be applied to further restrict the allowable Land

Uses.

4) The commercial uses may be in the form of live/work spaces with the residential component visually integrated with the commercial uses.

5) Individual commercial units shall not exceed 1000.0 m^2 on Street level.

18.7.3.3. Site Planning

1) Development shall be placed close to the Street property line to create a continuous Street Wall and more pedestrian-friendly streetscape and shall have a maximum front setback of 6.0 m.

18.7.3.4. Building Height

1) Maximum Height shall be:

a) four (4) Storeys or 17.0 m on the north side of 49 Avenue and the south side of 51 Avenue or lesser where restricted by the AVPA Overlay; and

b) six (6) Storeys or 22.0 m on the south side of 49 Avenue and the north side of 51 Avenue or lesser where restricted by the AVPA Overlay.

18.7.4. Urban Design Regulations

18.7.4.1. To provide active and inviting streetscapes at the ground level, Development shall incorporate architectural features such as, but not limited to, doorways, and windows at ground level, as well as weather protection features such as awnings, canopies and arcades.

18.7.4.2. To the reasonable extent feasible, larger Buildings with long Street fronts shall be designed with detail and articulation to create an attractive streetscape.

18.7.4.3. Blank Walls shall be avoided by wrapping active retail or residential Land Uses around above-Grade parking Structures to maintain an active and attractive streetscape.

18.7.4.4. Horizontal stretches of uninterrupted façade should be limited to 12.0 m in length.

18.7.4.5. Any commercial Development should be designed to provide an inviting and interesting Street presence/entrance, as well as attractive Building Facades facing the street.

18.7.4.6. Reflective glazing is not permitted on windows located on the first Storey.

18.7.4.7. The Development Authority shall have regard for existing Development and shall Encourage step-backs and other architectural features which can help to reduce the massing and shadow effect of new Development on Adjacent Development.

18.7.4.8. A Development Permit is required for all Façade improvements and exterior Building improvements to existing buildings related to Section 18.7.4.

18.7.5. Parking

18.7.5.1. Parking shall be required:

1) for residential uses at a rate of one (1) parking space for every one (1) dwelling units; or

2) for all other uses, at a rate calculated by multiplying the number of stalls normally required under Section 23.0 Parking and Loading for the proposed use or Building by 0.66. Where there are a fractional number of Parking Spaces required, the next highest number of stalls shall be provided. At the discretion of the Development Authority, the parking requirements for non-residential uses may be waived where it is deemed that adequate on-street parking is available for the intended use.

18.7.5.2. Development plans shall be arranged so that any parking lots or other vehicle use areas, if not underground or within a Structure, are located in side or Rear Yards, not in Front Yards.

18.7.5.3. In cases where parking lots are located at the side of Buildings, landscaped strips including benches, planting and low fencing is required to buffer the parked cars and create an attractive Street front.

18.7.5.4. No street-fronting surface parking shall be allowed.

18.7.5.5. In the case of a Mixed Use Development, separate parking for residences shall be provided and residences shall be accessed via a separate entrance from the commercial uses, excepting the live/work situations which may combine the entries.

18.7.6. Signage

18.7.6.1. Only one (1) Fascia Sign and one (1) Projecting Sign shall be allowed for non-residential uses.

1) Where a building Façade is not Adjacent to a residential use, additional signage may be considered at the discretion of the Development Authority.

18.7.6.2. Deleted.

18.8. Telford Industrial Overlay

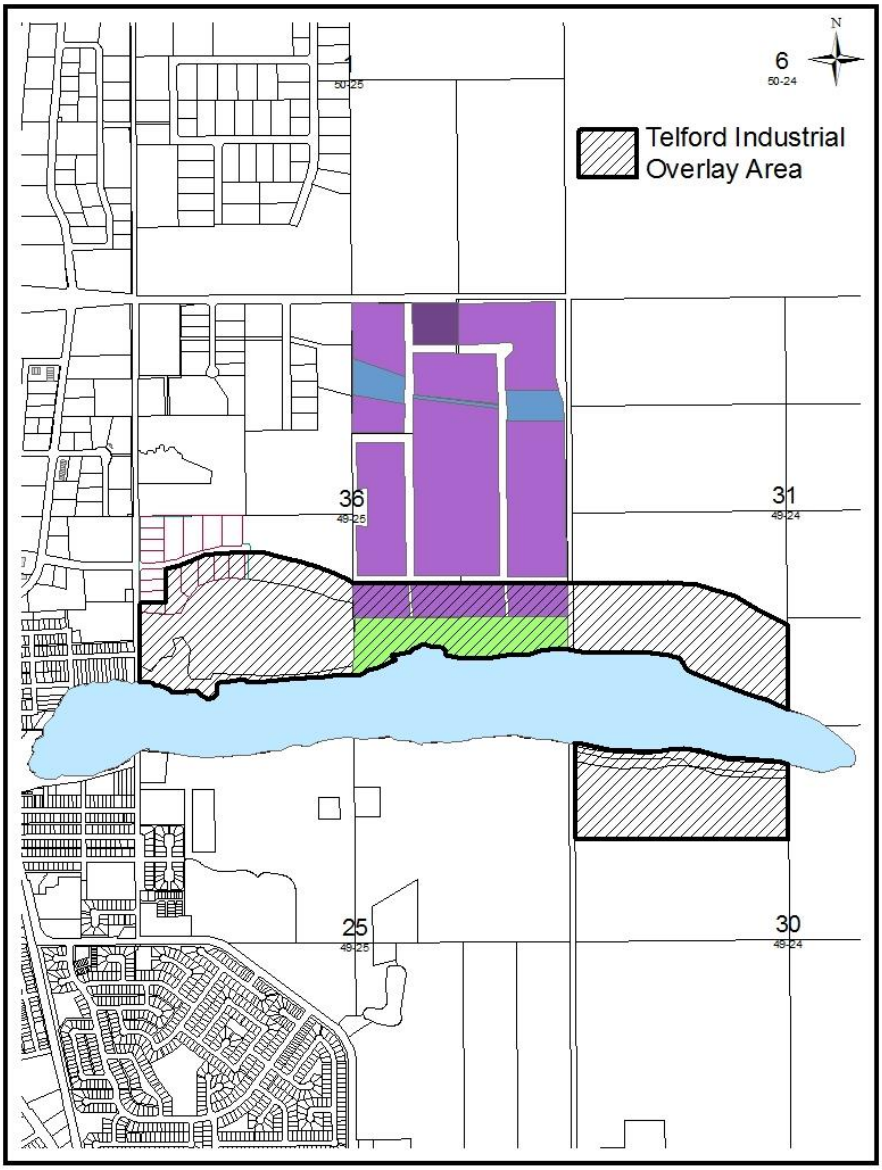
18.8.1. Purpose

18.8.1.1. The purpose of this Overlay is to protect the integrity of Telford Lake and respect the park-like nature of the lands adjacent to the lake by imposing restrictions on the uses developable in the area as well as additional regulations on the way buildings and sites within the Overlay are designed.

18.8.2. Applicability

18.8.2.1. This Overlay shall apply to the area outlined in Figure 3.1: City of Leduc Telford Industrial Overlay Area.

Figure 3.1: City of Leduc Telford Industrial Overlay Area



18.8.3. General Development Regulations

18.8.3.1. Parking

1) No parking or loading spaces shall be permitted within the setback area required Abutting a Municipal Reserve Lot, an Environmental Reserve Lot, a Public Utility Lot that is 6.0 m or more in width, or a Lot zoned GR under this bylaw.

18.8.3.2. Landscaping

1) In addition to the provisions of Section 22.0, sites in this Overlay area shall be landscaped in accordance with the following:

a. All Setback areas Adjacent to a Municipal Reserve Lot, an Environmental Reserve Lot, a Public Utility Lot that is 6.0 m or more in width used as a public walkway, or a Lot zoned GR under this bylaw shall be Landscaped;

b. The amount of planting for each Landscaping area required on a Site (front, side and/or rear) shall be calculated individually and as follows:

i) Landscaping areas required Abutting a Public Utility Lot that is 6.0 m or more in width used as a public walkway shall be planted with 1 tree per 45 m^2 based on 9% of the Lot area for industrial Lots, and 1 tree per 30 m^2 based on 9% of the Lot area for commercial Lots; and

ii) Landscaping areas required Abutting a Municipal Reserve Lot, an Environmental Reserve Lot, or a Lot zoned GR under this bylaw shall be planted with 1 tree per 9 m^2 of Landscaping area.

c. Landscaping required under subsection (b)(ii) above shall be of a purpose to Screen the activities on the Site and shall consist of a combination of coniferous and deciduous trees in a ratio of 3:1 chosen from a combination of species hardy to the Leduc region such as Blue Spruce, White Spruce, Scots Pine, Lombardy Poplar, and Towering Aspen.

18.8.3.3. Fencing

1) Pursuant to Section 20.14, black chain link Fencing of a Height of 1.83 m shall be erected along those property boundaries Adjacent to a Municipal Reserve Lot, an Environmental Reserve Lot, a Lot zoned GR under this bylaw, or a designated public Walkway.

2) Notwithstanding Section 20.14.5.2., all Fences erected under subsection (1) shall not incorporate barbed wire.

18.8.3.4 Building and Site Design

1) The City may allow up to a 15% increase in Site Coverage for Developments that are constructed with green roofs.

2) Quality façade treatments that respect the park-like setting of Telford Lake will be required on the facades of buildings that are Adjacent to a Municipal Reserve Lot, an Environmental Reserve Lot, a Public Utility Lot that is 6.0 m or more in width used as a public walkway, or a Lot zoned GR under this bylaw.

3) Pursuant to subsection (2) above, facades shall incorporate no less than three (3) of the following architecturally interesting features:

a. brick Façade and/or accents;
b. stone Façade and/or accents;
c. tile Façade and/or accents;
d. exterior wall/Façade step-backs;
e. series of windows that form an interesting fenestration;
f. unique building entry;
g. pitched and/or varied roofline;
h. cornices and/or parapets;
i. pilasters and/or capitals; or
j. any other building feature that the Development Authority deems appropriate.

4) Any windows incorporated on the building façade that faces Telford Lake must appear opaque from the outside to shield public visibility to the inside of the building.

5) Blank walls shall not be permitted on any building Façade facing a Municipal Reserve Lot, an Environmental Reserve Lot, a Public Utility Lot that is 6.0 m or more in width used as a public walkway, or a Lot zoned GR under this bylaw.

6) Horizontal stretches of uninterrupted Façade shall be limited to a maximum of 15 m in length and shall incorporate architecturally interesting features, as outlined in subsection (3) above, for building facades facing a Municipal Reserve Lot, an Environmental Reserve Lot, a Public Utility Lot that is 6.0 m or more in width used as a public walkway, or a Lot zoned GR under this bylaw.

7) Buildings shall screen rooftop mechanical equipment from public view in a way that is architecturally appealing.

8) Development of buildings and sites that are LEED® or Green-Built Certified is highly Encouraged.

9) The implementation of the provisions of Section 19.0 of this bylaw is highly Encouraged.

10) Development plans are Encouraged to incorporate Low Impact Development (LID) standards for consideration by the City, where such standards are practical and achievable.

11) A Development Permit is required for all Façade improvements and exterior Building improvements to existing buildings related to Section 18.8.3.4.

18.8.3.5. Site Drainage

1) Preference is that all roof drains and downspouts be directed towards Landscaped areas to discourage excessive storm water runoff.

18.8.3.6 Lighting

1) On-site Lighting shall minimally impact wildlife usage in the vicinity through the utilization of low lighting features such as low intensity lamps or shielding of lights.

18.8.4 Commercial Development Regulations

18.8.4.1. Commercial Development within this Overlay shall be evaluated with respect to compliance with CBO – Commercial Business Oriented district regulations and all other provisions of this bylaw where not specifically overridden by this Overlay.

18.8.4.2. Land Uses

1) Commercial Land Uses shall be in accordance with Table 42.1.

Table 42.1: Permitted and Discretionary Commercial Land Use Classes Telford Industrial Overlay Area

Permitted Uses	Discretionary Uses
Accessory Developments	Bars and Neighbourhood Pubs
Commercial School	Community Service Facility
Custom Manufacturing Establishment **Deleted-Replaced – Bylaw No. 1052-2020, adopted September 14, 2020.**	Entertainment Facility, Indoor
Drive Through Service	Entertainment Facility, Outdoor
Eating and Drinking Establishment (Limited)	Farmers/Flea Market
Government Service	Gaming Establishment
Health Service	Greenhouse
Hotel	Motel
Light Business Facility	Digital Sign (only adjacent to a public roadway)
Temporary Portable Sign (only adjacent to a public roadway)	Pet Care Service
Fascia Sign	Place of Worship
Freestanding Sign (only adjacent to a public roadway)	Private Club
Identification Sign	Research and Development Facility
Projecting Sign	Surveillance Suite
Temporary Portable Sign (only adjacent to a public roadway)	Vehicle Sales, Leasing or Rental Facility (Limited)
Parking Facility	Veterinary Clinic
Personal Service	Warehouse Sales
Professional, Financial and Office Service	
Radio Communication Facility	
Radio Communication Facility (Limited)	
Retail Store (Neighbourhood)	
Retail Store (General)	
Service Station (Limited)	
Utility	

18.8.4.3. Site Planning

Table 42.2: Development Regulations for Commercial in Telford Industrial Overlay Area

Site Development Regulations	
	CBO – Commercial Business Oriented
REAR YARD MINIMUM SETBACK	5.0 m; 3.0 m where Abutting a Municipal Reserve Lot, an Environmental Reserve Lot, or a Lot zoned GR under this bylaw; or 1.8 m where Abutting a Public Utility Lot that is 6.0 m or more in width used as a public walkway.
SIDE YARD MINIMUM SETBACK	3.0 m where Abutting a Municipal Reserve Lot, an Environmental Reserve Lot, or a Lot zoned GR under this bylaw; 1.8 m where Abutting a Public Utility Lot that is 6.0 m or more in width used as a public walkway; 1.2 m on the other side of the Building; and For Buildings over six (6) Storeys or 21.0 m in height, an additional 1.0 m shall be required for every additional Storey, to a maximum of 6 m.

18.8.5. Light Industrial Development Regulations

18.8.5.1. Industrial Development within this Overlay shall be evaluated with respect to compliance with IL – Light Industrial district regulations and all other provisions of this bylaw where not specifically overridden by this Overlay.

18.8.5.2. Land Uses

1) Light industrial Land Uses shall be in accordance with Table 42.3.

Table 42.3: Permitted and Discretionary Industrial Land Use Classes Telford Industrial Overlay Area

Permitted Uses	Discretionary Uses
Accessory Developments	Bars and Neighbourhood Pubs
Business Support Service	Commercial School
Commercial Storage Facility	Eating and Drinking Establishments
Custom Manufacturing Establishment	Eating and Drinking Establishments (Limited)
Emergency Response Service	Entertainment Facility, Indoor
Equipment Rental	Place of Worship
Industrial, General	Research & Development Facility
Fascia Sign	Vehicle Sales, Leasing or Rental Facility (Limited)
Freestanding Sign (only adjacent to a public roadway)	Veterinary Clinic
Identification Sign	Uses classified in Group F, Division 1 of the Alberta Building Code G
Projecting Sign	Uses similar to the permitted and discretionary uses listed above
Temporary Portable Sign (only adjacent to a public roadway)	
Park	
Radio Communication Facility	
Radio Communication Facility (Limited)	
Retail Store (Neighbourhood)	
Surveillance Suite	
Utility	
Warehouse Sales	

18.8.5.3. Site Planning

Table 42.4: Development Regulations for Light Industrial in Telford Industrial Overlay Area

Site Development Regulations	
	IL – Light Industrial
REAR YARD MINIMUM SETBACK	3.0 m where Abutting a Municipal Reserve Lot, an Environmental Reserve Lot, or a Lot zoned GR under this bylaw; 1.8 m where Abutting a Public Utility Lot that is 6.0 m or more in width used as a public walkway; and elsewhere at the discretion of the Development Authority.
SIDE YARD MINIMUM SETBACK	3.0 m where Abutting a Municipal Reserve Lot, an Environmental Reserve Lot, or a Lot zoned GR under this bylaw; 1.8 m where Abutting a Public Utility Lot that is 6.0 m or more in width used as a public walkway; and 1.5 m on the other side of the Building; and for a Building over 4.5 m in Height there shall be an additional 0.3 m of Setback for every additional meter of Height up to a maximum Setback of 6.0 m.

18.9. Industrial Protection Overlay

18.9.1. Purpose

18.9.1.1. The purpose of this Overlay is to protect the integrity General Industrial (Special) Developments by avoiding conflicts from the Development of significant residential or assembly uses within the Industrial Protection Overlay area. The application of use restrictions and additional regulations is to reduce the risks to public safety and minimize nuisance associated with special industry as well as to facilitate emergency management in the event of an industrial accident through the implementation of a buffer zone.

18.9.2. Applicability

18.9.2.1. This Overlay shall apply to the area outlined in Figure 3.2: City of Leduc Industrial Protection Overlay Area.

Figure 3.2: City of Leduc Industrial Protection Overlay Area

18.9.3. Development Regulations

18.9.3.1. Development within this overlay shall be evaluated with respect to compliance with the underlying 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 Authority's discretion.

18.9.4. Land Uses

1) Permitted and Discretionary Uses within this overlay shall follow those in the underlying Land Use Districts unless prohibited under (2).

2) Uses prohibited under this overlay are as follows:

Table 42.5: Prohibited Land Use Classes Industrial Protection Overlay Area

Prohibited Uses	
All Residential Uses	General Industrial (Heavy)
Adult Entertainment Facility	General Industrial (Special)
Assisted Living Facility	Government Service
Assisted Living Facility (Limited)	Group Home
Auctioneering Facility	Health Service
Bars and Neighbourhood Pubs	Hospital
Bed and Breakfast	Hotel
Boarding Facility	Kennel
Campground	Late Night Club
Casino	Motel
Cinema	Personal Service
Commercial School	Place of Worship
Community Service Facility	Private Club
Day Care Facility	Recreation Facility, Indoor
Day Care Facility (Limited)	Recreation Facility, Outdoor
Eating and Drinking Establishment	Retail Store (General)

Prohibited Uses	
Eating and Drinking Establishment (Limited)	Service Station (Bulk Fuel Depot)
Education (Private)	Temporary Outdoor Event
Emergency Response Service	Veterinary Clinic
Entertainment Facility, Indoor	
Entertainment Facility, Outdoor	
Farmers/Flea Market	
Funeral Home	

18.10. **Cannabis Overlay**

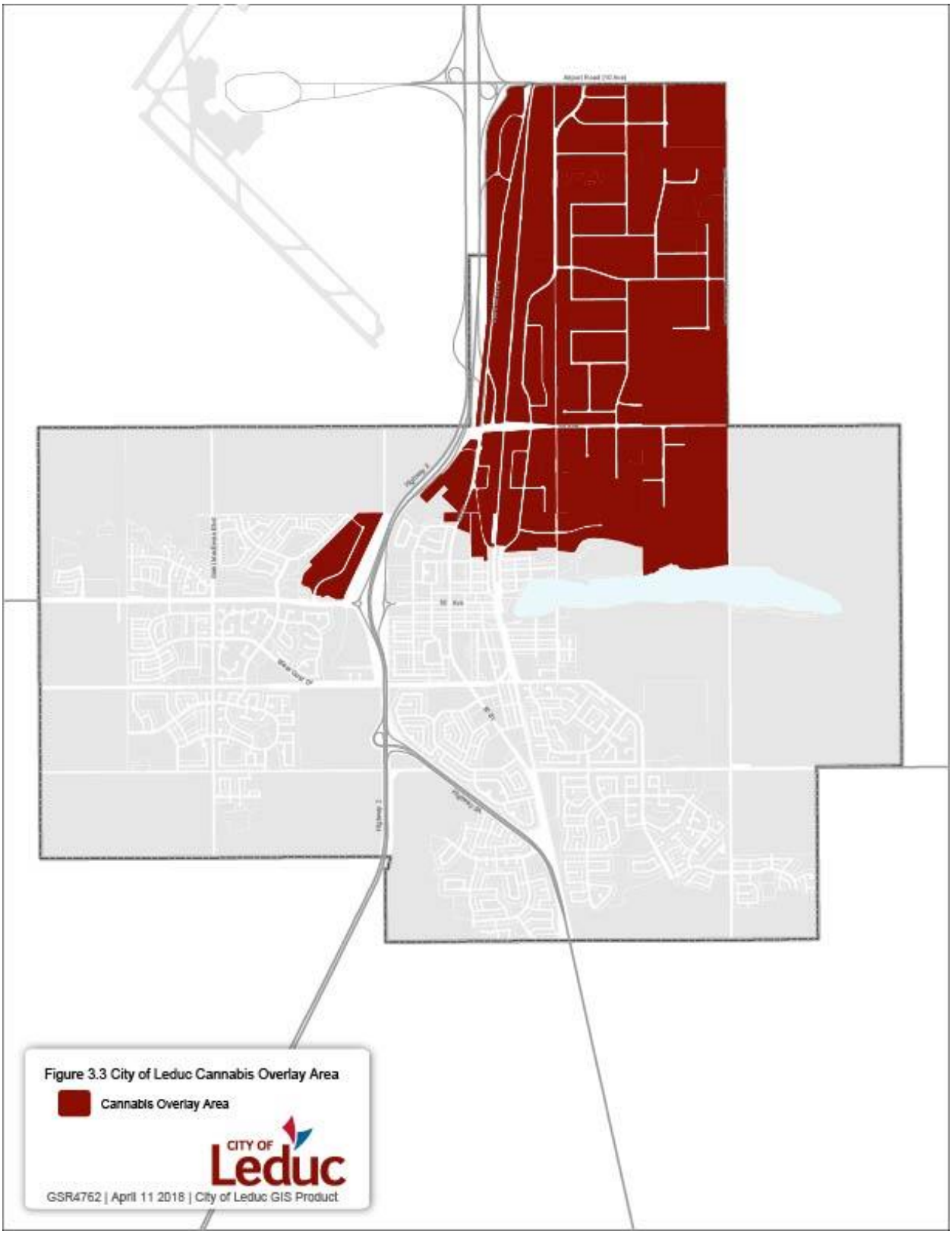
18.10.1. Purpose

18.10.1.1. The purpose of this Overlay is to enable and coordinate the Land Uses associated with Cannabis in order to ensure their proper integration within the Cannabis Overlay area.

18.10.2. Applicability

18.10.2.1. This Overlay shall apply to the area outlined in Figure 3.3: City of Leduc Cannabis Overlay Area.

Figure 3.3: City of Leduc Cannabis Overlay Area



18.10.3. Development Regulations

18.10.3.1. Development within this Overlay shall be evaluated with respect to compliance with the underlying 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, the regulations contained in the Overlay shall prevail.

18.10.3.2. Within the Cannabis Overlay, for any Parcel of land that is 1.99 ha or less at the time of the Development Permit application, a minimum separating distance of 100 metres shall be required between specific Land Uses located within the Overlay as follows:

1) If the proposed use is Retail Store (Cannabis) – separating distance from an existing Retail Store (Cannabis); or
2) If the proposed use is Retail Store (Liquor) – separating distance from an existing Retail Store (Liquor).

For the purposes of this section, the minimum 100.0 m separating distance shall be measured from the closest point of the subject Parcel of land boundary to the closest point of another Parcel of land boundary, and shall not be measured from the District boundaries or from the edges of Structures.

Deleted-Replaced – Bylaw No. 1049-2020, adopted July 6, 2020.

18.10.3.3. Within the Cannabis Overlay, for any Parcel of land that is 2.00 ha or greater at the time of the Development Permit application, no separating distance shall be required, but there shall be a limit of one (1) Retail Store (Liquor) and one (1) Retail Store (Cannabis) per Parcel of land.

Deleted-Replaced – Bylaw No. 1049-2020, adopted July 6, 2020.

18.10.3.4. Within the Cannabis Overlay:

1) A Retail Store (Cannabis) or a Retail Store (Liquor) cannot be located on a Parcel of land Abutting another Parcel of land where a Day Care Facility exists at the time of the Development Permit application, unless the Parcel where the Land Use is being proposed is 2.00 ha or greater in area and the Building where the Land Use is being proposed is more than 100 metres away from the property boundary where the Parcels are Abutting. Furthermore, a Day Care Facility cannot be located on a Parcel of land Abutting another Parcel of land where a Retail Store (Cannabis) or a Retail Store (Liquor) exists at the time of the Development Permit application.
2) A Retail Store (Cannabis) cannot be located on a Parcel of land Abutting another Parcel of land where a Retail Store (Cannabis) exists at the time of the Development Permit application, unless the Parcel where the Land Use is being proposed is 2.00 ha or greater in area and the Building where the Land Use is

being proposed is more than 100 metres away from the property boundary where the Parcels are Abutting.

3) A Retail Store (Liquor) cannot be located on a Parcel of land Abutting another Parcel of land where a Retail Store (Liquor) exists at the time of the Development Permit application, unless the Parcel where the Land Use is being proposed is 2.00 ha or greater in area and the Building where the Land Use is being proposed is more than 100 metres away from the property boundary where the Parcels are Abutting.

Deleted-Replaced – Bylaw No. 1049-2020, adopted July 6, 2020.

18.10.3.5. Within the Cannabis Overlay, a Retail Store (Cannabis) or a Retail Store (Liquor) cannot be located on a Parcel of land Abutting another Parcel of land which is under the districting General Recreation or Urban Services at the time of the Development Permit application.

18.10.3.6. Within a Cannabis Production and Distribution use, all activities linked to the production, cultivation, and processing of Cannabis shall be done indoors, within an enclosed building designed and equipped to prevent odours and noise from negatively impacting Adjacent properties as per the requirement of Health Canada and federal legislation.

18.10.4. Land Uses

18.10.4.1. Permitted and Discretionary Uses within the underlying Land Use districts remain Permitted and Discretionary within this Overlay.

18.10.4.2. In addition to the uses identified in Section 18.10.4.1., the following uses will be Discretionary within this Overlay:

1) Cannabis Counselling within the following underlying Land Use districts: GC – General Commercial; CSC – Commercial Shopping Centre; IL – Light Industrial; IBL – Business Light Industrial; and IM – Medium Industrial.
2) Cannabis Production and Distribution within the following underlying Land Use districts: IL – Light Industrial; and IM – Medium Industrial.
3) Retail Store (Cannabis) within the following underlying Land Use districts: GC – General Commercial; CSC – Commercial Shopping Centre; IL – Light Industrial; IBL – Business Light Industrial; and IM – Medium Industrial.

18.11. Infill Overlay

Addition of Overlay – Bylaw No. 1023-2019, adopted May 13, 2019

18.11.1. Purpose

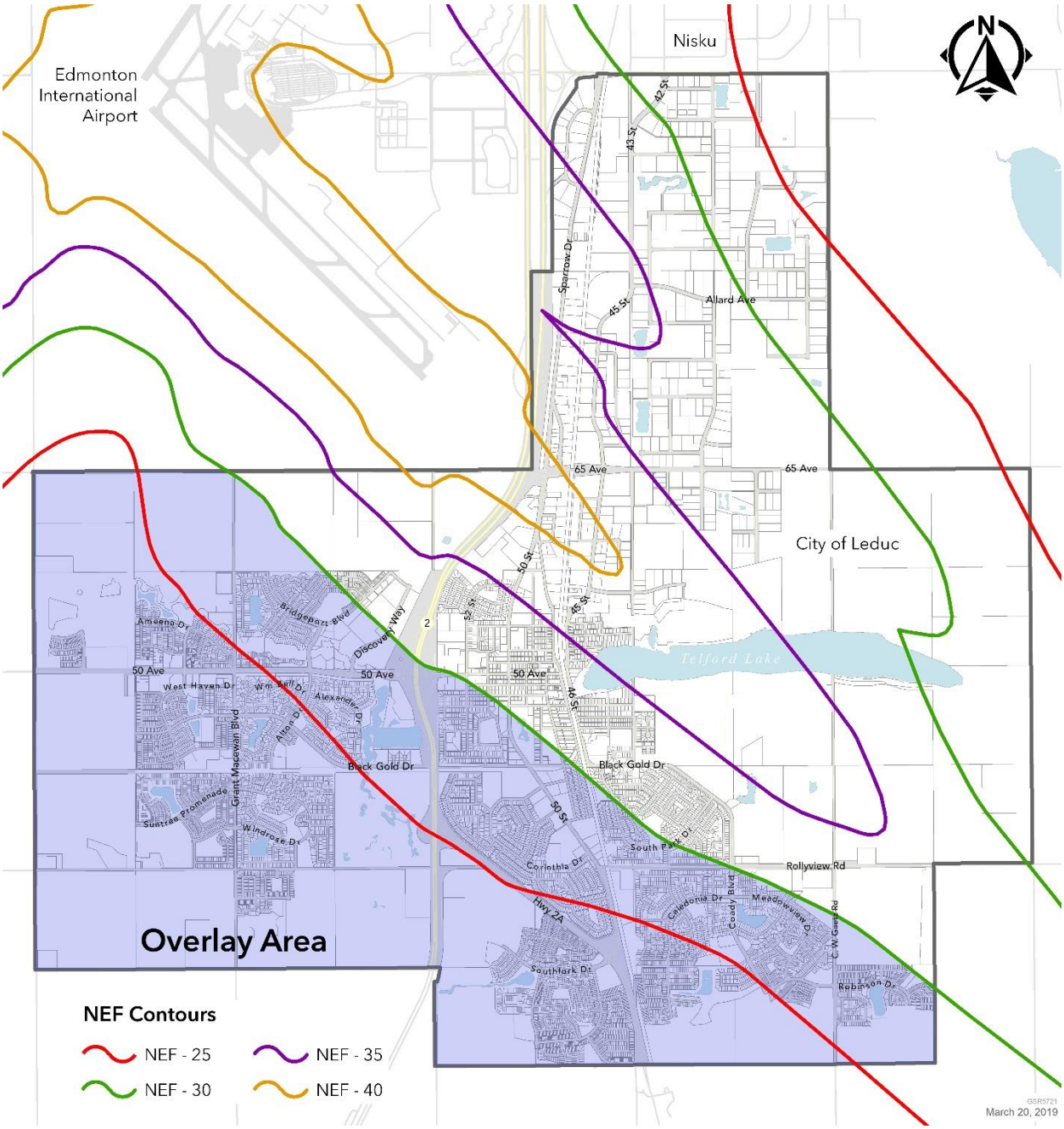
18.11.1.1. The purpose of this Overlay is to enable residential infill development

and overall densification by allowing alternative residential development opportunities while respecting the regulations imposed by the Edmonton International Airport Vicinity Protection Area (AVPA) Regulation.

18.11.2. Applicability

18.11.2.1. This Overlay shall apply to the area outlined in Figure 3.4: City of Leduc Infill Overlay Area

Figure 3.4: City of Leduc Infill Overlay



18.11.2.2. In accordance with Schedule 2, Section 3 of the AVPA Regulation, any Parcel bisected by the 30 NEF contour:

1) 0.2 ha or less in size is not subject to this Overlay; or

2) Greater than 0.2 ha in size may be subject to this Overlay, subject to Schedule 2, Section 3(2) of the AVPA Regulation.

18.11.3. Interpretation

18.11.3.1. Development within this Overlay shall be evaluated with respect to compliance with the underlying 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 Authority's discretion.

18.11.3.2. For the purpose of this Overlay, Dwelling, Secondary Suite shall be defined as follows:
Dwelling, Secondary Suite – means an accessory development that consists of a Dwelling Unit located within a Single Detached Dwelling, Duplex Side-by-Side Dwelling or Townhouse Dwelling. A Secondary Suite has cooking, sleeping and sanitary facilities which are separate from those of the Principal Use Dwelling Unit(s). A Secondary Suite Dwelling has an entrance separate from the vehicle entrance to the Garage, either from a common indoor landing or directly from the exterior of the Structure.

Deleted-Replaced – Bylaw No. 1052-2020, adopted September 14, 2020

18.11.4. Land Uses

18.11.4.1. Permitted and Discretionary Uses within this Overlay shall follow those in the underlying Land Use District.

Deleted-Replaced – Bylaw No. 1052-2020, adopted September 14, 2020

18.11.5. Site Subdivision Regulations

18.11.5.1. Dwelling Density maximum shall be as follows:

1) Single Detached – maximum 2 Dwelling Units;

2) Duplex Side-by-Side – maximum 4 Dwelling Units; and

3) Townhouse – maximum 12 Dwelling Units.

Part 5: GENERAL DEVELOPMENT STANDARDS

19.0 Sustainable Development Standards

PREAMBLE

This section provides enforceable regulations that promote more sustainable Development in the City of Leduc. These regulations are intended to provide guidance to Developers, encourage higher quality Development, while being flexible enough to ensure that they are achievable.

Note: The text contained within this grey box does not form a part of the Land Use Bylaw and is only provided as context for the reader.

19.1. **Purpose**

19.1.1. The purpose of this Section is to provide standards for Development that reinforce the character of the neighbourhoods, districts and Highway corridors of the City. It is important that Development take into account several factors that are unique to the region, in addition to design standards that promote more liveable, sustainable communities. For the purpose of these Sustainable Design Standards, design strategies should include Site planning, water efficiency, energy conservation, and conservative usage of materials and resources.

19.2. **Applicability**

19.2.1. Development shall comply with the regulations contained in this section, except individual Development applications for Single Detached Dwelling, Duplex Side-By-Side Dwelling and Duplex Stacked Dwelling uses, as well as any Accessory Development uses associated with such.

19.3. **Site Planning**

19.3.1. Development to the Extent Reasonably Feasible should retain significant existing Natural Features and characteristics of the Site and surrounding area. Development shall be reviewed with respect to their response to the physical characteristics of the Site and the contextual influences of the surrounding area.

19.3.2. The Development Authority may require the Applicant to submit an analysis of the Site to determine view corridors to and from the proposed Development demonstrating which views will be preserved, framed, and/or incorporated into the design. To the Extent Reasonably Feasible, views across or through other Parcels shall be maintained.

19.3.3. The Site design to the Maximum Extent Feasible should provide for reduced light pollution by minimizing light trespass from the Building Site and using targeted lighting to improve visibility while providing security to motorists, pedestrians and bicyclists. Such methods may include but not be limited to the use of light fixtures which shield the source of light and prevent spill over of direct light onto Adjacent properties.

19.3.4. Site plans, to the Extent Reasonably Feasible, should reduce the Building and Site Development Footprint, minimize paving, and provide natural shading of Buildings and paved areas with trees and other landscape features to minimize the heat island effect.

19.3.5. Building orientation and design is Encouraged to respond to solar patterns in order to create opportunities for passive solar heating and shading for cooling.

19.3.6. Site design is Encouraged to consider the placement and orientation of Buildings, trees and Landscaping on the Site to allow for Screening from strong prevailing winds.

19.4. **Transportation**

19.4.1. On-Site Connections: Pedestrian and Bicycle Circulation

19.4.1.1. For residential and commercial Developments a convenient well-connected network of on-site pedestrian and bicycle circulation systems to the Maximum Extent Feasible should be provided to create a more inviting pedestrian environment and Encourage using alternatives to the automobile within a Development.

19.4.1.2. A Trail System may be substituted for a Sidewalk in cases where the Development Authority determines the function is interchangeable and equally accessible.

19.4.2. Off-Site Connections: Pedestrian and Bicycle Circulation

19.4.2.1. A network of off-site circulation to the Maximum Extent Feasible should be provided to connect public and private Development and to Encourage using alternatives to the automobile to and from a Development.

19.4.2.2. Internal Sidewalks and Trail Systems to the Maximum Extent Feasible should be designed to:

1) Provide a direct connection to adjoining public Sidewalks;

2) Provide connections to the existing and future Trail Systems as identified in the Recreation, Culture and Parks Master Plan when they abut a property;

3) Provide connections to transit stops, where applicable

4) Provide connections to major pedestrian and bicycle destinations including, but not limited to, parks, schools, commercial businesses that are located either within the Development or Adjacent to the Development; and

5) In order to provide direct pedestrian connections to these destinations, additional Sidewalks or Walkways not associated with a street, or the extension of a Sidewalk from the end of a cul-de-sac to another Street or Walkway, may be required as a solution, although the Development Authority may consider other proposed alternatives.

19.5. Access, Circulation and Parking

19.5.1. Purpose

19.5.1.1. This Section is intended to ensure that the parking and circulation aspects of all Developments are well designed with regard to safety, efficiency and convenience for vehicles, bicycles, pedestrians and transit, both within the Development and to and from surrounding areas. Sidewalk or bikeway extensions off-site may be required based on needs created by the proposed Development.

19.5.2. Safety Considerations

19.5.2.1. To the Maximum Extent Feasible, the Development should provide for the safe integration of pedestrians, bicycles and vehicles. Measures to enable safe integration may include but are not limited to special, paving, raised surfaces, pavement marking, Signs or striping, bollards, median refuge areas, traffic calming features, Landscaping, lighting or other means to clearly delineate pedestrian areas for both day and night use.

19.5.3. Curbcuts and Ramps

19.5.3.1. Curbcuts and ramps to the Maximum Extent Feasible should be located at convenient, safe locations for the physically disabled, for bicyclists and for people pushing strollers or carts. The location and design of curbcuts and ramps shall avoid crossing or funneling traffic through loading areas, drive-in lanes and outdoor trash storage/collection areas.

19.5.4. Site Amenities

19.5.4.1. Development plans are Encouraged to include Site amenities that enhance safety and convenience and promote walking or bicycling as an alternative means of transportation. Site amenities may include bike racks, drinking fountains, canopies and/or benches as described in the City of Leduc`s Environmental Plan.

19.5.5. Bicycle Facilities

19.5.5.1. Commercial, industrial, civic, and employment Developments to the Maximum Extent Feasible should provide bicycle parking facilities, for convenience and security, that are located near Building entrances, visible from the Land Uses they serve, and are not in remote automobile parking areas. Such facilities shall not, however, be located so as to impede pedestrian or automobile traffic flow nor so as to cause damage to plant material from bicycle traffic.

19.6. **Energy Efficiency**

19.6.1. Buildings should to the Extent Reasonably Feasible maximize the use of controlled natural lighting to reduce artificial lighting, the Building's internal cooling load, and energy use. This is achieved by optimizing Building orientation, massing, shape, design, and interior colours and finishes for day lighting.

19.7. **Water Efficiency**

19.7.1. Potable Water

19.7.1.1. The use of potable water should to the Extent Reasonably Feasible be minimized through the application of innovative Site irrigation and cooling systems that implement on-site treatment such as harvesting, processing and recycling of rainwater, storm water, and Building grey water.

19.7.2. Xeriscape

19.7.2.1. On Site water quality, including groundwater should to the Extent Reasonably Feasible be preserved. Methods for achieving this include, but are not limited to, the use of indigenous, drought-resistant and hardy trees, shrubs, plants, and turf that require no irrigation, fertilizers, pesticides, or herbicides.

19.8. **Attainable Housing**

19.8.1. The Development of attainable housing units is Encouraged in accordance with Council approved policy which may be amended from time to time.

19.8.2. Applicability

19.8.2.1. In order to be eligible for the incentives provided by this Section, a proposed Development shall comply with the regulations contained within this Section and satisfy all other provisions of this Bylaw.

19.8.3. Location

19.8.3.1. Attainable housing shall be allowed where residential uses are allowed in the City.

19.8.4. Attainable Housing Defined

19.8.4.1. The term Attainable housing shall only include Supportive Housing and Affordable Housing as defined by the City of Leduc Attainable Housing Strategy.

19.8.5. Density Bonus

19.8.5.1. An Applicant may be eligible for a density bonus if at least 5% of the proposed units are attainable. The density bonus is an increase in Residential Units over the maximum residential density listed in district.

19.8.5.2. In determining the number of density bonus units to be granted pursuant to this Section, the maximum residential density for the Site shall be multiplied by the percentage of density bonus listed in Attainable Housing Incentives (Percentage of Attainable Units and Corresponding Density Bonus), below. All density calculations resulting in fractional units shall be rounded up to the next whole number.

Table 43: Attainable Housing Incentives

% of Attainable Housing Units	% of Density Bonus
5%	10%
7.5%	15%
10%	20%
12.5%	25%
15%	30%
17.5%	35%
20% (maximum)	40%

PART 6: SUPPLEMENTAL REGULATIONS TO ALL DISTRICTS

20.0 General Regulations

PREAMBLE

This Section of the Land Use Bylaw contains general regulations that apply to land throughout the City regardless of what district the land is designated. These regulations are consolidated here to make the Land Use Bylaw more compact and avoid repetition in the individual districts. While lands are subject to district specific regulations, this Section must also be referenced for applicable regulations.

Note: The text contained within this grey box does not form a part of the Land Use Bylaw and is only provided as context for the reader.

20.1. **Applicability**

20.1.1. Unless otherwise provided in an individual Land Use District or in the General Regulations for Residential, Commercial, Industrial or Institutional Land Use Districts, the following regulations apply to all uses in all Land Use Districts.

20.2. **Subdivision of Land**

20.2.1. If an application for a Development Permit, excluding a Show Home use, requires the Subdivision of land into lots prior to the issuance of a Development Permit, no permit may be issued until a Plan of Subdivision for the land has been registered in the Alberta Land Titles Office.

20.3. **Easements**

20.3.1. Subject to the terms in a Utility Easement, no Structure other than a Fence shall be constructed or placed on that Utility Easement unless:

20.3.1.1. written consent has been obtained from the person for whose use the Easement has been granted; and

20.3.1.2. 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 Authority.

20.3.2. Setback from the Rimbey Pipeline Right-of-Way 3762MC

20.3.2.1. Notwithstanding any other provisions of this Bylaw, a minimum Setback of 15.0 m to the Dwelling and 7.5 m 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.

20.4. **Site Servicing**

20.4.1. As required by the Development Authority and the City of Leduc Engineering Services the Developer shall provide Site servicing plans and as-built Site servicing plans for multi-residential, mixed-use, commercial and industrial sites prepared by a professional engineer that meets the City of Leduc Minimum Engineering Design Standards.

20.4.2. A letter of credit is required for all condominium developments, Residential Multi-Unit Development, commercial Development or industrial Development, to ensure that the infrastructure construction meets the City of Leduc Standards. In addition, the Development Authority shall require:

20.4.2.1. the Developer to provide on-site servicing and internal roads constructed in accordance with the City of Leduc Minimum Engineering Design Standards;

20.4.2.2. the Developer to provide to the City an irrevocable Letter of Credit or cash security in the amount of 45% of the estimated cost of on-site servicing and internal roads prior to any Building permit being issued and before any construction is started; and

20.4.2.3. upon completion of required on-site servicing and the construction of roads the Developer shall be required to undertake the necessary inspection process and provide verification from a professional engineer that the construction meets the City of Leduc Minimum Engineering Design Standards, as well as obtain a Final Acceptance Certificate from the City for completed on-site serving and roads prior to the release of the irrevocable letter or cash security.

20.5. **Site Grading**

20.5.1. Site grading shall be established to prevent drainage flow from one Site to another, unless:

20.5.1.1. a Subdivision grading plan or Site grading plan has been adopted by the City and according to City grading policy and the City of Leduc Minimum Engineering Design Standards, 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

20.5.1.2. 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.

20.5.2. The property owner shall be responsible to ensure that grading is completed to provide effective Site drainage and conforms to the approved grading plan.

20.5.3. Where the property owners 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 Authority for consideration.

20.5.4. When required for a specific Development, an engineered Site grading and/or storm water management design shall be submitted for acceptance by the Development Authority. The property owner shall:

20.5.4.1. be responsible to ensure that Site grading and storm water management are completed in accordance with the engineered design and the City of Leduc Minimum Engineering Design Standards;

20.5.4.2. when required by the Development Authority, provide verification from a professional engineer to show that the Site grading and storm water management system conforms to the approved plans;

20.5.4.3. provide all Elevations derived from geodetic datum;

20.5.4.4. provide certificates of as-built Grades of residential, sites prepared by an Alberta land surveyor;

20.5.4.5. provide as-built grade plans of residential multi-unit, mixed use, commercial and industrial sites prepared by a professional engineer; and

20.5.4.6. ensure the water Curb Cock is at the level of finished grade.

20.5.5. Site grading and the submission of a certificate of Grades or as-built Grade plan is the responsibility of the property owner.

20.5.6. Prior to submission of a Lot Grading Certificate or as-built Grade plan, the property owner 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.

20.5.7. Site Grades shall not be altered from the Grades represented on the certificate of Grades or as-built Grade plan submitted to the Development Authority for final acceptance.

20.5.8. The owner of a Site shall be responsible to ensure that grading is maintained to continue to provide effective Site drainage;

20.5.8.1. where maintenance of a common drainage path at property line is required, the responsibility for maintenance lies with the owners of both sites;

20.5.8.2. 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.

20.6. **Access to Sites**

20.6.1. Curb Crossings

20.6.1.1. Access/Egress locations and curb crossings require the approval of the City. An approved Service Connection and Driveway Application is required for new curb crossings or modifications to or closure of an existing crossing.

20.7. **Corner Lot and Sight Triangle Provisions**

20.7.1. In addition to Section 20.8, no Building or object more than 1.0 m 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 from the intersection.

20.7.2. In residential areas, a Site Abutting onto two (2) or more streets shall have a Front Yard Setback and Flanking Front Yard Setback in accordance with the requirements of this Bylaw.

20.7.3. The Development Authority may apply a flanking Setback on double fronting lots where, in his opinion, there would be no adverse effect to Adjacent neighbours.

20.7.4. No person shall place or maintain any object, Structure, Fence, hedge, shrub or tree more than 1.0 m 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 8.0 m from the point where the curbs would intersect if extended in a straight line. See Figure 4: Corner Parcel Example.

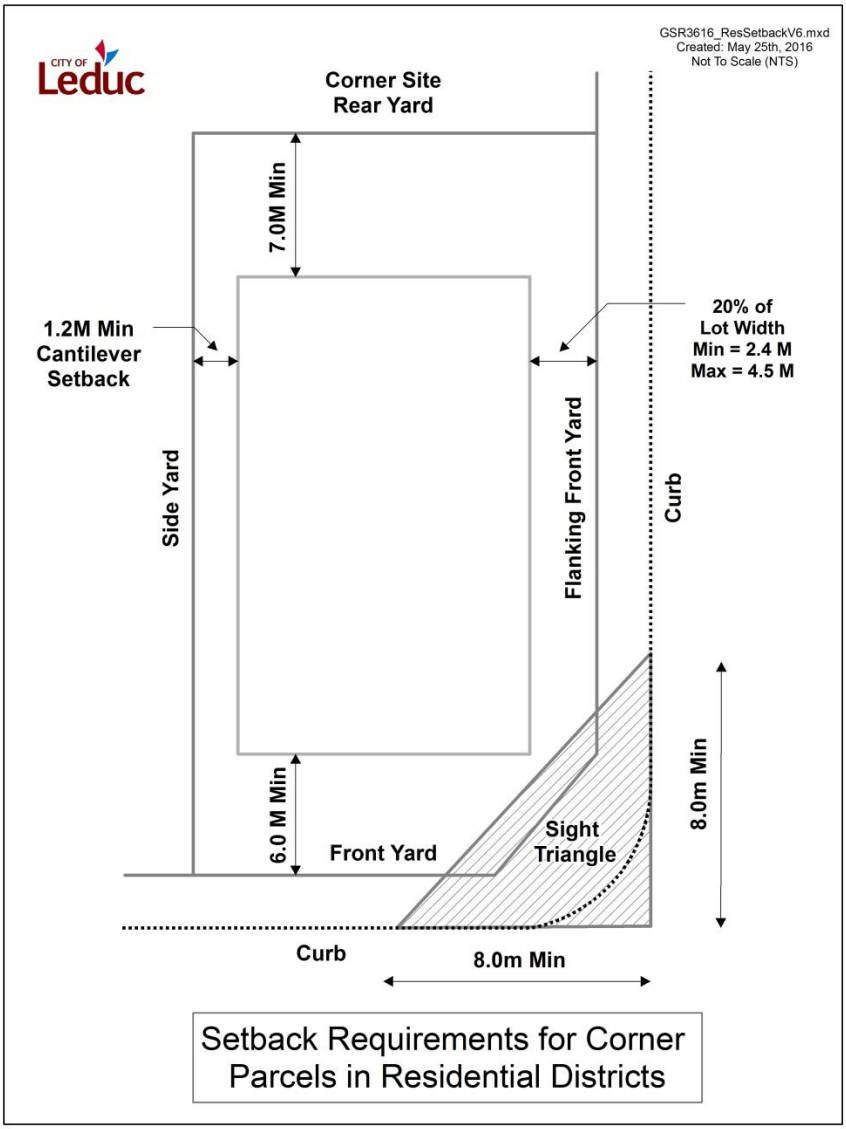
20.7.5. In every District, the location of Buildings on Corner Sites shall be subject to approval by the Development Authority who shall take into account:

20.7.5.1. the location of existing Adjacent Buildings;

20.7.5.2. the permitted Setback on Adjacent Sites; and

20.7.5.3. the need to ensure safe traffic movement through the intersection.

Figure 4: Corner Parcel Example



20.8. **Emergency Access to Buildings**

20.8.1. 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.

20.8.2. At the discretion of the Development Authority, setbacks in any land use district may be increased in order to provide adequate firefighting methods to the structure(s) on the site.

20.9. **Multiple Uses**

20.9.1. Where any land or Building is used for more than one purpose, all provisions of this Bylaw relating to each use shall apply. If there are conflicts between standards for individual uses, the more stringent standards shall apply.

20.10. **Limited Hours of Operation**

20.10.1. The Development Authority taking into account the nature of the Land Use and potential impact of its hours of operation may limit the hours of any Land Use.

20.11. **Nuisance Pollution and Hazard Control**

20.11.1. No storage or activity may be undertaken in any District, which, in the opinion of the Development Authority constitutes a danger or annoyance to persons on public property, or on any other Sites, by reason of the generation of:

20.11.1.1. noise;

20.11.1.2. vibration;

20.11.1.3. dust and other particulate matter;

20.11.1.4. smoke;

20.11.1.5. odour;

20.11.1.6. toxic and noxious matter;

20.11.1.7. traffic;

20.11.1.8. radiation hazards;

20.11.1.9. fire and explosive hazards;

20.11.1.10. heat, humidity and glare;

20.11.1.11. refuse matter;

20.11.1.12. waste or waterborne waste; or

20.11.1.13. water or steam.

20.11.2. Sites and Buildings in all Districts shall be maintained in a clean and tidy condition free from all rubbish and debris.

20.11.3. No person shall contravene the approved Construction Debris Management Plan for a residential Subdivision area.

20.12. **Private Water and Sewer Systems**

20.12.1. 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.

20.13. **Lighting**

20.13.1. 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:

20.13.1.1. the lighting or illumination is directed on to the applicable Parcel and does not unduly light or illuminate any Abutting Parcels; and

20.13.1.2. 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.

20.14. **Fencing**

20.14.1. No person shall construct a Fence or wall, or permit a hedge to grow on public property.

20.14.2. 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:

20.14.2.1. For internal lots – 1.8 m for that portion of the Fence that does not extend beyond the foremost portion of the Principal Building and 1.0 m for that portion of the Fence that does extend beyond the foremost portion of the Principal Building on the lot.

20.14.2.2. For Corner Lots – 1.8 m 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 on the Side Yard Abutting a Public Road and Lane if, in the opinion of a Development Authority, it will not prejudice the safety or amenities of the adjoining lots.

20.14.3. Where a property in a residential District abuts or faces an arterial roadway or a railway line, the Development Authority may approve a Fence Height greater than 1.8 m.

20.14.4. 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.

20.14.5. 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:

20.14.5.1. as approved by the Development Authority; and

20.14.5.2. barbed wire may be permitted above 1.8 m.

20.14.6. No electrification of Fences will be permitted.

20.14.7. 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 from Fence shall be used.

20.14.8. The Development Authority may impose a restrictive covenant to ensure that common fencing shall be erected on private lands Adjacent to arterial, collector roadways and public open spaces.

20.15. **Objects Prohibited or Restricted in Required Yards**

20.15.1. In any commercial, industrial or multi-Dwelling residential Development all:

20.15.1.1. garbage shall be stored in non-combustible 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

20.15.2. In any residential District no person shall keep outside his Dwelling or Garage:

20.15.2.1. any vehicle that does not have a valid licence plate;

20.15.2.2. any dismantled or wrecked vehicle for more than fourteen successive days;

20.15.2.3. 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 school buses parked on an approved driveway during school hours only; and

20.15.2.4. any object or Chattel which, in the opinion of the Development Authority, is unsightly or tends to adversely affect the amenities of the District.

20.15.3. No vehicle may be parked in the Front Yard unless:

20.15.3.1. the vehicle has a valid licence plate; and

20.15.3.2. the vehicle is parked on an approved Driveway.

20.15.4. 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.

20.16. **On-Site and Off-Site Services and Improvements**

20.16.1. Where any on-Site servicing 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 Authority, in its discretion, is satisfied that:

20.16.1.1. such services or improvements have been provided or will be undertaken;

20.16.1.2. that the Applicant or owner has a Development Permit or has entered into a Development Agreement to install the required services; and

20.16.1.3. that servicing or improvements shall meet the current City of Leduc Minimum Engineering Design Standards.

20.17. **Public Utility**

20.17.1. Utility Buildings, facilities, equipment, lots and Easements are Permitted Uses in all Districts.

20.17.2. A public Utility Building, facility or equipment located in any District shall:

20.17.2.1. as far as possible have the appearance and aesthetic of the uses permitted in the District;

20.17.2.2. meet the Setback requirements of the District or meet Setback requirements that are satisfactory to the Development Authority; and

20.17.2.3. have Landscaping that reflects the typical Landscaping in the District.

20.18. Temporary Uses

20.18.1. Applications for temporary uses, shall be considered at the discretion of the Development Authority, provided that the use, building or structure is listed as a permitted or discretionary use, in the relevant land use district.

20.18.2. Except as otherwise noted in this Bylaw, or within the UR – Urban Reserve land use district, temporary uses, buildings or structures may be approved for a period of up to three (3) years. Re-application of the same use, building or structure can be applied for a period of up to two (2) years; however the total length of time, together between the initial application and re-application of a temporary use, building or structure, shall not exceed five (5) years.

20.18.3. For any Temporary Use, the Development Authority may require the submission of a site remediation plan and securities to ensure that the use is property removed and the site remediated.

20.18.4. The Development Authority may vary landscaping and hard-surfacing requirements for a temporary use(s), building(s), or structure(s), where meeting the requirements would cause undue hardship for the final build-out of the site.

PART 7: SPECIFIC DISTRICT REGULATIONS

21.0 Specific Use Regulations

PREAMBLE

This Section of the Land Use Bylaw contains specific use regulations that outline additional controls for particular uses that may occur in various districts. The uses contained in this Section require additional regulations to the ones contained in the districts. They are consolidated here to avoid repetition in the districts under which they are a permitted or Discretionary Use.

Note: The text contained within this grey box does not form a part of the Land Use Bylaw and is only provided as context for the reader.

21.1. **Accessory Developments in Residential Land Uses**

21.1.1. General Regulations

21.1.1.1. Where an Accessory Development 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.

21.1.1.2. Any Accessory Development not specifically identified below which is attached to the principal Building, such as a carport, shall have a minimum Rear Yard Setback of 3.0 m with access to a rear Lane and a minimum Rear Yard Setback of 1.0 m without access to a rear Lane.

21.1.1.3. Any Accessory Development not specifically identified below which is attached to the principal Building, such as a carport, shall have a minimum Side Yard Setback of 1.2 m.

21.1.1.4. Any Accessory Development not specifically identified below shall meet the minimum Height and Setback requirements as required for a residential detached Garage.

21.1.1.5. The maximum Lot coverage in an applicable zone is inclusive of the combined total area used for all Accessory Developments, with the exception of unenclosed and uncovered accessory structures.

21.1.1.6. No Accessory Developments shall be permitted in the Front Yard.

21.1.1.7. When an Accessory Development is intended for vehicular use, the access must be hard surfaced (asphalt, concrete or paving stone) from the Street or Lane to the Accessory Development.

21.1.1.8. Accessory Developments are permitted in a district when accessory to a Principal Use for which a Development Permit has been issued.

Deleted-Replaced – Bylaw No. 1023-2019, adopted May 13, 2019

21.1.1.9. In zones where the interior Side is regulated by the number of Storeys, the interior Side Yard to an Accessory Development shall comply with the Yard Setback required for one (1) Storey Dwelling.

21.1.1.10. the location of an attached or detached garage site shall be shown at the time of development on the site plan and shall be of a size appropriate for two parking stalls.

21.1.2. Detached Garage:

21.1.2.1. shall not exceed one Storey or 4.3 m in Height;

21.1.2.2. shall have a maximum Height of vertical exterior walls of 2.8 m;

21.1.2.3. 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;

21.1.2.4. shall be separated a minimum of 2.0 m or more from the Principal Building, except where otherwise provided for in this bylaw;

21.1.2.5. shall have a minimum rear yard Setback and side yard Setback of 1.0 m except where the vehicle doors face a Lane, in which case there shall be a minimum rear yard Setback of 3.0 m, where it is a mutual Garage erected on the common property line to the satisfaction of the Development Authority, or where a Garage is placed on the common property line in accordance with the provisions of the RNL District;

21.1.2.6. shall meet the location and size requirements as per Section 21.1.1.10;

21.1.2.7. deleted;

21.1.2.8. on sites constructed with detached Garages joined by a common wall, both the exposing wall of the Garage that faces the Dwelling and the exposing wall of the Dwelling that faces the Garage shall be protected from exposure to fire by a product or material acceptable to the Safety Codes Officer, Fire;

21.1.2.9. shall not face sideways unless the Lot has a width greater than 15.2 m to allow for a minimum 7.0 m turning radius;

21.1.2.10. 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 1.2 m from the property line;

21.1.2.11. shall be finished with an exterior treatment complimenting that of the principal Dwelling;

21.1.2.12. shall have a roof overhang not closer than 0.3 m to the side and rear property boundary; and

21.1.2.13. shall have a greater Setback to protect utilities and Utility rights-of-way as may be required by the Development Authority.

21.1.2.14. where the garage is proposed on a Lot served by a rear road and fronting onto a municipal reserve:

1) shall be located to one side of the Lot and the minimum and maximum side yard Setback shall be 1.2 m; and

2) shall have a minimum rear yard Setback of 5.5 m.

21.1.2.15. Where the detached garage is proposed on a Lot with a flanking front yard and the vehicle doors face the flanking front yard, the detached garage:

1) shall follow the Flaking Front Yard Setback applicable for the Dwelling.

21.1.3. Parking Pads

21.1.3.1. all Parking Pads shall be graveled or hard surfaced;

21.1.3.2. when a Lot has access to a Lane, a Parking Pad shall be provided to the rear; when there is no Lane a Parking Pad shall be provided at the side or front of the Building and be a minimum of 6.0 m from the Front Lot Line;

21.1.3.3. deleted;

21.1.3.4. all graveled Parking Pads shall be constructed to the following standard:

1) shall have a minimum 150 mm prepared subgrade;

2) shall have a minimum of 200 mm compacted 20 mm crushed gravel;

3) shall have a minimum slope of 1% and a maximum slope of 5%;

4) may include landscaping fabric to control weed growth; and

5) may be surrounded with a minimum of 4x4 timbers and secured

with rebar pins.

21.1.3.5. the placement of a Parking Pad shall not impact Lot drainage;

21.1.3.6. deleted.

21.1.4. Shed:

21.1.4.1. shall not exceed one Storey or 4.0 m in Height;

21.1.4.2. shall have a maximum Height of vertical exterior walls of 2.7 m;

21.1.4.3. deleted;

21.1.4.4. shall be 1.0 m or more from a rear and side property boundary;

21.1.4.5. 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 1.2 m from the property boundary;

21.1.4.6. shall be finished with an exterior treatment complimenting that of the principal Dwelling;

21.1.4.7. shall have a roof overhang not closer than 0.3 m to the side and rear property boundary; and

21.1.4.8. shall have a greater Setback to protect utilities and Utility rights-of-way as may be required by the Development Authority.

21.1.5. Deck:

21.1.5.1. Attached and unattached Decks must be located to preserve the privacy on Adjacent properties and:

1) shall require a Development Permit if the Elevation above Grade is 0.6 m or more;

2) Decks requiring a permit shall be a minimum of 5.0 m from the rear property boundary and a minimum of 1.0 m from the side property boundary;

3) uncovered Decks shall be permitted between the Dwelling and detached Garage;

4) an open, hard surfaced brick, concrete or wood and uncovered Patio is permissible in any Side Yard subject to:

a) maintaining a 3.2 m access from the front Street to a detached Garage

located at the rear of the property; and

b) no such Patio shall project onto any required Front Yard more than 2.5 m.

21.1.5.2. For properties where the Dwelling is approved with a 0 m side yard, the side yard Setback for the attached Deck can also be reduced to 0 m.

Addition – Bylaw No. 1023-2019, adopted May 13, 2019

21.1.6. Play Equipment:

21.1.6.1. A playhouse, play equipment, or any combination of playhouse, play equipment and storage in residential Land Use Districts shall:

1) not be located less than 1.0 m from the side or rear property boundaries;

2) not encroach on Front Yard Setbacks;

3) deleted;

4) not be more than 3.0 m in Height.

21.2. **Accessory Developments in Commercial Land Uses**

21.2.1. General Regulations

21.2.1.1. Where an Accessory Development 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.

21.2.1.2. Accessory Developments shall have the same Height and Setback requirements as for the Principal Building of that Land Use District.

21.2.1.3. Notwithstanding the above, Accessory Developments shall not be located in front of the principal Building.

21.2.1.4. Covered Decks, hard surfaced brick, concrete or wood terrace or Patio shall not be located in any approved Front or Side Yard Setback.

21.2.1.5. Uncovered Decks below 0.6 m 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.

21.3. Accessory Developments in Industrial Land Uses

21.3.1. General Regulations

21.3.1.1. Where an Accessory Development 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.

21.3.1.2. Accessory Developments shall have the same Height and Setback requirements as for the Principal Building of that Land Use District.

21.3.1.3. Notwithstanding the above Accessory Developments shall not be located in front of the principal Building.

21.3.2. Shipping Containers

21.3.2.1. Shipping Containers shall:

1) be considered an Accessory Development to the principal Building;

2) be developed in industrial Land Use districts;

3) not be allowed to be stacked;

4) be used for storage purposes only, excluding any dangerous or hazardous materials or containers;

5) have an exterior finish that matches or compliments the exterior finish of the principal Building; and

6) be screened from view, to the satisfaction of the Development Authority.

21.3.3. Air Supported and Fabric Covered Structures

21.3.3.1. Air Supported and Fabric Covered Structures:

1) **Deleted – Bylaw No. 1052-2020, adopted September 14, 2020**;

2) shall not exceed the maximum Height requirement for that Land Use District;

3) shall not be located in front of the principal Building.

4) be considered an Accessory Development to the principal Building; or a building used for recreational purposes.

21.4. **Moved-In Buildings and Structures**

21.4.1. Except as otherwise provided for in this Bylaw, no person shall relocate a Building or Structure, or portion thereof, onto a Site without first obtaining a Development Permit for the Moved-In Building or Structure. The relocated Building or Structure shall be considered as a Discretionary Use and shall comply with the appropriate Land Use district regulations.

21.4.2. Moved-In Buildings and Structures must be consistent in form and character with the predominant form and character of the Structures and Developments in the area which the Structure is moved to.

21.4.3. The Development Authority shall not approve a Development Permit for a relocated previously used Single Detached Dwelling, Manufactured Home or Accessory Development unless the Building is designed, constructed, sited and finished in a manner that is visually compatible, in the opinion of the Development Authority, with the neighbourhood in general.

21.4.4. A Development Permit application for a relocated Building shall include:

21.4.4.1. recent colour photographs showing all sides of the Building;

21.4.4.2. a statement of the age, size and structural condition of the Building; and

21.4.4.3. a statement of any proposed improvements to the Building, including a description of the colour, texture and/or finish applied to exterior surfaces, and a description of proposed landscaped areas.

21.4.5. Any renovations or improvements required to ensure that the relocated Building or Structure complies with this Bylaw shall be listed as conditions of the Development Permit.

21.5. **Live Work Unit**

21.5.1. Purpose

21.5.1.1. The purpose of this Section is to provide standards and regulations for the Development of Live Work Units and for the reuse of existing residential, commercial and industrial Structures to accommodate Live Work Unit opportunities.

21.5.2. Uses

21.5.2.1. The following uses are permitted in a Live Work Unit Development:

1) Personal Service;

2) Professional, Financial and Office Service;

3) Custom Manufacturing Establishment;

4) Health Service; or

5) Education (Private).

21.5.2.2. The Dwelling associated with the Live Work Unit Development shall not contain a Home Office or Home Occupation.

21.5.3. Residential Density

21.5.3.1. The Live Work Unit use shall not exceed the Parcel Density allowed by in the underlying district.

21.5.4. Design Standards

21.5.4.1. The Floor Area of the living space shall be at least 50% of the Floor Area of the Live Work Unit.

21.5.4.2. The principal Dwelling of the Live Work Unit shall be physically separated from the working space of the Live Work Unit.

21.5.4.3. Each space shall have individual access directly from the exterior of the Structure. The access to each unit shall be clearly separate from other Live Work Units or other uses within the Structure.

21.5.4.4. Non-residential space may be incorporated into the ground floor or upper floors of a Live Work Unit.

21.5.5. Development Regulations

21.5.5.1. All Signage shall be in compliance with Section 24.0 Signs.

21.5.5.2. Parking shall be in compliance with Section 23.0 Parking and Loading.

21.5.5.3. No portion of the Live Work Unit may be separately rented or sold as a commercial or industrial space for any person not living in the premises or as a residential space for any person not working in the same unit.

21.5.5.4. The number of non-resident Employees or business partners working on-site shall not exceed two per unit at any one time.

21.5.5.5. There shall be no outdoor business activity, or Outdoor Storage of material or equipment associated with the Business. Indoor storage related to the business activity shall be allowed in either the Dwelling or Accessory Developments.

21.5.5.6. There shall be no nuisance created by the business by way of electronic interference, dust, noise, odour, smoke, bright light or anything of an offensive or objectionable nature which is detectable to normal sensory perception outside the Live Work Unit; and

21.5.5.7. Application for a Development Permit for the Use Class Live Work Unit shall include a description of the business to be undertaken at the premises, an indication of the number of business visits per week, provision for vehicular and bicycle parking for visitors and Employees, and where any materials or equipment associated with the business use are to be stored.

21.6. **Home Office/Home Occupation**

21.6.1. Development Requirements

21.6.1.1. Home Occupation requires the approval of a Development Permit.

21.6.1.2. If changes have been made to the Home Occupation as approved under the permit, a new Development Permit must be applied for and approved for the Home Occupation.

21.6.1.3. Home Occupation permit may be cancelled by the Development Authority on 30 days' notice where the regulations of this Bylaw or the permit conditions have not been met. A Home Occupation permit, once cancelled, may not be re-applied for on the same Parcel for the same or similar use for a period of six (6) months from the date of cancellation.

21.6.1.4. Deleted.

21.6.2. Development Regulations

21.6.2.1. Pollution control shall be maintained in accordance with Section 20.11 Nuisance Pollution and Hazard Control of this Bylaw.

21.6.2.2. In the opinion of the Development Authority, pedestrian or vehicular traffic or parking shall be characteristic of the District in which it is located.

21.6.2.3. A Home Occupation or Home Office shall not cause any inconvenience to Adjacent landowners or tenants.

21.6.2.4. A Home Occupation or Home Office shall not use any outside Yard for the storage of material, equipment or products or be host to any type of business activity.

21.6.2.5. Any goods sold at a Home Occupation or Home Office shall be made in the home and the service permitted shall be provided in the home.

21.6.2.6. A Home Occupation or Home Office shall not display any exterior Sign or advertisement, except a Sign from inside the Dwelling to a maximum size of 46 cm x 13 cm.

21.6.2.7. There shall be no major alterations to the Dwelling or Accessory Development for the operation of a Home Occupation or Home Office. Minor alterations may be permitted at the discretion of the Development Authority.

21.6.2.8. There shall be absolutely no maintenance or repairs to vehicles or equipment associated with a Home Occupation or Home Office.

21.6.2.9. The storage of dangerous or hazardous goods or materials for a Home Occupation or Home Office shall be at the discretion of the Development Authority.

21.6.2.10. Where a Home Occupation involves a person performing a service to the community, or instruction of arts or crafts, no more than six students or clients shall be in attendance at any one time.

21.6.2.11. A Home Occupation shall only store items related to the business inside the Dwelling, Garage and/or Accessory Development.

21.6.2.12. A Home Occupation shall not employ more than one person, other than family members residing in the Dwelling, in the occupation within the Dwelling.

21.6.2.13. A Home Occupation shall not involve more than one business-related vehicle to be parked on the Lot at one time.

21.6.2.14. A Home Occupation shall not allow a utility trailer including hitch associated with a Home Occupation that is parked on Site to exceed 6.0 m in length.

21.7. Secondary Suite Dwelling, Garage Suite Dwelling, and Garden Suite Dwelling

21.7.1. Secondary Suite Dwelling

21.7.1.1. Deleted.

21.7.1.2. Secondary Suite Dwelling use is prohibited from being constructed within the same principal Dwelling containing a Bed and Breakfast, Boarding Facility, Group Home, or Home Occupation.

21.7.1.3. There shall be no more than one Secondary Suite Dwelling use developed in conjunction with a principal Dwelling.

21.7.1.4. The Floor Area occupied by a Secondary Suite Dwelling shall be considered as part of the Principal Use of the Structure for the purpose of calculating Site coverage.

21.7.1.5. Secondary Suite Dwelling shall be developed in such a manner that the exterior of the Principal Building containing the Secondary Suite Dwelling shall appear as a single Dwelling.

21.7.1.6. Only one of a Secondary Suite Dwelling, Garden Suite Dwelling, or Garage Suite Dwelling use may be developed in conjunction with a principal Dwelling.

21.7.1.7. **Deleted – Bylaw No. 1052-2020, adopted September 14, 2020.**

21.7.1.8. The Secondary Suite Dwelling use shall not be subject to separation from the principal Dwelling through a Condominium conversion or Subdivision.

21.7.1.9. The Secondary Suite Dwelling use shall be constructed to comply with all relevant requirements of the Safety Codes Act, as amended from time to time;

21.7.1.10. parking shall be provided in accordance with Section 23.0 Parking and Loading of this Bylaw.

21.7.2. Garage Suite Dwelling

21.7.2.1. Garage Suite Dwelling is allowed in the following districts: Residential Single Detached Estate and Residential Shallow Lot.

21.7.2.2. The Development of a Garage Suite Dwelling use must comply with all regulations and standards for an Accessory Development of the district where it is located. Notwithstanding the aforementioned, the following regulations shall override:

1) The minimum Side Yard Setback for a detached Garage containing a Garage Suite Dwelling use shall be 1.2 m.

2) On a Corner site, the minimum Flanking Front Yard Setback for a detached Garage containing a Garage Suite Dwelling use shall not be less than the Flanking Front Yard Setback of the principal Dwelling.

3) The maximum Height shall be:

a) 7.1 m or the Height of the principal Dwelling, whichever is the lesser for a Garage Suite Dwelling use located completely or partially above the Garage;

Deleted-Replaced – Bylaw No. 1023-2019, adopted May 13, 2019

b) 4.3 m for a Garage Suite Dwelling use located attached to the side or rear of the Garage.

21.7.2.3. Garage Suite Dwelling use shall not be constructed on the same Site where the principal Dwelling contains a Bed and Breakfast, Boarding Facility, or Group Home.

21.7.2.4. The maximum Floor Area shall be:

1) 60.0 m^2 or equal to or less than the Floor Area of the Garage for a Garage Suite Dwelling located completely or partially above the Garage.

2) 50.0 m^2 for Garage Suite Dwelling located attached to the side or rear of the Garage.

21.7.2.5. The minimum Floor Area of a Garage Suite Dwelling shall be 30.0 m^2.

21.7.2.6. Windows contained within the Garage Suite Dwelling shall be placed and sized such that they minimize overlook into yards and windows of Abutting properties through one or more of the following:

1) off-setting window placement to limit direct views of Abutting rear or Side Yard Amenity Areas, or direct view into a Garage Suite Dwelling window on an Abutting site;

2) strategic placement of windows in conjunction with Landscaping or the placement of other Accessory Developments; and

3) placing larger windows such as living room windows, to face a Lane, a flanking street, or the larger of any Side Yard Abutting another property.

21.7.2.7. Balconies may be allowed as part of a Garage Suite Dwelling developed above a detached Garage only where the Balcony faces the Lane or a flanking roadway.

21.7.2.8. Only one of a Secondary Suite Dwelling, Garden Suite Dwelling, or Garage Suite Dwelling may be developed in conjunction with a principal Dwelling.

21.7.2.9. **Deleted – Bylaw No. 1052-2020, adopted September 14, 2020.**

21.7.2.10. Garage Suite Dwelling shall not be subject to separation from the principal Dwelling through a Condominium conversion or Subdivision.

21.7.2.11. The Garage Suite Dwelling shall be constructed to comply with all relevant requirements of the Alberta Building Code, as amended from time to time.

21.7.2.12. Parking shall be provided in accordance with Section 23.0 Parking and Loading of this Bylaw.

21.7.3. Garden Suite Dwelling

21.7.3.1. Garden Suite Dwelling is only allowed in the Residential Single Detached Estate District.

21.7.3.2. The Development of a Garden Suite Dwelling must comply with all regulations and standards for Accessory Developments of the district where it is located. Notwithstanding the aforementioned, the following regulations shall override:

1) The maximum Height of a Garden Suite Dwelling shall be 4.3 m.

2) A Garden Suite Dwelling shall not be located in the Front Yard.

3) The minimum Side Yard Setback for a Garden Suite Dwelling shall be 1.2 m.

4) On a Corner site, the minimum Flanking Front Yard Setback for a Garden Suite Dwelling shall not be less than the Flanking Front Yard Setback of the principal dwelling.

21.7.3.3. Garden Suite Dwelling shall not being constructed on the same Site where the principal Dwelling contains a Bed and Breakfast, Boarding Facility, or Group Home.

21.7.3.4. The maximum Floor Area of a Garden Suite Dwelling shall be 50.0 m².

21.7.3.5. The minimum Floor Area shall be 30.0 m².

21.7.3.6. Windows in a Garden Suite Dwelling shall be strategically sized and placed in conjunction with Landscaping and/or the placement of other Accessory Developments to minimize overlook into Yards and windows of Abutting properties, to the satisfaction of the Development Authority.

21.7.3.7. Only one of a Secondary Suite Dwelling, Garden Suite Dwelling, or Garage Suite Dwelling may be developed in conjunction with a principal Dwelling.

21.7.3.8. **Deleted – Bylaw No. 1052-2020, adopted September 14, 2020.**

21.7.3.9. Garden Suite Dwelling shall not be subject to separation from the principal Dwelling through a Condominium conversion or Subdivision.

21.7.3.10. The Garden Suite Dwelling shall be constructed to comply with all relevant requirements of the Alberta Building Code, as amended from time to time.

21.7.3.11. Parking shall be provided in accordance with Section 23.0 Parking and Loading of this Bylaw.

21.8. Recreational Vehicles in Residential Districts

21.8.1. The parking of Recreational Vehicles on Site shall only be allowed for sites with a Single Detached Dwelling. The parking of Recreational Vehicles in a Mixed-Use District shall only be allowed for sites with residential uses providing Single Detached Dwellings.

21.8.2. Subject to Section 21.8.1, 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:

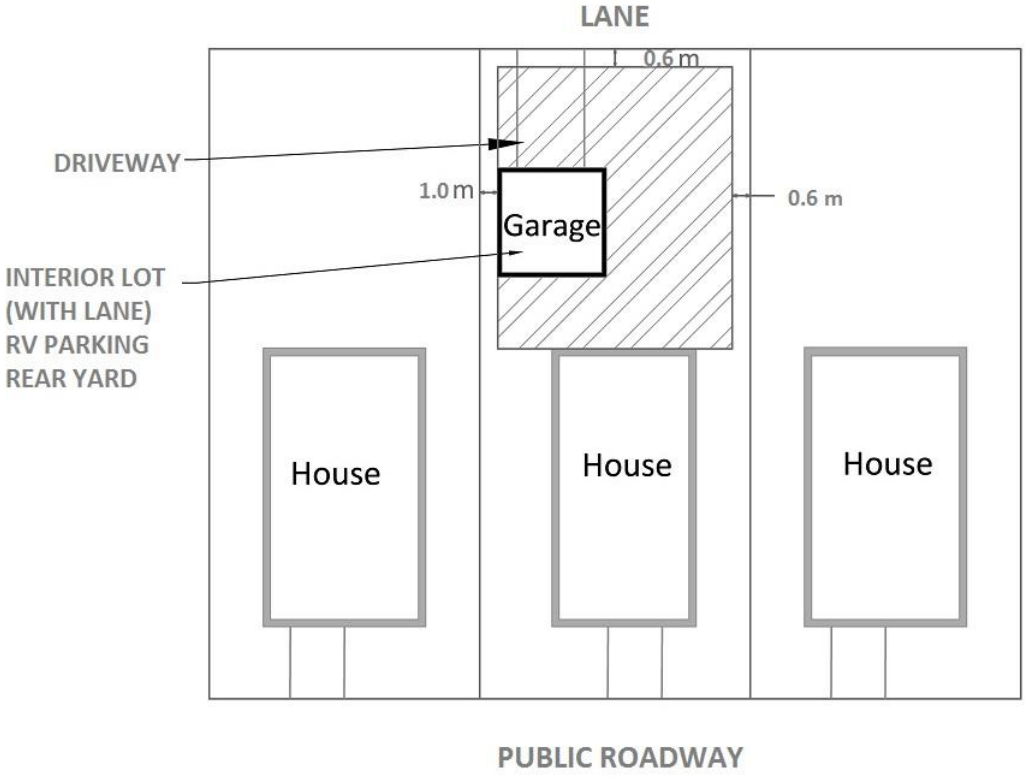
21.8.2.1. No complaints are received from immediate adjoining or opposite landowners;

21.8.2.2. Recreational Vehicles are parked a minimum of 0.6 m from property boundaries; and

21.8.2.3. the Hard Surfaced pad is an extension of the existing Driveway.

21.8.2.4. Notwithstanding 21.8.2. above, only those Recreational Vehicles used solely for the purpose of winter sporting activities shall be allowed in the required Front Yard Setback from October 16th to April 30th of each calendar year provided sections 21.8.2.1, 21.8.2.2 and 21.8.2.3 are complied with.

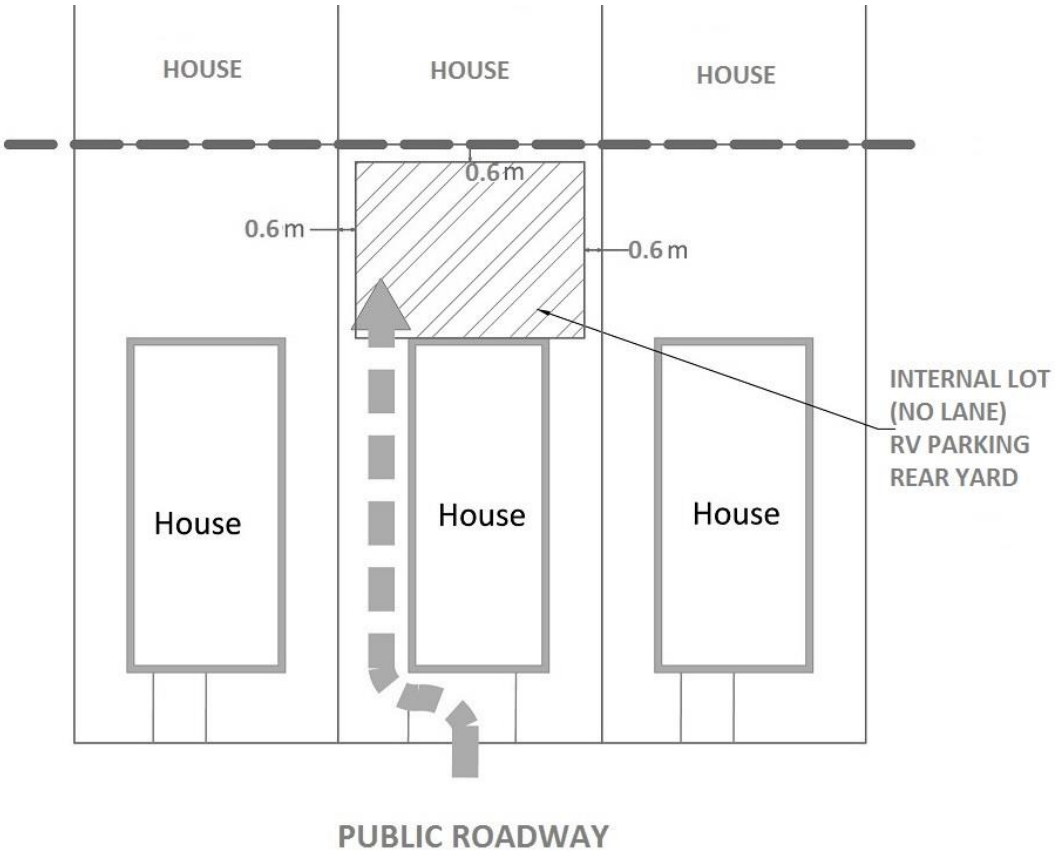
21.8.3. Subject to Sections 21.8.1., 21.8.2.1., and 21.8.2.2., on a Lot that has access to a Lane, a person may park a Recreational Vehicle year round on a pad within the Rear Yard Setback or on the Driveway to a detached Garage.



Note: The above illustration is for clarification and convenience only and does not form part of this Bylaw. All provisions of this Bylaw must be referenced.

21.8.4. Subject to Sections 21.8.1., 21.8.2.1., and 21.8.2.2., 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 pad within the Rear Yard.



Note: The above illustration is for clarification and convenience only and does not form part of this Bylaw. All provisions of this Bylaw must be referenced.

21.8.5. 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.

21.8.6. On a Corner Lot with no access to a Lane, a Recreational Vehicle may be parked year round on a pad:

21.8.6.1. in the Rear Yard at the discretion of the Development Authority, taking into consideration access and Adjacent properties; or

21.8.6.2. in the Front Flanking Yard providing:

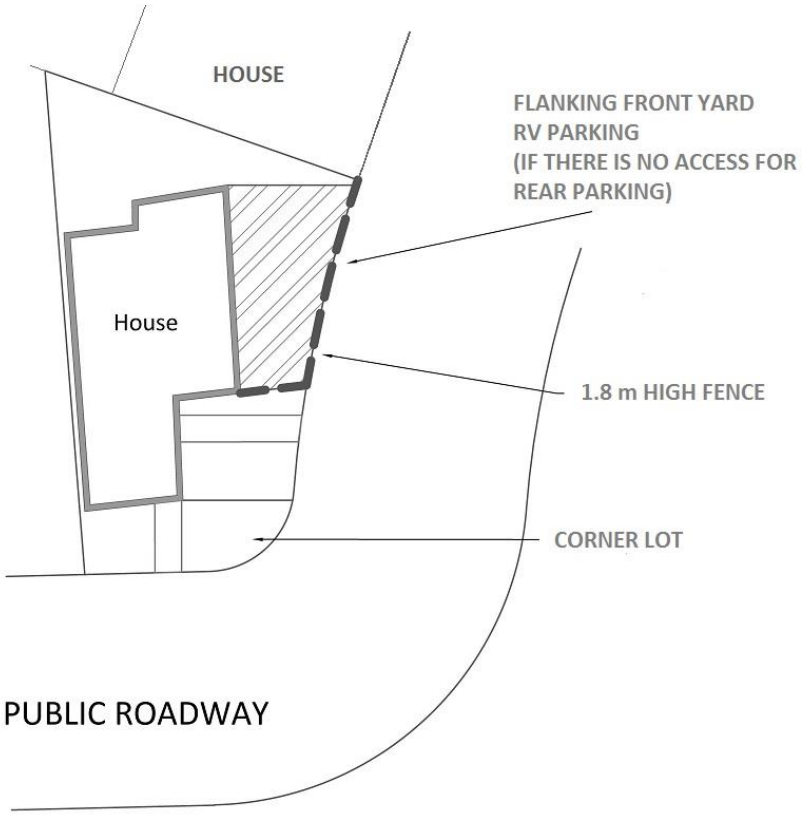
1) visibility when egressing in a vehicle from an Adjacent property is not impaired;

2) vehicular visibility at an intersection is not impaired;

3) the recreational vehicle is enclosed within a 1.8 m high fence; and

4) Sight Triangles are maintained as specified in Section 20.7 Corner

Lot and Sight Triangle Provisions of this Bylaw.



Note: The above illustration is for clarification and convenience only and does not form part of this Bylaw. All provisions of this Bylaw must be referenced.

21.9. **Show Homes and Sales Offices**

21.9.1. A person wishing to use a Site for a show home shall make application to the Development Authority for a second Development Permit allowing the use of the Building as a show home. Such an application shall be accompanied by information indicating:

21.9.1.1. the location and area intended as a show home site;

21.9.1.2. parking provisions;

21.9.1.3. any exterior lighting, and

21.9.1.4. any Signs which may be permissible.

21.9.2. 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.

21.9.3. The appearance of the Building shall, in the opinion of the Development Authority, be compatible with the character of other Buildings in the vicinity.

21.10. **Vehicle-Oriented Uses**

21.10.1. 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:

21.10.1.1. Drive Through Service

21.10.1.2. Service Station (Limited)

21.10.1.3. Service Station; and

21.10.1.4. Vehicle Oriented Service

21.10.2. The Development Authority may also require that Developments not included in the use classes listed in 21.10.1 above, shall comply with the regulations of this Section if, in their opinion, such Developments provide drive-in service or service in which patrons remain within their vehicle.

21.10.3. Site Location

21.10.3.1. A Vehicle Oriented Service may be located only:

1) where it can be shown that it does not inhibit safe traffic movement;

2) where it is provided within a shopping centre site; or

3) 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.

21.10.4. Site Area and Coverage

21.10.4.1. The minimum Site Area of Service Station (Limited) shall be 600.0 where the area dedicated for each pump shall be no less than 60.0 m². Where a Service Station (Limited) includes a car wash, the minimum Site Area shall be 1,120.0 m².

21.10.4.2. 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 Authority.

21.10.4.3. The minimum Site Area for Drive Through Service shall be 930.0 m² where the area dedicated for each food service bay shall be no less than 140.0 m² and where the area dedicated for each car wash bay shall be no

less than 370.0 m².

21.10.5. Development Regulations

21.10.5.1. The minimum Frontage shall be 30.0 m.

21.10.5.2. Service Station (Limited) and Drive Through Service shall have a minimum Lot depth of 30.0 m.

21.10.6. Access

21.10.6.1. The nearest edge of an access to a Street intersection shall not be less than 12.0 m.

21.10.6.2. The maximum width of the access shall not exceed 10.0 m, except where modified, at the discretion of the Development Authority.

21.10.6.3. The angle subtended between the curb and the edge of the Driveway shall not be less than thirty degrees nor more than sixty degrees.

21.10.6.4. The minimum distance between accesses on the same boundary of the Site shall not be less than 6.0 m. The Development Authority may increase this minimum distance when in his opinion, an increase would be necessary for reasons of public safety or convenience.

21.10.7. Setback of Buildings

21.10.7.1. Minimum Front Yard Setback requirements shall be as prescribed for the District in which the Building is located, but in no case shall be less than 3.0 m.

21.10.8. Site and Building Requirements

21.10.8.1. All parts of the Site to which vehicles may have access shall be paved and drained to the satisfaction of the Development Authority.

21.10.8.2. 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 Authority.

21.10.8.3. Fencing, Landscaping and Screening requirements shall be as specified under Section 20.14 Fencing and 22.0 Landscaping and Amenity Areas of this Bylaw.

21.10.8.4. 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 Authority.

21.10.9. Queuing Space Shall be Provided as Follows:

21.10.9.1. For a Drive Through Service, 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.

21.10.9.2. All queuing spaces shall be a minimum of 6.5 m long and 2.75 m wide. Queuing lanes shall provide sufficient space for turning and maneuvering.

21.10.10. Additional Regulations

21.10.10.1. Service Station (Limited) and Service Station

1) All pump islands shall be located at least 6.0 m from any boundary of the site, parking area on the site, or Laneways intended to control traffic circulation on the site.

2) A Canopy over a pump island may extend to within 3.0 m of the boundary of the site. The Canopy area shall not constitute part of the Site coverage for the purpose of this section.

21.11. Places of Worship

21.11.1. Minimum Site dimensions for Place of Worship sites shall be:

21.11.1.1. width 30.0 m;

21.11.1.2. area of sites with a clergy residence 1440.0 m^2;

21.11.1.3. Site Area without a clergy residence 900.0 m^2; and

21.11.1.4. front, side and Rear Yard Setbacks shall be as required within the District in which the Site is located.

21.11.2. Where the Height restriction of the District is exceeded the Yard Setback requirement shall be at the discretion of the Development Authority.

21.11.3. Landscaping and parking shall meet the requirements of Section 22.0 Landscaping and Amenity Areas and 23.0 Parking and Loading.

21.12. Swimming Pools and Hot Tubs

21.12.1. Swimming Pools and hot tubs shall:

21.12.1.1. not be located within any required Front Yard;

21.12.1.2. have the water surface be a minimum of 1.5 m from a property boundary; and

21.12.1.3. not have diving boards, slides and other accessory uses encroach on the Setback requirements.

21.13. **Veterinary Clinic, Kennel, Pet Care Service**

21.13.1. Veterinary Clinics, Kennels, and Pet Care Service shall:

21.13.1.1. be adequately protected to suppress annoying emissions and pens, rooms and runs shall be adequately soundproofed;

21.13.1.2. be equipped with an indoor exercise run if animals can be housed overnight; and

21.13.1.3. have a separate air exchange system in the animal holding area where heating and air conditioning is not shared with other businesses.

21.13.2. Kennels are not permitted:

21.13.2.1. in a residential district; and

21.13.2.2. in area located closer than 150.0 m to any residential Development.

21.14. **Adult Entertainment Facilities**

21.14.1. Adult Entertainment Facilities shall not be located closer than 100.0 m from any arterial roadway and shall not be located closer than 100.0 m to any Site being actively used for residential uses, or community, educational and recreational uses at the time of the application for the Development Permit. For the purposes of this subsection only:

21.14.1.1. the 100.0 m separation distance shall be measured from the closest point of the subject Site boundary for the proposed Adult Entertainment Facility to the closest point of another Site boundary or the closest point of the arterial road right-of-way, and shall not be measured from zone boundaries or from the edges of Structures; and

21.14.1.2. the term community, education and recreational does not include Cemetery and Utility Land Uses.

21.14.2. The Development Authority may require Crime Prevention Through Environmental Design criteria to be applied to a Site proposing an Adult Entertainment Facility, which may require that:

21.14.2.1. the exterior of all Buildings have ample glazing from the Street to allow natural surveillance;

21.14.2.2. any Landscaping around the Building be low-growing shrubs or deciduous trees with a high Canopy at maturity and that all foliage be kept trimmed back to prevent loss of natural surveillance;

21.14.2.3. no customer parking is in behind a Building and that all parking areas in front of the Building be well-lighted; and

21.14.2.4. customer access to the business is limited to a store front that is visible from the street.

21.15. **Retail Store (Drug Paraphernalia)**

21.15.1. A Retail Store (Drug Paraphernalia) shall:

21.15.1.1. at the discretion of the Development Authority require lighting, Signage or Screening measures that make the proposed Development compatible with Adjacent or nearby residential, mixed use or commercial Development; and

21.15.1.2. not be located closer than 100.0 m to any Site being actively used for public parks, or public or private education at the time of the application for a Development Permit for the Retail Store (Drug Paraphernalia) use. For the purposes of this subsection only:

1) the 100.0 m separation distance shall be measured from the closet point of the subject Site boundary to the closest point of another Site boundary, and shall not be measured from the District boundaries or from the edges of Structures;

2) the term “public or private education facilities” is limited to elementary through to high schools inclusive only, and does not include dance schools, driving schools or other Commercial Schools; and

3) the term “public parks” is limited to Park Sites zoned as Park.

21.15.2. The Development Authority may require Crime Prevention Through Environmental Design criteria to be applied to a Site proposing a Retail Store (Drug Paraphernalia), which may require that:

21.15.2.1. the exterior of all Buildings have ample glazing from the Street to allow natural surveillance;

21.15.2.2. any Landscaping around the Building be low-growing shrubs or deciduous trees with a high Canopy at maturity and that all foliage be kept trimmed back to prevent loss of natural surveillance;

21.15.2.3. no customer parking is in behind a Building and that all parking areas in front of the Building be well-lighted; and

21.15.2.4. customer access to the business is limited to a store front that is visible from the street.

21.16. **Retail Store (Liquor)**

21.16.1. A Retail Store (Liquor) shall:

21.16.1.1. at the discretion of the Development Authority require lighting, Signage or Screening measures that make the proposed Development compatible with Adjacent or nearby residential, mixed use or commercial Development; and

21.16.1.2. not be located closer than 100.0 m to any Site being actively used for public parks, or public or private education at the time of the application for a Development Permit for the Retail Store (Liquor) use. Sites that are greater than 2.0 ha in size and that are zoned CSC or DC, are exempted from this restriction. For the purposes of this subsection only:

1) the 100.0 m separation distance shall be measured from the closet point of the subject Site boundary to the closest point of another Site boundary, and shall not be measured from the District boundaries or from the edges of Structures;

2) the term “public or private education facilities” is limited to elementary through to high schools inclusive only, and does not include dance schools, driving schools or other Commercial Schools; and

3) the term “public parks” is limited to Park Sites zoned as Park.

21.17. **Radio Communication Facility**

21.17.1. The following shall apply to all Radio Communication Facility uses:

21.17.1.1. In all cases the process outlined in this Section does not usurp any Federal decision making authority, nor does it confer a right of veto to the City in the location of the Radio Communication Facility.

21.17.1.2. Radio Communication Facility shall be considered a Permitted Use in all districts.

21.17.1.3. Applicants must submit a Development Permit application and the applicable fees to the Development Authority.

21.17.1.4. Radio Communication Facility Development shall require a Municipal Land Use Consultation Attestation.

21.17.1.5. The Applicant shall place a notice in two consecutive issues of the local newspaper that includes the following information:

1) a description of the proposed installation, including physical details of the structure;

2) its location and street address;

3) the carrier;

4) the date, time and location of a public open house, if required;

5) the applicant's contact information and mailing address; and

6) an invitation to provide public comments to the Applicant within thirty (30) days of the notice.

21.17.1.6. Notices shall be sent by the Applicant to property owners within a radius of six times the Height of the proposed Radio Communication Facility.

21.17.1.7. At the discretion of the Development Authority an open house, hosted by the Applicant, may be required and shall not be held less than twenty-one (21) days from the date of the mail out of the notices required under Section 21.17.1.6. In addition, the Applicant shall advertise the open house in two consecutive editions of the local newspaper.

21.17.1.8. Industry Canada is responsible for regulating radio communication in Canada and for authorizing the location of Radio Communication Facilities. In making its decision regarding Radio Communication Facilities, Industry Canada considers the following:

1) the input provided by the affected Municipality;

2) compliance with Transport Canada's painting and lighting requirements for aeronautical safety;

3) Health Canada's safety guidelines respecting limits of exposure to radio frequency fields; and

4) an environmental impact assessment may be required in order to comply with the Canadian Environmental Assessment Act.

21.17.1.9. Radio Communication Facilities shall be located in a manner that minimizes the impact on the natural environmental and residential communities while recognizing the unique location requirement for sitting Radio Communication Facilities.

21.17.1.10. Unless demonstrated to be impractical, transmission antennae shall be mounted on existing Structures (including Buildings or towers) or within transportation and Utility corridors.

21.17.1.11. To the Maximum Extent Feasible, co-location of Radio Communication Facilities shall be explored.

21.17.1.12. The Development Authority shall provide recommendation to Industry Canada with respect to how the proposed Development complies with the following Development standards, to the Maximum Extent Feasible:

1) the minimum separation from Residential and Mixed Use District shall be 200.0 m;

2) shall be camouflaged and have the appearance and aesthetic of the Buildings allowed in the District;

3) shall not be located in the Front Yard;

4) shall meet the Setback requirements of the District or meets Setback requirements that are satisfactory to the Development Authority; and

5) shall have Landscaping that reflects the typical Landscaping in the District.

21.17.2. The following shall apply to all Radio Communication Facility (Limited) uses:

21.17.2.1. A Radio Communication Facility (Limited) shall be considered a Permitted Use in all districts; applicants must submit a Development Permit application and the applicable fees to the Development Authority.

21.17.2.2. At the discretion of the Development Authority, public consultation may be required in the form of notices sent to property owners within a radius of six times the Height of the proposed Radio Communication Facility (Limited) use.

21.17.2.3. Radio Communication Facilities (Limited) shall be located in a manner that minimizes the impact on the natural environmental and residential communities while recognizing the unique location requirement for sitting Radio Communication Facility (Limited); and

1) shall not be located in the Front Yard;

2) shall be a free-standing, ground-mounted unit;

3) shall meet the Setback requirements of the District or meets Setback requirements that are satisfactory to the Development Authority; and

4) shall not be illuminated, nor shall it have attached to it any advertising, graphics, flags or other elements unrelated to its function as a component of a radio Signal transmitting and receiving device.

21.18. Trash and Recycling Enclosures

21.18.1. The purpose of this Section is to ensure the provision of areas compatible with surrounding Land Uses for the collection, separation, storage, loading and pickup of recyclable materials by requiring that adequate, convenient space is functionally located at mixed use, commercial and industrial districts.

21.18.2. The following regulations shall be applied, to the Maximum Extent Feasible, to the satisfaction of the Development Authority:

21.18.2.1. all commercial or multi-residential Developments shall provide adequate space for the collection and storage of refuse and recyclable materials;

21.18.2.2. the amount of space provided for the collection and storage of recyclable materials shall be designed to accommodate collection and storage containers that are appropriate for the recyclable materials generated. Areas for storage of trash and recyclable materials shall be adequate in capacity, number and distribution to serve the Development project;

21.18.2.3. recyclable materials storage areas shall be located Abutting refuse collection and storage areas;

21.18.2.4. refuse and recycling areas must be enclosed so that they are screened from public view. The enclosure shall be constructed of durable materials such as masonry and shall be compatible with the Structure to which it is associated. Gates on the enclosures shall be constructed of metal or some other comparable durable material, shall be painted to match the enclosure and shall be properly maintained. Refuse and recycling areas within Industrial Land Use Districts are not required to be enclosed unless they are visible from the street;

21.18.2.5. enclosure areas shall be designed to provide adequate, safe and efficient accessibility for service vehicles;

21.18.2.6. enclosure areas shall be constructed on a cement concrete pad;

21.18.2.7. the property owner shall supply and maintain adequate containers for recycling and waste disposal. Containers must be clearly marked for recycling; and

21.18.2.8. Fencing and screening shall be provided in accordance with Section 20.14 Fencing and 22.0 Landscaping and Amenity Areas.

21.19. Solar Collectors

21.19.1. Solar Collectors shall be considered an Accessory Development in all districts and require a Development Permit.

21.19.2. Solar Collectors in Residential Districts

21.19.2.1. shall be located and mounted to ensure that no glare is produced for neighbouring properties and streets.

21.19.2.2. When mounted on a roof with a pitch less than 4:12:

1) shall not extend beyond the outermost edge of the roof;

2) shall be a maximum Height of 0.5 m from the roof surface when located 5.0 m or less from the side property boundary;

3) shall be a maximum Height of 1.3 m from the roof surface when located greater than 5.0 m from the side property boundary; and

4) in the case of those Solar Collectors mounted on an Apartment building:

a) shall be a maximum Height of 2.0 m from the roof surface; and

b) shall be located a minimum of 1.0 m from the roof edge.

21.19.2.3. when mounted on a roof with a pitch 4:12 or greater:

1) shall not extend beyond the outermost edge of the roof; and

2) shall be a maximum Height of 1.3 m from the roof surface.

21.19.2.4. when mounted on a wall

1) shall be located a minimum of 2.4 m above Grade; and;

2) may project a maximum of:

a) 1.5 m from the wall surface when the wall is facing the Rear Yard; or

b) 0.6 m from the wall surface when the wall is facing a Side Yard which exceeds 1.2 m in width. shall be located a minimum of 1.0 m from the roof edge.

3) Shall not be located in a Side Yard 1.2 m in width or less.

21.19.2.5. when mounted at Grade level:

1) shall be located in the Rear Yard only;

2) shall have a minimum Setback of 1.0 m from any side or rear property boundary;

3) shall have a maximum Height of 1.82 m from Grade; and

4) shall cover a maximum area of 41.81 m2.

21.19.3. Solar Collectors in commercial, industrial and institutional districts and lands used for agricultural purposes:

21.19.3.1. when mounted on a roof with a pitch less than 4:12:

1) shall be a maximum of Height of 2.0 m from the roof surface; and

2) shall not extend beyond the outermost edge of the roof.

21.19.3.2. when mounted on a roof with a pitch 4:12 or greater:

1) shall be a maximum Height of 1.2 m from the roof surface; and

2) shall not extend beyond the outermost edge of the roof.

21.19.3.3. when mounted on a wall:

1) shall be located a minimum of 2.4 m above Grade; and

2) may project a maximum of 0.6 m from the wall surface.

21.19.4. Solar Collectors mounted at Grade within industrial Land Use districts shall be subject to the following regulations:

1) Shall be located in the Rear Yard only;
2) Shall not exceed 3.5 m in Height;
3) Shall have a Setback of 1.0 m from any side or rear property boundary.

Deleted-Replaced – Bylaw No. 1032-2019, adopted September 9, 2019

21.19.5. Solar Collectors mounted at Grade level within institutional Land Use districts shall be subject to the following regulations:

1) Shall not be located on Parcels less than 8.0 ha (19.8 ac) in size;

2) Shall not be located closer than 200 m from the nearest residence;

3) Shall not exceed 3.5 m in Height;

4) Shall have a Setback of 6.0 m from the front property boundary and 1.0 m from any side or rear property boundary; and

5) Shall be screened by Landscaping and/or a berm to the satisfaction of the Development Authority.

Deleted-Replaced – Bylaw No. 1032-2019, adopted September 9, 2019

22.0 Landscaping and Amenity Areas

PREAMBLE

The regulations contained in this section establish the Landscaping requirements for all Development within the City of Leduc to contribute to a standard of appearance. It should be noted that while this section outlines the minimum Landscaping requirements, the specific regulations for each land use district within this Bylaw may identify how Landscaping should be implemented on a site. All sections of this Bylaw pertaining to Landscaping should be reviewed and adhered to when developing a Site Landscaping plan.

Note: The text contained within this grey box does not form a part of the Land Use Bylaw and is only provided as context for the reader.

22.1. **Purpose**

22.1.1. The purpose of this Section is to foster the creation of landscapes appropriate to the unique characteristics of Leduc by enhancing the visual appearance of the City whenever any new development takes place or when existing development is substantially enlarged. The amount of the site to be devoted to landscaping in each District is set out in this section. The regulations contained within this Section will ensure consistent standards are met by all persons developing within the City of Leduc.

22.2. **Applicability**

22.2.1. The provisions of this Section shall apply to new and existing Development as follows.

22.2.1.1. New Developments

1) All new non-residential and residential Developments shall provide Landscaping in compliance with this Section.

22.2.1.2. Existing Developments

1) A single addition or cumulative additions subsequent to the adoption of this Bylaw, that meet the following thresholds, shall, to the Maximum Extent Feasible as determined by the Development Authority, provide Landscaping in compliance with this Section. Where existing Site conditions may make it difficult to achieve full compliance as otherwise required below and to ensure that as much as feasible the business expansion is successful, Landscaping standards may be modified at the discretion of the Development Authority.

2) An expansion or alteration of an existing non-residential or residential use that results in a 35 percent or more increase in Dwelling Units, gross Floor Area, public area, or Parking Spaces, either with a single or cumulative addition(s) or expansion(s) shall provide Landscaping in compliance with this Section.

22.2.2. Exceptions

22.2.2.1. The provisions of this Section do not apply to the following:

1) Construction of an addition or alteration to an existing Single Detached Dwelling.

2) Accessory Developments.

22.3. **General Landscaping Requirements**

22.3.1. All required Landscaping shall meet the standards to provide for the long-term health, viability, and coverage of plantings. These standards may include, but are not limited to, the type and size of plants, spacing of plants, depth and quality of soil, use of drought-tolerant plants, and access to light and air for plants.

22.3.2. Landscaping for Single Detached Dwellings, Duplex Side-by-Side Dwellings, Duplex Stacked Dwellings, and fee simple Townhouse developments, in the opinion of the Development Authority, shall be in keeping with character of the area and all landscaping and planting required, including land between the property line and the edge of the Street must be completed within twenty-four (24) months from the date the Development Permit was issued.

22.3.3. Landscaping for Parking Lots and Loading Space shall be in accordance with Section 23.6 Landscaping for Parking Lots.

22.3.4. Required Landscaping areas shall be planted with:

22.3.4.1. 1 tree for every 30 m^2, based on 9% of the Lot area, in all districts excluding industrial districts;

22.3.4.2. For corner parcels, 1 tree for every 30 m^2 based on 18% of the Lot area for all districts excluding industrial, and 1 tree for every 45 m^2 based on 18% of the Lot area in all industrial districts;

22.3.4.3. 1 tree for every 45 m^2 based on 9% of the Lot area, in all industrial districts;

22.3.4.4. Where there is 100% Site coverage, no Landscaping shall be required; and

22.3.4.5. 3 shrubs may be substituted for one tree at the discretion of the Development Authority;

22.3.5. Residential Multi-Unit Developments shall:

22.3.5.1. have a minimum 35% of the Site landscaped;

22.3.5.2. Encourage open spaces to feature high quality landscape architecture intended to make spaces comfortable and enjoyable, including such features as trees, street furniture, public art and water features; and

22.3.5.3. Encourage landscaping to highlight major circulation patterns, pedestrian pathways and the overall Development.

22.3.6. Sites in commercial, industrial and institutional developments:

22.3.6.1. shall include the following spaces within private lands:

1) 1.8 m wide Landscaping area immediately adjacent to a public road right-of-way;

2) 7.0 m wide Landscaping area immediately adjacent to every boundary abutting a residential district; and

3) If a utility right-of-way conflicts with the required location of these Landscaping areas, written consent must be obtained from all utilities located within the right-of-way. If consent is not granted by all applicable utilities, this Landscaping area shall be located within the property, immediately adjacent to that utility right-of-way.

22.3.6.2. shall ensure all off-street Loading Spaces in any commercial District adjoining or fronting on any residential property in a residential District are screened on each side by a wall, Fence, earth berm or hedge of not less than 2.0 m in Height to the satisfaction of the Development Authority;

22.3.6.3. shall ensure the site and all buildings are developed and maintained in a neat and tidy manner including the trimming and upkeep of landscaped areas and the removal of debris and unsightly objects;

22.3.6.4. shall ensure that all Outdoor Storage areas are screened from the view of Adjacent arterial roads through the use of fencing, Landscaping masonry wall, earth berm or a combination thereof, in addition to the regulations in Section 22.0 Landscaping and Amenity Areas, to the satisfaction of the Development Authority;

22.3.6.5. shall have all yards landscaped with a variety of trees, shrubs and planted ground cover in accordance with plans approved by the Development Authority;

22.3.6.6. shall have landscaped buffers between parking, loading or other hard surfaced areas and Adjacent streets that are a minimum of 1.52 m in width;

22.3.6.7. shall have landscaped buffers between parking, loading or other hard surfaced areas and Adjacent residential properties that are a minimum of 6.0 m in width, or to the satisfaction of the Development Authority;

22.3.6.8. may require other types of Screening (e.g. masonry wall, earth berm or a combination thereof) at the discretion of the Development Authority; and

22.3.6.9. shall be in accordance with the fencing regulations in Section 20.14 Fencing.

22.3.7. Required landscaped areas shall be developed in accordance with a Landscaping plan and shall meet the following requirements and standards:

22.3.7.1. Deleted.

22.3.7.2. any portion of a Site that is not occupied by Buildings, parking, vehicular circulation, or loading areas shall be landscaped or maintained in its natural state (if the natural portion of the Site consists of a water body, swamp, gully, ravine, coulee, natural drainage course, or other environmentally sensitive area); and

22.3.7.3. existing shrubs and trees retained on a Site may be considered as partial or total fulfillment of the total Landscaping requirement.

22.3.7.4. For commercial, industrial or institutional lands, fencing shall be located behind the required landscaping areas identified within Section 22.3.6.1. or in any other area at the discretion of the Development Authority.

22.3.8. The minimum size specifications for plantings required by this Bylaw at the time of the planting shall be as follows:

22.3.8.1. 60.0 mm minimum caliper for deciduous trees;

22.3.8.2. 2.5 m minimum Height for coniferous trees;

22.3.8.3. 600.0 mm Height and 400.0 mm spread shall be the approximate minimum size of shrubs; and

22.3.8.4. Notwithstanding any provision in Section 22.3.8, the Development Authority may require trees up to a size of 75.0 mm caliper for deciduous trees or 3.05 m in Height for coniferous trees for Landscaping areas required as a buffer between land uses.

22.3.9. The proportion of deciduous to evergreen trees shall be approximately 60:40 unless otherwise approved by the Development Authority.

22.3.10. Plant materials and their arrangement shall be selected to suit soil characteristics, drainage, micro-climate, aspect and the site's intended use.

22.3.11. Shrubs shall be massed within mulched planting beds and planted at a minimum spacing of 80% maturity size. The intent is to achieve a balance between shrub health and maintenance concerns with close planting and the desire to achieve a visually full coverage that reduces weed growth.

22.3.12. Tree planting shall be in groupings or mulched beds to encourage improved growth, survivability and aesthetics.

22.3.13. All plants used to complete Landscaping required by this Bylaw must be listed in the Alberta Horticultural Guide and shall be tolerant to specific Site conditions, such as sun, shade, excessive wind, road salt, etc.

22.3.14. 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:

22.3.14.1. deciduous trees over 116 mm in caliper shall be replaced with a tree of similar type with a minimum caliper of 116 mm; and

22.3.14.2. coniferous trees over 1.82 m in Height shall be replaced with a coniferous tree with a minimum Height of 2.5 m.

22.3.15. All areas subject to Landscaping shall be maintained as a Landscaped area once complete.

22.3.16. 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.

22.3.17. All off-street surface Parking Facilities shall be separated from Streets by a landscaped area of at least 1.82 m 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.

22.3.18. Surface Parking Facilities containing room for 25 or more vehicles shall have landscaped open space within the parking area in the minimum amount of 1.7 m^2 for each Parking Space. To provide visual relief, the required landscaping shall not be located in one area.

22.3.19. An off-street Parking Facility 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 in Height.

22.3.20. In order to create general interest on the Site and in the area, Landscaping shall be designed to the satisfaction of the Development Authority and may include, but is not limited to, Grade contouring and plant grouping.

22.4. **Landscaping Plan**

22.4.1. Where a Landscaping plan is required, no Landscaping work shall be commenced unless the Landscaping plan is approved by the Development Authority.

22.4.2. A Landscaping plan shall be submitted for review and approval by the Development Authority to support a Development Permit application except for Single Detached Dwellings, Duplex Side-by-Side Dwellings, and Duplex Stacked Dwellings. Notwithstanding, all residential infill Development will require a Landscaping plan.

22.4.3. The landscape plan shall contain the following information for the site and adjacent boulevards:

22.4.3.1. dimensions of the site, existing buildings, parking area, driveways and entrances;

22.4.3.2. all physical features existing or proposed, including shrubs, trees, planting beds, type of mulch, grassed areas, berm contours, walls, fences, outdoor furniture, surface utilities, overhead utilities, paving;

22.4.3.3. list quantity of shrubs and trees, whether existing or proposed, labeled by their common name, botanical name, size at planting, mature size, and ground cover quantities.

22.5. **Review and Approval**

22.5.1. The Development Authority shall review the landscape plan to verify its compliance with the provisions of this Section. The Development Authority may approve, deny, or require changes to the landscape plan if it is not in compliance. Provided that the purposes of this Section are still achieved, written requests for alternative Landscaping schemes may be submitted to the Development Authority and may be

justified only when one or more of the following conditions apply:

22.5.1.1. The Site has space limitations or an unusual shape;

22.5.1.2. Topography, soil, or other Site conditions are such that full compliance is impossible or impractical;

22.5.1.3. It can be demonstrated that the alternative proposal will result in better environmental or aesthetic quality and conditions; or

22.5.1.4. Safety considerations are involved and no other alternative exists to reduce potential hazards.

22.5.2. Revisions to overall Site plan may require commensurate revisions to landscape plans to the satisfaction of the Development Authority.

22.5.3. The Development Authority may authorize minor changes to an approved landscape plan.

22.5.4. Deleted

Deleted – Bylaw No. 1023-2019, adopted May 13, 2019

22.6. **Landscaping Securities and Inspections**

22.6.1. As a condition of a Development Permit, an irrevocable Letter of Credit or cash security shall be required to be provided by the Applicant to the City to ensure that the required Landscaping is completed in accordance with this Bylaw. The Letter of Credit shall be of an amount in accordance with Section 10.9.6. of this Bylaw, based upon the estimated Landscaping cost of completion, as determined by the Development Authority or by a professional Landscaping contractor, and shall include but may not be limited to the following items:

22.6.1.1. minimum of 100.0 mm of topsoil for grassed areas;

22.6.1.2. grass sod or seed;

22.6.1.3. trees, shrubs and perennials;

22.6.1.4. mulch;

22.6.1.5. hard Landscaping features, such as bricks, pavers, shale, crushed rock, concrete curbing, sidewalks, patios, paved approaches including culvert and rip rap, fencing, painted lines for parking stalls. Collection of securities for hard Landscaping shall not be required for fee simple Townhouse Developments.

22.6.1.6. the owner shall request that the City conduct a Landscaping completion inspection upon the completion of all of the Landscaping required by this Bylaw and a Development Permit. All Landscaping and planting required, including land between the property line and the edge of the Street must be completed within one growing season (weather permitting) of Occupancy or commencement of operation of the proposed Development. A Landscaping Completion Inspection will be conducted as follows:

1) between the dates of June 1 and September 30; this date may be extended based on weather conditions and subject to submission of a letter from the Applicant/landowner indicating that the Landscaping has been installed in accordance with the Development Permit requirements; or

2) subject to non-dormant conditions;

22.6.1.7. Upon completion of an inspection pursuant to subsection 22.6.1.6, the security may be reduced by 50% at the discretion of the Development Authority.

22.6.1.8. the owner shall request that the City conduct a Landscaping acceptance inspection, after a one year maintenance period following the date of a Landscaping completion inspection. A Landscaping acceptance inspection will be conducted as follows:

1) between the dates of June 1 and September 30; or

2) subject to non-dormant conditions;

22.6.1.9. upon completion of an inspection pursuant to subsection 22.6.1.8, the City shall request that the following be completed, prior to the release of the security:

1) installation of missing or damaged Landscaping;

2) replacement of Landscaping that does not meet size specifications;

3) replacement of unhealthy plantings; and

4) approval of the as-built grade plan by the City.

22.6.1.10. in the event that the required Landscaping is not conducted within the time specified in a Development Permit or does not survive the one year maintenance period and is not replaced by the owner with a similar type and caliper of Landscaping, the City may use any portion of the security to ensure that Landscaping, including pavement, is installed in accordance with the requirements of this Bylaw and/or a Development Permit. If the cost of installation, as arranged by the City, exceeds the amount of the Letter of Credit, the difference shall be a debt due from the owner to the City.

22.6.1.11. Funds from the irrevocable Letter of Credit security shall be released by the City after the Landscaping acceptance inspection and any deficiencies have been rectified to the satisfaction of the Development Authority.

23.0 Parking and Loading

PREAMBLE

The regulations contained in this Section of the Land Use Bylaw pertain to vehicular parking and loading requirements. Some Land Uses generate more traffic than others and/or have space limitations. This Section contains general parking standards to make the City of Leduc's requirements clear. This Section also prescribes the required number of Parking Spaces for specific Land Uses such as Eating and Drinking Establishments, retail stores and education facilities. These uses all have different parking needs and have been assigned minimum requirements accordingly.

Note: The text contained within this grey box does not form a part of the Land Use Bylaw and is only provided as context for the reader.

23.1. **Number of Off-Street Parking Spaces Required**

23.1.1. A property shall not be used unless the parking requirements are met to the satisfaction of the Development Authority.

23.1.2. Where a Development on a Parcel falls within more than one (1) 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 Section 23.1 Number of Off-Street Parking Spaces Required.

23.1.3. In the case of a use not specified in Section 23.1 Number of Off-Street Parking Spaces Required, the number of stalls provided shall be the same as for a similar use, as determined by the Development Authority.

23.1.4. Where there is a fractional number of Parking Spaces required by this Bylaw, the next highest number of stalls shall be provided.

23.1.5. Parking Spaces shall not be included in the loading bay area.

23.1.6. The number of Parking Spaces required may be reduced where, in the opinion of the Development Authority, 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.

23.1.7. Designated Parking Spaces for use by persons with physical disabilities shall be provided in accordance with appropriate Safety Codes, Alberta Building Code or other Provincial requirements and shall be included as part of and not in addition to the applicable minimum parking requirements.

23.1.8. Parking Spaces for persons with physical disabilities shall be located as close as possible to ramps, Walkways and entrances. The ramp shall be required in addition to the specified stall size.

23.1.9. The minimum number of off-street Parking Spaces required for each use shall be as set out in following Table 44: Minimum Required Parking.

Table 44: Minimum Required Parking

Leduc Bylaw Use Class	Minimum Parking Required
Residential Uses	
Dwelling, Single Detached; Dwelling, Dwelling, Duplex Side-By-Side; Dwelling, Duplex Stacked; Dwelling, Triplex; Dwelling, Townhouse with Street Frontage	2 Parking Spaces per Dwelling Unit; and 1 Parking Space per Dwelling may be in tandem
Dwelling, Secondary Suite; Dwelling, Garage Suite; Dwelling, Garden Suite	1 Parking Space per bedroom, in addition to the 2 required for the principle Dwelling; and 1 Parking Space per Dwelling may be in tandem
Multi-Unit Development, not including commercial or industrial uses, located on one site and bare land condominium projects including: Dwelling, Single Detached Dwelling, Duplex Side-By-Side Dwelling, Duplex Stacked Dwelling, Fourplex Dwelling, Triplex Dwelling, Townhouse Dwelling, Apartment	1 Parking Space per 1 bedroom Dwelling Unit; 2 Parking Spaces per two or more bedroom Dwelling Unit; and a minimum of 1 Parking Space shall be assigned to each unit. In addition to the above, 1 Parking Space for every 5 units shall be clearly marked visitor parking.
Mixed Use Development	The number of Parking Spaces shall refer to the appropriate housing type above, at the discretion of the Development Authority.
Bicycle Parking for residential Multi-Unit Developments	For Developments that contain more than 7 Dwelling Units, 0.25 bicycle Parking Spaces per Dwelling Unit, or a minimum of 5 bicycle Parking Spaces, whichever is greater
Assisted Living Facility	1 Parking Spaces per 4 beds plus 1 visitor stall per 5 beds
Assisted Living Facility (Limited)	0.6 Parking Spaces per unit plus 1 visitor stall per 5 units

Leduc Bylaw Use Class	Minimum Parking Required
Commercial Uses	
Day Care Facility	1 Parking Space for every 10 patrons
Drive Through Service	1 Parking Space for each 20m² of Public Floor Area
Ball court components	3 Parking Spaces per court and components with fixed seating, and 1 space per 5 seating places
Eating and Drinking Establishment	1 Parking Space per 3 seating spaces
Bars and Neighbourhood Pubs	1 Parking Space per 4 seating spaces
Eating and Drinking Establishment (Limited)	1 Parking Space per 4 seating spaces
Hotel	1 Parking Space per sleeping unit, additional stalls as required for other uses, at the discretion of the Development Authority
Motel	1 Parking Space per sleeping unit, additional stalls as required for other uses, at the discretion of the Development Authority
Personal Service	1 Parking Space per 25.0 m² of Public Floor Area
Professional, Financial and Office Service	1 Parking Space per 35.0 m² of gross Floor Area
Recreation Facility, Indoor	13 Parking Spaces per 100.0 m² of Public Floor Area, additional stalls as required for other uses, at the discretion of the Development Authority
Recreation Facility, Outdoor (Not including Ball court components)	As determined at the discretion of the Development Authority
Retail Store (Neighbourhood) Retail Store (General) Retail Store (Liquor)	1 Parking Space per 25.0 m² of Public Floor Area
Vehicle Sale, leasing or rental facility (limited)	When provided in a Building with other uses, a minimum of 5 Parking Spaces must be provided (ex. Booth in a Hotel, strip mall, etc.)
Community, Educational & Recreation Uses	
Community Service Facility	13 Parking Spaces per 28.0 m² of gross Floor Area
Education (Private) & Education (Public) (For elementary and junior high schools only)	2 Parking Spaces per classroom

Leduc Bylaw Use Class	Minimum Parking Required
Education (Private) & Education (Public) (For senior high schools only)	10 Parking Spaces per classroom
Government Service	1 Parking Space per 35m² of Public Floor Area
Hospital	1 Parking Space per 3 beds
Place of Worship	1 Parking Space per 3 seating spaces
Industrial Uses	
Industrial, General	1 Parking Space per 100.0 m² of Public Floor Area provided this is not less than 3 Parking Spaces per tenant or establishment.
Service Station Service Station (Limited)	1 Parking Space per 100.0 m² of Public Floor Area
Vehicle Repair Facility Vehicle Repair Facility (Limited)	1 Parking Space per 100.0 m² of Public Floor Area provided this is not less than 3 Parking Spaces per tenant or establishment
Warehouse Sales	1 Parking Space per 100.0 m² of Public Floor Area provided this is not less than 3 Parking Spaces per tenant or establishment

23.2. **Parking and Loading for Residential Land Use Classes**

23.2.1. All parking and Loading Spaces required by this Bylaw for residential purposes, including all maneuvering aisles and Driveways, shall be:

23.2.1.1. for residential uses, including Single Detached Dwellings, Duplex Side-By-Side Dwellings, Duplex Stacked Dwellings and Townhouse Dwellings, other than those in condominium developments:

1) located on the same Site as the use requiring them; and

2) hard surfaced (e.g. asphalt, concrete, paving stones) prior to Occupancy.

23.2.1.2. for residential Multi-Unit Development uses:

1) located on the same Site as the use requiring them;

2) hard surfaced (e.g. asphalt, concrete, paving stones) prior to Occupancy;

3) bordered and separated from Adjacent areas with concrete curbing; and

4) not be located, to the Extent Reasonably Feasible, within the required Front Yard Setback(s) of a site.

23.2.1.3. In the event that seasonal conditions inhibit the completion of paving in accordance with this Bylaw, the parking and loading areas shall be compacted and maintained in a manner that allows reasonable access by emergency vehicles and the paving shall be completed within the construction season of the following year.

23.3. **Parking and Loading for Non-Residential Land Use Classes**

23.3.1. Sites with more than one use shall provide Parking and Loading Spaces equal to the sum of the requirements for the individual uses.

23.3.2. Notwithstanding Section 23.1 Number of Off-Street Parking Spaces Required, parking requirements for individual uses, except a Gaming Establishment and a Cinema, located within a Commercial Centre shall be determined using the Retail Store (General) calculation in Table 44: Minimum Required Parking. If the commercial centre includes an Eating or Drinking Establishment, the parking requirements will be calculated based on the areas of each use in accordance with Table 44: Minimum Required Parking.

23.3.3. 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:

23.3.3.1. on property other than residential, and subject to the approval of the Development Authority, an owner of land or a group of such owners may pool his or their required off-street Parking Spaces within one or more communal parking facilities and may thereby collectively fulfill the requirements of Section 23.1 Number of Off-Street Parking Spaces Required;

23.3.3.2. where a group of uses is served by a communal Parking Facility, the requirement for such a facility shall be the sum of the off-street parking requirements for each of the uses served by the Parking Facility;

23.3.3.3. where two (2) or more parties agree to combine parking in accordance with Section 23.3.3; and

23.3.3.4. where two (2) or more parties agree to combine parking under this Section, with joint access, an Easement agreement is required with the City of Leduc being a third party.

23.4. **Vehicular Access**

23.4.1. Except in commercial Districts, no direct access shall be permitted from a Lane to a parking stall in a Parking Facility of more than three (3) stalls unless special circumstances are judged by the Development Authority 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 from the closest boundary of the Lane.

23.4.2. Driveway portion of all access/egress to Sites shall be hard-surfaced in accordance with City's Minimum Engineering Design Standards.

23.4.3. Sites shall be so designed that streets and access routes for firefighting equipment shall be provided in accordance with the requirements of the *Safety Codes Act.*

23.5. **Parking Lots and Parking Garages**

23.5.1. Parking Lots

23.5.1.1. All parking lots containing four (4) or more Parking Spaces shall:

1) have the necessary curb crossings located and constructed to meet the City's Minimum Engineering Standards;

2) be paved or hard surfaced;

3) in the GR 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;

4) 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;

5) in the IL 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;

6) have adequate lighting for the entire Parking Facility. Such lighting shall be directed away from Public Roads and meet the standard of Section 20.13;

7) 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 Authority; and

8) provide curbs, medians, Parking Space markings, Signs and Landscaping to the satisfaction of the Development Authority.

23.5.2. Drive-in Services

23.5.2.1. Drive-in Services, if allowed by the district regulations, shall be secondary in emphasis and priority to any other access and circulation functions. Such facilities, to the Maximum Extent Feasible, shall be located in side or rear locations that do not interrupt direct pedestrian access along connecting pedestrian Frontages. The design and layout of drive-in services for restaurants, banks or other uses shall be in accordance with Section 21.10 Vehicle Oriented Uses; and:

1) avoid potential pedestrian/vehicle conflicts;

2) provide adequate stacking spaces for automobiles before and after use of the facility;

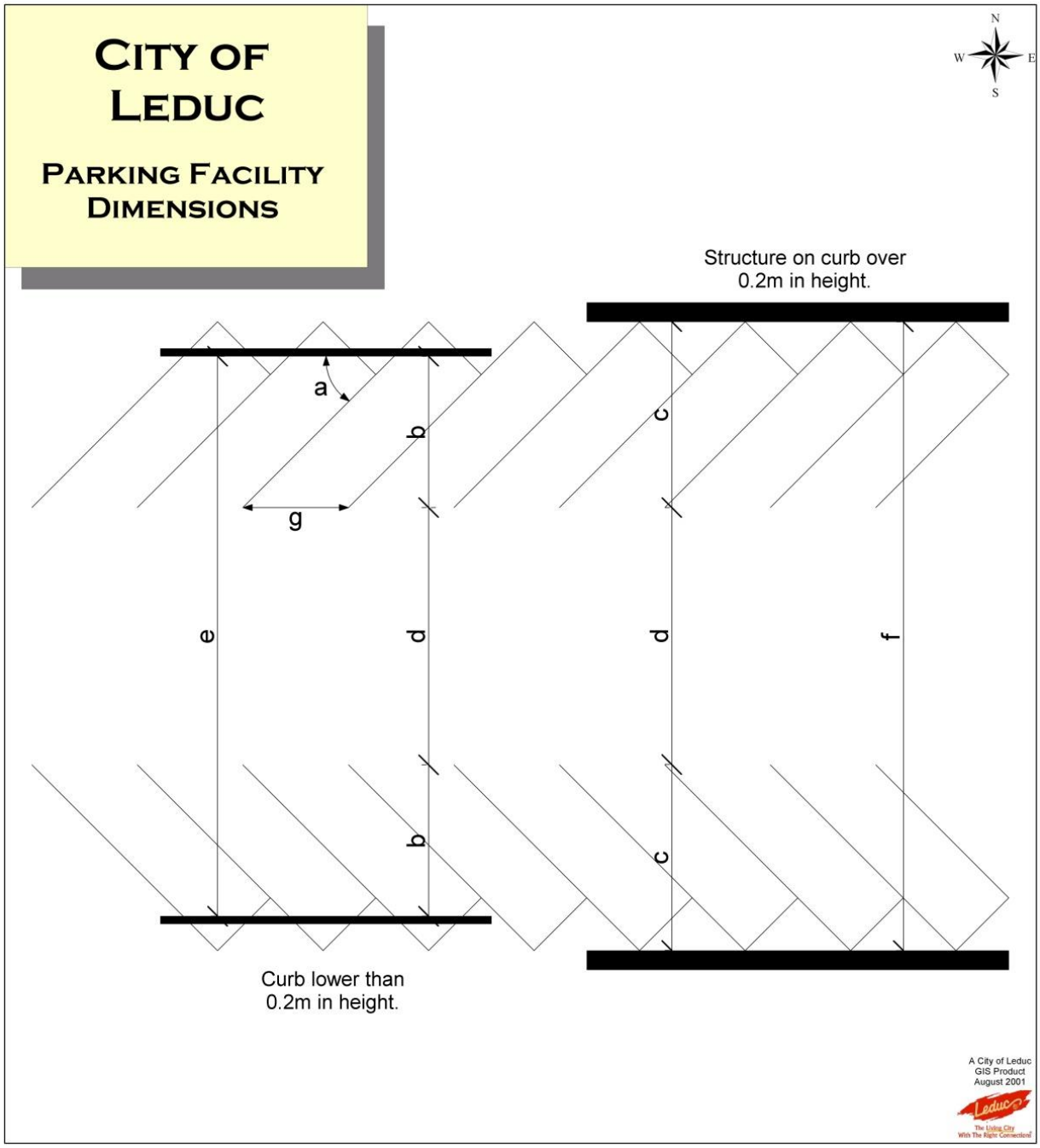
3) provide adequate directional Signage to ensure a free-flow through the facility; and

4) be an accessory use to a walk-in commercial Land Use.

23.5.3. Minimum Parking Stall Dimensions

23.5.3.1. The minimum dimensions of a parking stall shall be as shown on Table 45: Parking Facility Dimensions and illustrated in Figure 5: Minimum Parking Facility Dimensions.

Figure 5: Minimum Parking Facility Dimensions



23.5.4. Parking Garages

23.5.4.1. No dangerous goods or flammable or combustible liquids and gases may be permitted within a Parking Garage, except as contained within a permanently installed tank connected to the fuel system of a Motor Vehicle. Propane-powered vehicles shall not be permitted.

23.5.4.2. Parking Garages and interior stairwells shall be designed for conspicuousness. Mechanical rooms, HVAC systems, elevators, stairwells, columns and other visual obstructions shall be located to maximize conspicuousness of the Parking Spaces and primary pedestrian-ways.

23.5.4.3. Transparent panels shall be incorporated into all doors and walls that separate stairwells, corridors and entrances to elevator lobbies from the main parking areas, to allow for clear sight lines.

23.5.5. Parking Lot Design

23.5.5.1. To the Maximum Extent Feasible, vehicular use areas in any proposed Development shall be designed to be safe, efficient, convenient and attractive, considering use by all modes of transportation that will use the system, (including, without limitation, cars, trucks, buses, bicycles and emergency vehicles).

23.5.5.2. The Lot layout shall specifically address the interrelation of pedestrian, vehicular and bicycle circulation in order to provide continuous, direct pedestrian access with a minimum of Driveway and drive aisle crossings. To the Maximum Extent Feasible, pedestrians and vehicles shall be separated through provision of a Sidewalk or Walkway. Where complete separation of pedestrians and vehicles is not feasible, potential hazards shall be minimized by using Landscaping, bollards, special paving, lighting and other means to clearly delineate pedestrian areas.

23.5.5.3. Layout and design shall anticipate the needs of users and provide continuity between vehicular circulation, parking, pedestrian and bicycle circulation. Pedestrian drop-off areas shall be provided where needed, especially for Land Uses that serve children or the elderly.

23.5.5.4. Parking lots shall provide well-defined circulation routes for vehicles, bicycles and pedestrians.

Table 45: Parking Facility Dimensions

A Parking Spaces (Stall Width – g = 2.75m)						
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 = 2.50m)						
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	--	14.3	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

23.5.6. On-Site Loading Spaces

23.5.6.1. Where a proposed Development will, from time to time, require pick up or delivery of commodities, adequate space for loading and unloading shall be provided and maintained on the site.

23.5.6.2. 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.

23.5.6.3. No Loading Spaces are permitted in a fire lane.

23.5.6.4. A Loading Space shall:

1) have a minimum width of 4.0 m;

2) have a minimum depth of 8.0 m;

3) 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 Authority;

4) be hard surfaced; and

5) have adequate lighting to the satisfaction of the Development Authority in accordance with Section 20.13 Lighting.

23.5.6.5. 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 2.0 m in Height to the satisfaction of the Development Authority.

23.5.6.6. Loading Spaces shall be posted 'No Parking'.

23.6. **Landscaping for Parking Lots**

23.6.1. All off-street parking facilities shall be separated from streets by a landscaped area of at least 1.82 m 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.

23.6.2. Parking lots containing room for twenty-five (25) or more vehicles shall have landscaped open space within the parking area in the minimum amount of 1.7 m^2 for each Parking Space. To provide visual relief, the required Landscaping shall not be located in one area.

23.6.3. To the Maximum Extent Feasible, landscaped islands with raised curbs shall be used to define parking Lot entrances, the ends of all parking aisles and the location and pattern of primary internal access drives, and to provide pedestrian refuge areas and Walkways. Parking areas may not contain more than twenty-five (25) contiguous Parking Spaces without incorporating landscaped islands.

23.6.4. A parking area having eight (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 in Height.

23.7. **Shared Parking and Alterative Parking Ratios or Alternative Number of Parking Spaces**

23.7.1. Where a mix of uses creates staggered peak periods of parking demand, shared parking calculations, alternative parking ratios or an alternative number of Parking Spaces may be considered by the Development Authority to reduce the total amount of required parking. Retail, office, institutional and entertainment uses may share parking areas. In no case shall shared parking include the parking required for residential uses.

23.7.2. Shared Parking

23.7.2.1. At the discretion of the Development Authority, two (2) or more uses may share Parking Spaces. A maximum of 20% of the required parking may be combined or shared parking.

23.7.2.2. Notwithstanding Section 23.7 Shared Parking and Alternative Parking Ratios or Alternative Number of Parking Spaces, authorization to share Parking Spaces and / or Site accesses may only be granted by the Development Authority in the following circumstances:

1) the Development sites are within 100.0 m of each other;

2) the demand for Parking Spaces generated by each Development is not likely to occur at the same time; and

3) an agreement is Signed between the owners of the sites that are sharing the Parking Spaces and the agreement is registered on the Titles of the properties that are subject to the agreement with the City of Leduc named as third party.

23.7.3. Alternative Parking Ratio or Alternative Number of Parking Spaces

23.7.3.1. Upon written request by the Applicant, the Development Authority may consider an alternative parking ratio for non-residential Land Uses or an alternative number of Parking Spaces based on use for recreational and institutional Land Uses, which may be substituted in whole or in part for a ratio meeting the standards of this Section.

23.7.3.2. The following shall be required when requesting consideration for an alternative parking ratio or an alternative number of Parking Spaces plan:

1) alternative parking ratio plans shall be prepared and submitted in accordance with the submittal requirements for plans as set forth in this Section. Each such plan shall clearly identify and discuss the modifications and alternatives proposed and the ways in which the plan will better accomplish the purpose of this Section than would a plan which complies with the standards of this Section. The request for alternative compliance may require that either a traffic impact study or parking impact study describing the traffic impacts of any proposed Land Use or activity accompany it, at the discretion of the Development Authority.

23.7.3.3. The following review criteria shall be used by the Development Authority to make a decision on a request for an alternative parking ratio or an alternative number of Parking Spaces plan:

1) the proposed alternative plan accomplishes the purposes of this Section equally well or better than would a plan which complies with the standards of this Section. To determine whether it accomplishes the purposes of this Section, as required above, the Development Authority shall take into account the number of Employees occupying the Building or Land Use; the number of expected customers or clients; the availability of nearby on-street parking (if any); the availability of shared parking with Abutting, Adjacent or surrounding Land Uses (if any); the provision of purchased or leased Parking Spaces in a municipal or private parking Lot meeting the requirements of the City; or any other factors that may be unique to the Applicant's Development request.

23.7.3.4. The Development Authority shall only approve an alternative parking ratio or an alternative number of Parking Spaces plan if it:

1) does not detract from continuity, connectivity and convenient proximity for pedestrians between or among existing or future Land Uses in the vicinity;

2) minimizes the visual and aesthetic impact along the public Street by placing parking lots to the rear or along the side of Buildings, to the Maximum Extent Feasible;

3) minimizes the visual and aesthetic impact on the surrounding neighbourhood;

4) creates no physical impact on any facilities serving alternative modes of transportation;

5) creates no detrimental impact on natural areas or features; and

6) maintains handicap parking ratios.

24.0 Signs

PREAMBLE

This Section prescribes requirements for Signs and the Sign owner responsibilities. The intent of this Section is to ensure that safe, aesthetically pleasing Signs are used around the City. It also contains regulations pertaining to safety and requirements for specific types of Signs.

Note: The text contained within this grey box does not form a part of the Land Use Bylaw and is only provided as context for the reader.

24.1. **Signs Not Requiring a Development Permit**

24.1.1. A Development Permit is not required for the following Signs, provided that the proposed Sign complies with the applicable regulations of this Bylaw, and subject to the limitations set forth below:

24.1.1.1. Temporary Portable Digital Signs sanctioned by the City;

24.1.1.2. changing the Copy of any Sign with a valid Development Permit which the Copy is changeable;

24.1.1.3. address Signs may be erected in any District provided the location and size meet the requirement of the City of Leduc Address Bylaw;

24.1.1.4. election Signs for federal, provincial, municipal or school board elections provided that:

1) the Sign placement commences on Nomination Day, as defined under the *Local Authorities Election Act*, or such other time as regulated under provincial or federal legislation, and the Signs are removed within three (3) days after the election date;

2) when being part of an existing Sign, the maximum area of any such Sign shall be 6.0m^2;

3) when the Sign is placed on private property, the consent of the property owner or occupant is obtained, including signs placed on fences, trees or any other furniture;

4) such Signs indicate the name and address of the sponsor and the person responsible for removal;

5) such Signs shall not be digital or inflatable; and

6) election Signs are prohibited in the following locations:

a. on City-owned buildings;

b. on a roadway centre median, traffic circle or traffic island;

c. on a traffic control device, such as: stop signs, directional arrows and so on, or where they obscure, detract from or could be confused with a traffic control device;

d. on City-owned trees, fences or any other street furniture; and

e. in any transit shelter or on any bus unless paid advertising through the City of Leduc Public Transportation.

7) In all cases, election Signs shall not:

a. physically obstruct the sightlines or view of a traffic control device or intersection for oncoming vehicle traffic under any City bylaw; or

b. project over any sidewalk or traffic roadway, or otherwise interfere with the safe and orderly movement of pedestrians or vehicles.

Deleted-Replaced – Bylaw No. 1083-2021, adopted March 22, 2021

24.1.1.5. 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 removed within 48 hours after possession date or Occupancy;

2) the Sign has an area no larger than 0.6m²; and

3) the Sign is no closer than 3m to a public right-of-way.

24.1.1.6. Signs identifying house for sale, just listed, show home and home builder identification signs may be erected within the boulevard and median areas of arterial and major collector roads between the hours of 4 p.m. Friday and midnight Sunday of each week provided that these Signs do not interfere with the efficient maintenance of these areas and do not create a hazard to persons or private property.

24.1.1.7. Signs identifying an open house may be erected within the boulevard and median areas of arterial and major collector roads provided they are set up and removed on the same day as the scheduled open house;

24.1.1.8. Signs in commercial Developments located inside the Building behind a window;

24.1.1.9. one (1) 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 higher than 1.2 m high;

2) is not greater than 0.9 m wide;

3) shall not impair vision or traffic; and

4) the Sign advertises the business on the property.

24.1.1.10. bench Signs on private commercial land located outside the boundaries of the Central Business District Overlay;

24.1.1.11. 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 (4) days prior to the sale date and are removed at the end of the sale date;

24.1.1.12. temporary Signs that are required under this Bylaw or for a statutory plan to identify a site with an application in for a proposed Bylaw adoption or amendment,

Deleted-Replaced – Bylaw No. 1023-2019, adopted May 13, 2019

24.1.1.13. temporary Signs that are being used to identify a Development under construction or awaiting installation of a permanent Sign;

24.1.1.14. 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 Authority;

24.1.1.15. advertising Signs displayed on bus shelters, seats and benches located at bus stops along streets that are subject to an agreement with the City;

24.1.1.16. signs located on public transportation vehicles; and

24.1.1.17. those Banner Signs acceptable to the Development Authority which advertise show Homes located within the same subdivision.

24.1.1.18. Notwithstanding Section 24.1.1.5(2) and subject to all other provisions of Section 24.1.1.5, for sale or rent Signs advertising Multi-Unit Developments and non-residential Developments shall have:

(a) a maximum Height of 3.0 m; and

(b) a maximum Copy Area of 6 m2.

24.1.1.19. Menu Board Signs located at a Drive Through Service provided that:

(a) a valid development permit has been issued for the Drive Through Service;
(b) individual signs shall not exceed a maximum Height of 3.0 m;
(c) individual signs shall not exceed a maximum Copy Area of 3.0 m2;
(d) it meets all regulations in this Bylaw, but not including any separation distances; and
(e) is in locations acceptable to the Development Authority.

Added – Bylaw No. 1052-2020, adopted September 14, 2020.

24.2. **Application for Signs**

24.2.1. Application for Signs 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 property.

24.2.2. Applicants must provide the following information in addition to Section 9.0 Requirements for a Development Permit Application, when applying for a Development Permit for a Sign:

24.2.2.1. all dimensions of the Sign Structure, including Height and Projection of the Signs attached to the Building;

24.2.2.2. area of Copy face(s);

24.2.2.3. design of Copy face(s);

24.2.2.4. details of Sign illumination and/or animation;

24.2.2.5. type of construction and finishing to be utilized;

24.2.2.6. method of support;

24.2.2.7. site plan showing Sign location in relation to property boundaries and Buildings; and

24.2.2.8. the fees required for the permit.

24.3. **Signs Located On or Projecting Over Public Property**

24.3.1. The size and location of all Signs located on or projecting over a City property shall be at the discretion of the Development Authority.

24.3.2. Notwithstanding the issuance of a Development Permit for a Sign located on or projecting over public property, the City may require the alteration, removal or relocation of the Sign if the property is required for any public purpose.

24.4. **General Sign Regulations**

24.4.1. No person shall erect, develop, enlarge, relocate or alter any Sign, except as otherwise provided for in this Bylaw, without first obtaining a Development Permit.

24.4.2. Signs attached, affixed or displayed on any parked vehicle or trailer not normally used in the daily activity of the business, and 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, shall not be allowed.

24.4.3. For Signs with a valid Development Permit the owner of the Sign shall be considered the person who applied for the Development Permit.

24.4.4. Except as otherwise specified in this Bylaw, the maximum Copy Area of any Sign shall be 35.0 m^2 and the maximum Sign Height shall be 9.0 m above ground or Sidewalk Grade, excluding Fascia Signs.

24.4.5. The total Copy Area of any Sign shall be calculated as the average of the total area of all the individual faces of the Sign.

24.4.6. The owner of a Sign shall maintain the Sign in a proper state of repair and shall:

24.4.6.1. keep it properly painted at all times;

24.4.6.2. ensure that all structural members and guy wires are properly attached to the Sign and Building; and

24.4.6.3. ensure all Sign surfaces are cleaned as needed to remove any accumulation of dust, dirt or bird droppings.

24.4.7. All Sign Structures shall be securely built, constructed and erected to conform to the standards set forth in this Bylaw and the current Alberta Safety Codes, as applicable.

24.4.8. No Sign shall be erected, operated, used or maintained that:

24.4.8.1. due to its position, shape, colour, format or illumination obstructs the view of, or shall be confused with, an official traffic Sign, Signal or device, as determined by the Development Authority in consultation with the City of Leduc Engineering Services;

24.4.8.2. displays lights resembling the flashing lights usually associated with danger or those used by police, fire, ambulance and other emergency vehicles; and

24.4.8.3. uses spot or reflector lights directed at on-coming traffic or displays travelling or flashing messages that create a hazard to traffic on a Public

Roadway from which the Sign is visible.

24.4.9. Any permitted Sign shall be placed so as not to obstruct or impair vision, or hinder or interfere with pedestrian or vehicular traffic on Abutting roads or Walkways.

24.4.10. To the Extent Reasonably Feasible the placement of a Sign should not result in the removal or destruction of trees, shrubbery or other Landscaping. If trees, shrubbery or other Landscaping is removed in order to place a Sign, the removed Landscaping should be replaced with similar Landscaping elsewhere on the site, to the satisfaction of the Development Authority.

24.4.11. The quality, aesthetic appearance and finishing of a Sign should have regard for the scale and architectural character of the Building and the Land Use characteristics of surrounding Development. The Development Authority shall refuse any Development Permit applications for a Sign that may adversely impact the amenities or character of the Adjacent Development.

24.4.12. Deleted.

24.4.13. An approved Sign is not an approval for Development on the site.

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

24.4.15. Signs shall not contain statements, words or pictures that are undesirable, offensive or contrary to the amenities of the neighbourhood.

24.4.16. It is an offence to have a Sign in an abandoned state. A Sign is considered to be abandoned if the Sign has either intentionally or unintentionally been allowed to fall into a state of disrepair, or any Sign which is not in a readable state.

24.5. **Illumination of Signs**

24.5.1. Illumination of Signs shall be subject of review and approval by the Development Authority in consultation with the City of Leduc Engineering Services and other affected agencies.

24.5.2. The illumination of any permanent Sign should not create a direct glare upon any residential Developments, surrounding sites or roadways.

24.5.3. Signs should not have flashing or running lights.

24.5.4. A Sign located on or at the rear or side of any Building should not be illuminated if such Sign is Adjacent to a residential Development.

24.6. **Fascia Signs**

24.6.1. A Fascia Sign that is a Digital Sign shall have a minimum of 0.91 m separation from operable windows in any portion of the Building to which the Sign is attached, except where mechanical protection is provided to protect persons from coming into contact with electrical components of the Sign.

24.6.2. A Fascia Sign located over public property, which projects more than 0.15 m from a wall to which it is affixed, shall be placed not less than 2.4 m above the finished Grade located under the Sign.

24.6.3. A Fascia Sign located in excess of 2.4 m above Grade may not project more than 0.3 m from the wall to which it is affixed.

24.6.4. A Fascia Sign attached to an exterior wall shall be safely and securely attached to the Building by means of metal anchors, bolt or expansion screws. Wooden blocks or anchorage with wood used in connection with screws or nails is not permitted, except in the case of a Fascia Sign with an area of 3.7 m^2 or less that is attached to a wood wall of a Building.

24.6.5. The following standards apply to Fascia Signs:

24.6.5.1. the total Sign Area of a Sign may not exceed 30% of the Building Façade or 4.0 m^2 per lineal metre of the Elevation upon which the Sign is placed, whichever is greater; or

24.6.5.2. individual letters may not exceed 30% of the Signable area of the Building Façade to which they are applied.

24.6.6. The location, Height and size of Copy Area of Fascia Signs will be to the satisfaction of the Development Authority.

24.7. **Freestanding Signs**

24.7.1. To the Extent Reasonably Feasible, all structural features of a Sign shall be covered to the satisfaction of the Development Authority.

24.7.2. The placement of a 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 Freestanding Sign or any other permitted Sign subject to the required minimum separation distances.

24.7.3. Freestanding Signs may rotate no more than six (6) revolutions per minute.

24.7.4. Only one (1) Freestanding Sign shall be permitted per Site with a Street Frontage of less than 60.0 m.

24.7.5. More than one (1) Freestanding Sign may be permitted on sites with 60.0 m or more of Street Frontage provided that they are placed no closer than 60.0 m apart.

24.7.6. More than one (1) Freestanding Sign may be permitted on double fronting sites, provided that they are placed no closer than 90.0 m apart.

24.7.7. The total Copy Area of all Freestanding Signs shall not exceed 0.3 m² in area for each metre of Street Frontage of the site, to a maximum of 19.0 m² for each Sign.

24.7.8. The maximum Height of a Freestanding Sign shall be 9.0 m.

24.8. **Billboard Signs**

24.8.1. The placement of a 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 Freestanding Sign or any other permitted Sign subject to the required minimum separation distances.

24.8.2. The appearance of a Structure supporting a Billboard Sign shall match the appearance of the City's Street furniture and shall be coloured red.

24.8.3. The maximum period for which a Billboard Sign Development Permit may be issued shall be three (3) years, upon which re-assessment and a new permit approval must be obtained. Should the permit not be re-issued, the owner of the Sign has six (6) months to remove the Sign.

24.8.4. The maximum total Copy Area of a Billboard Sign shall be 19.0 m² and the maximum Sign Height shall be 9.0 m above ground or Sidewalk Grade.

24.8.5. No Projection of any Billboard Sign shall be located within a minimum of 1.5 m of any property lines.

24.8.6. A Billboard Sign shall be located no less than:

24.8.6.1. 100.0 m from any other Billboard Sign;

24.8.6.2. 25.0 m from any Freestanding Sign;

24.8.6.3. 10.0 m from any Building on a Parcel; and

24.8.6.4. 30.0 m from an intersection.

24.8.7. The location of a Billboard Sign on any Parcel shall be to the satisfaction of the Development Authority 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.

24.8.8. Billboard Signs are only permitted in the:

24.8.8.1. area bounded by the rights-of-way of Queen Elizabeth 2 Highway, Airport Road (85 Avenue), 43 Street and 65 Avenue; and

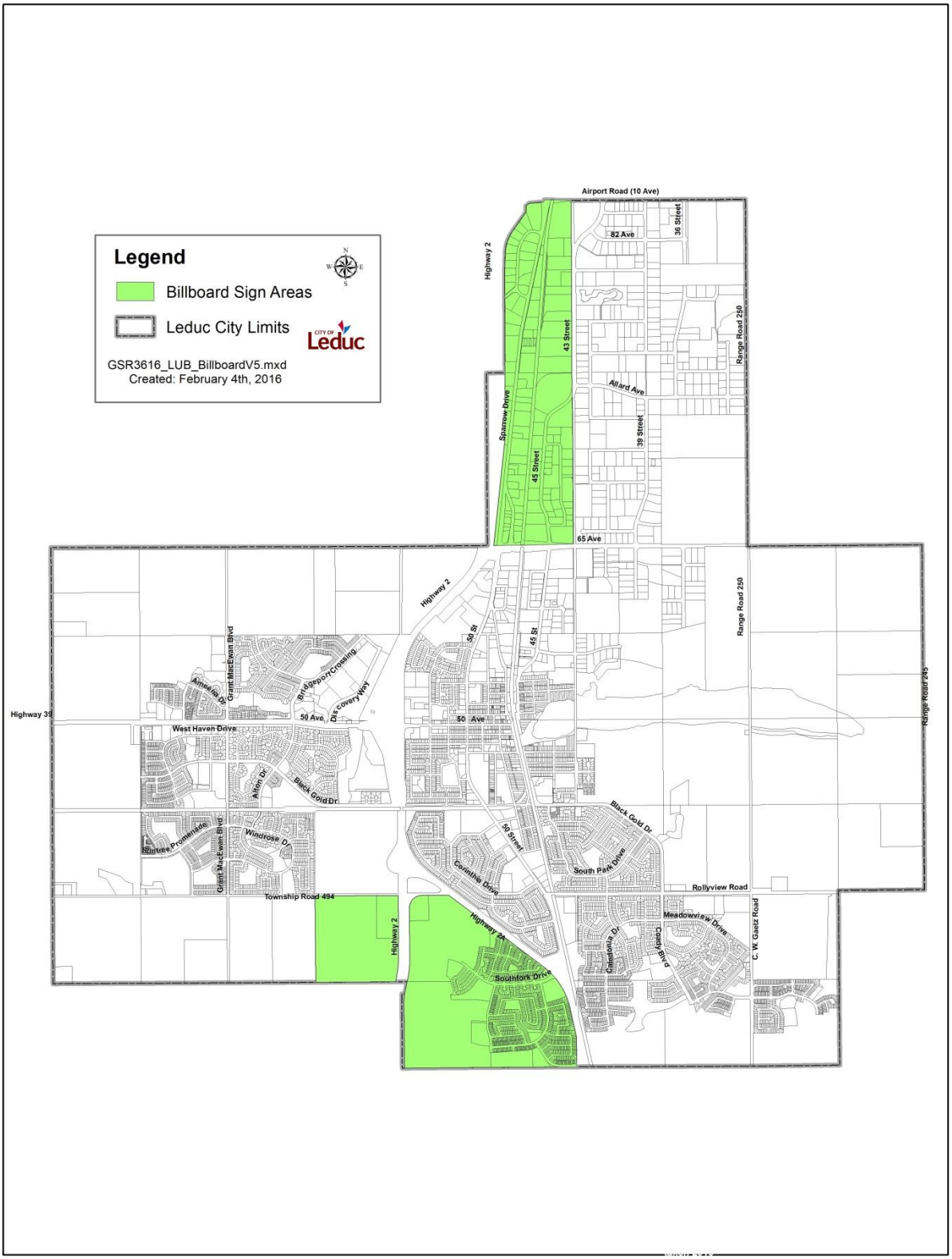
24.8.8.2. area bounded by the rights-of-way of Queen Elizabeth 2 Highway, Highway 2A and the southern City limits.

24.8.9. No Billboard Signs may be located with a focus toward Queen Elizabeth 2 Highway traffic. Any Billboard Sign located near Queen Elizabeth 2 Highway:

24.8.9.1. shall be oriented toward Sparrow Drive, Airport Road (85 Avenue), 65 Avenue or Highway 2A to the satisfaction of the Development Authority; and

24.8.9.2. the Billboard Sign shall be located within 25.0 m from the rights-of-way of Sparrow Drive, Airport Road (85 Avenue), and 65 Avenue or Highway 2A.

Figure 6: Billboard Sign Limits



24.9. **Identification Sign**

24.9.1. Identification Signs:

24.9.1.1. may incorporate Landscaping and finishing materials complementary to the architectural character of the Building and the Subdivision theme at the discretion of the Development Authority;

24.9.1.2. shall have a maximum total Copy Area of 6.0 m² and maximum Sign Height shall be 1.3 m above ground or Sidewalk Grade; and

24.9.1.3. where the Sign is detached from a Building, the top of the Sign shall not be more than 2.0 m above Grade.

24.10. **Projecting Signs**

24.10.1. Only one (1) Projecting Sign shall be permitted per Development except:

24.10.1.1. on Corner Lots where the Signs are located around the Corner from each other; or

24.10.1.2. provided the Projecting Signs are located no less than 90.0 m apart.

24.10.2. No Projecting 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.

24.10.3. A Projecting Sign shall not project further than 2.5 m from the Building façade to which it is attached and shall be Setback a minimum of 0.6 m from the back of the curb of a Public Roadway.

24.10.4. The minimum vertical clearance to the bottom of a Projecting Sign shall be 2.4 m from finished Grade located under the Sign.

24.10.5. 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 Authority.

24.11. **Banner Signs**

24.11.1. A Banner Sign may:

24.11.1.1. deleted;

24.11.1.2. temporarily promote special events;

24.11.1.3. be used to announce the opening of a business; or

24.11.1.4. temporarily be used in place of a Fascia Sign.

24.11.2. A Banner Sign may be erected for a maximum of 30 days three times in a calendar year.

24.11.3. Banner Sigs are limited to one per business provided there is not more than one Banner Sign located on a Building at any one time.

24.11.4. A Banner Sign may have a maximum sign area of 5.0 m².

24.11.5. A Banner Sign must not project above, or be located on, the roof of a Building.

24.11.6. A Banner Sign may be affixed to the wall of a Building or Fence.

24.12. **Roof Signs**

24.12.1. Deleted.

24.12.2. A Roof Signs shall be constructed so that it appears as an architectural feature of the Building and no supporting Structure shall be visible.

24.12.3. A Roof Sign shall be Setback a minimum of 1m from the edge of the Building and no portion of the Sign shall project beyond the exterior walls of the Building upon which such a Sign is located.

24.12.4. Roof Signs located on a Building may not exceed an area in a ratio of 0.19 m² for each linear 0.31 m of the exterior wall comprising the primary business Frontage, or 23.2 m², whichever is less.

24.12.5. Roof Signs shall not exceed the maximum Building Height limit of the Land Use District in which they are proposed to locate, nor 3m above the Height of the Building.

24.13. **Digital Signs**

24.13.1. Digital Signs with a copy area that are between 1.0 m² and 2.3 m² shall be located a minimum of 100.0 m from any other Digital Sign. Signs with a copy area larger than 2.3 m² shall be located a minimum of 200.0 m from any other Digital Sign.

24.13.2. Digital Signs shall be located such that the Sign does not obscure a driver decision point. The Development Authority and Engineering Services shall be satisfied that Copy Area of a Digital Sign:

24.13.2.1. does not physically obstruct the sightlines or view of a traffic control device or traffic control Signal for oncoming vehicle traffic;

24.13.2.2. is not located in the field of view near or past the traffic control device or traffic control Signal in the sightlines of oncoming vehicle traffic;

24.13.2.3. is not located in the field of view near or past other traffic conflict points such as intersections, merge points, exit ramps or curved roadways; and

24.13.2.4. illumination does not compete with or dull the contrast of the traffic control device or traffic control Signal for oncoming vehicle traffic.

24.13.3. Digital Signs shall not face an Adjacent residential use or Natural Conservation area and should be located or constructed such that illumination from the Sign does not project onto any surrounding residential Land Uses or Natural Conservation areas, to the satisfaction of the Development Authority.

24.13.4. Digital Signs shall use automatic light level controls to adjust light levels at night, under cloudy and other darkened conditions to reduce light pollution, in accordance with the following:

24.13.4.1. ambient light monitors shall automatically adjust the brightness level of the Copy Area based on ambient light conditions. Brightness levels shall not exceed 0.3 foot-candles above ambient light conditions when measured from the Sign face at its maximum brightness, between sunset and sunrise;

24.13.4.2. brightness levels of the Sign shall not exceed 400 nits when measured from the Sign face at its maximum brightness, between sunset and sunrise; and

24.13.5. Photovoltaic cells, solar panels or solar collectors and ancillary equipment may be part of the Sign Structure in order to provide electrical power solely to the Copy Area. Photovoltaic cells, solar panels, or solar collectors and ancillary equipment may not extend above the maximum Sign Height.

24.13.6. Digital Copy shall be static and remain in place for a minimum of six (6) seconds before switching to the next Copy.

Added – Bylaw No. 1052-2020, adopted September 14, 2020.

24.14. **Directional Signs**

24.14.1. The maximum duration of display for each Directional Sign location shall be three (3) years.

24.14.2. A Directional Sign can be placed no further than the nearest arterial road to the new Subdivision.

24.14.3. Only one (1) Sign for each directional change is permitted. The distance between Directional Signs located at a Public Roadway intersection will be at the Development Authority's discretion.

24.14.4. No Directional Sign shall be located within 100 m of another developer's Directional Sign.

24.14.5. The maximum area of a Directional Sign shall be 5.94 m^2.

24.14.6. The location and design of all Directional Signs shall be at the Development Authority's discretion.

24.15. **Inflatable Signs**

24.15.1. Inflatable Signs shall be a minimum of 61.0 m apart provided only one sign shall be permitted on any site.

24.15.2. The maximum period for which an Inflatable Sign Development Permit may be issued shall be:

24.15.2.1. ninety (90) consecutive days, after which the Sign must be removed for a minimum of fifteen (15) consecutive days and a new permit approval must be obtained prior to the placement of any new Inflatable Signage.

24.15.3. The maximum Height of an Inflatable Sign shall be:

24.15.3.1. 8.0 m;

24.15.3.2. 5.0 m when the Sign is placed on a roof; or

24.15.3.3. 5.0 m when the Sign is located within 30.0 m of a residential district.

24.15.4. Inflatable Signs shall not be permitted on a Structure with five or more Storeys.

24.15.5. Inflatable Signs shall be securely fastened to the ground or roof Structure and to the satisfaction of the Development Authority.

24.15.6. An Inflatable Sign which is located less than 30.0 m from a residential district shall not be illuminated between the hours of 9:00 p.m. and 8:00 a.m.

24.15.7. Inflatable Signs shall not be located at any location the intent of which is to have the Sign seen from Highway 2, Highway 2A, or a ramp to Highway 2 or Highway 2A.

24.15.8. An Inflatable Sign shall be wholly situated upon the Site that is subject to the advertising displayed on the Sign, and shall not be located within 1.0 m of any property line or curb.

24.16. **Temporary Portable Signs**

24.16.1. The Applicant for a Development Permit for a Temporary Portable Sign shall be

the owner of the site on which the Sign is to be located.

24.16.2. Temporary Portable Signs located on the same site shall be a minimum of 61.0 m apart.

24.16.3. The maximum period for which a Temporary Portable Sign Development Permit may be issued shall be:

24.16.3.1. 3 years, at the discretion of the Development Authority.

Deleted-Replaced – Bylaw No. 1052-2020, adopted September 14, 2020

24.16.3.2. For periods longer than 3 years a new Development Permit approval must be obtained to the expiration of the Development Permit. The permit holder must reapply at least 30 days prior to expiry of the existing permit.

Deleted-Replaced – Bylaw No. 1052-2020, adopted September 14, 2020

24.16.4. The maximum Copy Area of a single Sign Face on a Temporary Portable Sign shall be 5.0 m^2.

24.16.5. The maximum Height of a Temporary Portable Sign shall be 3.0 m.

24.16.6. A Temporary Portable Sign shall not be a Digital Sign excepting the temporary portable Digital Signs sanctioned by the City.

24.16.7. A Temporary Portable Sign shall not be fastened to the ground on a permanent Foundation.

24.16.8. Temporary Portable 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.

24.16.9. Temporary Portable Signs shall not be located at any location the intent of which is to have the Sign seen from Queen Elizabeth 2 Highway, Highway 2A, or a ramp to Queen Elizabeth 2 Highway or Highway 2A.

24.16.10. A Temporary Portable Sign shall not be permitted on or projecting over public property and shall not be located within 1.0 m of any property line or curb.

24.17. **Glossary of Sign Terms and Uses**

Table 46: Glossary of Sign Terms

Signs

Banner Sign

means a sign that is constructed of non-rigid material on which a message is displayed advertising a business, person, matter, thing or event.

Billboard Sign

Means a large panel for outdoor advertising, to be located within a high traffic area as shown in Figure 6: Billboard Sign Limits.

Copy

means the letters, graphics or characters that make up the message on the Sign face.

Changeable Copy

means that portion of a Sign on which Copy can be readily changed either manually through the utilization of attachable characters or script, or electronically in the case of a Digital Sign.

Copy Area

means the total area of the Sign, within one or more rectangles, in which the entire limits of the Copy is enclosed. In the case of a double-face or multi-face Sign, the Copy Area is the average of the total area of all the individual faces of the Sign.

Digital Sign

means a Sign that is remotely changed on or off Site and incorporates a technology or method allowing the Sign to change Copy without having to physically or mechanically replace the Sign face or its components.

Deleted-Replaced – Bylaw No. 1052-2020, adopted September 14, 2020.

Directional Sign

means a Sign that is erected by a developer, often on public land, that is intended to guide or direct pedestrians or motorists to a new Subdivision Development and for new residential Multi-Unit Development.

Fascia Sign

means a Sign painted on or attached to an exterior Building wall, or any other permitted Structure, running parallel to the face of the Building and does not project more than 0.40 m out from the wall or Structure. Typical Signs include painted Signs, banners and wall Signs.

Freestanding Sign

means a Sign supported by one or more columns, uprights or braces and which stands on Grade, independently of a Building. Typical Signs include revolving Signs, pylons Signs and flag Signs.

Identification Sign

means a Sign that identifies a Development by displaying the name and/or municipal address of the Development. This type of Sign contains no advertising.

Inflatable Sign

means a Sign that is displayed on an inflated three-dimensional representation of an object and is anchored to a Building or site.

Menu Board Sign

means a Sign that displays pre-menu or menu related information and their associated prices at a Drive Through Service located on the same Site. This type of Sign may be Digital.

Added – Bylaw No. 1052-2020, adopted September 14, 2020.

Projecting Sign

means a Sign which is affixed to or attached to a Building or other Structure and extends more than 0.40 m beyond the face of the Building or other Structure. Typical Signs include awning and Canopy Signs.

Roof Sign

means a Sign erected upon, against or above a roof, or on top of or above the parapet of a Building. Roof Signs are permanent Signs.

Sign

means an object or device, including its Structure and other component parts, intended for the purpose of advertising or calling attention to any business, person, matter, thing or event.

Sign Area

means the entire area of the Sign on which Copy is intended to be placed.

Sign Face

means a single face of sign in which a Copy is located.

Sign Height

means the total height of the sign from finished grade to the uppermost portion of the sign, including any support structure.

Sign Structure

means any Structure which supports a Sign, including materials used to conceal or improve the visual appearance of the structural parts.

Temporary Portable Sign

means a Sign that can be relocated or removed from a Site and is used for advertising of a limited duration. This includes any Signs that are not attached to a permanent Foundation. Typical uses include portable signs with changeable copy.

PART 8: TERMINOLOGY AND TRANSLATIONS

25.0 Translation

25.1. **Translation of Previous Districts to the Bylaw**

25.1.1. All Parcels zoned DC – Direct Control under Bylaw 516-2002 will remain designated DC – Direct Control in accordance with Table 47: Translation of Previous Districts to this Bylaw.

25.1.2. The Translation of Land Use districts shall be in accordance with the following Table 47: Translation of Previous Districts to this Bylaw. Where a translation does not appear, a new district has been created.

Table 47: Translation of Previous Districts to this Bylaw

BYLAW 516-2002	LAND USE BYLAW
R-1A – Residential Single Detached	RSD – Residential Standard District
R-1B – Residential Single Detached	RSD – Residential Standard District
R-1C – Residential Single Detached	RSD – Residential Standard District
R-1D – Residential Single Detached	RNL – Residential Narrow Lot
R-1E – Residential Single Detached	RNL – Residential Narrow Lot
R-1R– Residential Single Detached Rural	RSE – Residential Single Detached Estate
R-2 – Residential Two Dwelling Units	RSD – Residential Standard District
R-2M(C) - Residential Comprehensively Planned Multi-Dwelling	MUR – Mixed-Use Residential
R-2M(S) – Residential Street Oriented Multi-Dwelling	MUR – Mixed-Use Residential
R-3 – Residential Medium Density	MUN – Mixed-Use Neighbourhood
R-4 – Residential High Density	MUC – Mixed-Use Comprehensive
R-MHC – Manufactured Home Community	RMH – Residential Manufactured Home
C-1 – Commercial Central Business District	CBD – Central Business District
C-2 – Commercial Neighbourhood Retail and Service	MUR – Mixed-Use Residential
C-3 –General Commercial	GC – General Commercial
C-4 – Commercial Shopping Centre	CSC – Commercial Shopping Centre
M-1 –Light Industrial	IL – Light Industrial

BYLAW 516-2002	LAND USE BYLAW
M-2 –Medium Industrial	IM – Medium Industrial
M-C – Cottage Industrial	Deleted
U-S - Utilities Urban Services	US – Urban Services
P-1 – General Recreation	GR – General Recreation
E-RD – Conservation Environmental Restrictive Development	ERD – Environmental Restrictive Development
U-R – Agriculture Urban Reserve	UR – Urban Reserve
DC – Direct Control	DC – Direct Control

26.0 Glossary of Terms and Uses

Table 48: Glossary of Terms and Uses

A

Abutting

means immediately contiguous to or physically touching, and when used with respect to a Lot or site, means that the Lot or Site physically touches upon another lot, site, or piece of land, and shares a property line or boundary line with it.

Accessory Development

means a Building, Structure, or use that is subordinate to, incidental to and located on the same Site as the Principal Building or Use; including Outdoor Storage. Where a Structure is attached to a Principal Building on a Site by a roof, an open or enclosed Structure, a floor or Foundation, or any Structure below Grade allowing access between the Building and the Structure, it is considered part of the principal Building.

Act

means the *Municipal Government Act*, R.S.A. 2000, c. M-26, as amended.

Adjacent

means contiguous or would be contiguous if not for a river, stream, railway, road, Utility right-of-way, Utility lot, or Reserve Land.

Administrative Review

means the review of an application by the Development Authority in accordance with Sections 4.0, 8.0, 9.0 or 10.0.

Adult Entertainment Facility

means any premises or part thereof in which products or services are provided which are of a sexual intent and shows or displays nudity or partial nudity involving exposure of human breasts below a point immediately above the top of the areola, the genitals and/or the buttocks in a sexually explicit or suggestive manner. These uses include, but are not limited to:

(a) Adult mini-theatres, which are any premises wherein live performances, motion pictures, video tapes, digital video disk, slides or similar electronic or photographic reproductions are performed or shown as a Principal Use or accessory to some other business activity which is conducted on the premises;
(b) Erotic dance clubs, which are any premises, other than adult mini-theatres, wherein live performances are performed or shown as a Principal Use or as an accessory to some other business activity which is conducted on the premises;
(c) Adult video stores which are businesses where greater than 30% of the Floor Area is used to sell, rent, lease or loan "X" rated adult video tapes, digital video disks or other similar electronic or photographic reproductions;
(d) Love boutiques/shops which are retail or wholesale businesses where greater than 30% of the Floor Area is used for the display and sale of merchandise and/or products intended to be used for sexual pleasure; and
(e) Services of which a principal feature or characteristic is the nudity or partial nudity of any person.

Agriculture

means an agricultural activity conducted on agricultural land for gain or reward or in the hope or expectation of gain or reward, and includes:

(a) the cultivation of land,
(b) the raising of livestock, including domestic cervids within the meaning of the *Livestock Industry Diversification Act* and poultry,
(c) the raising of fur-bearing animals, game birds or fish,
(d) the production of agricultural field crops,
(e) the production of fruit, vegetables, sod, trees, shrubs and other specialty horticultural crops,
(f) the production of eggs and milk,
(g) the production of honey,
(h) the operation of agricultural machinery and equipment, including irrigation pumps,
(i) the application of fertilizers, insecticides, pesticides, fungicides and herbicides, including application by ground and aerial spraying, for agricultural purposes,
(j) the collection, transportation, storage, application, use, transfer and disposal of manure, composting materials and compost, and the abandonment and reclamation of confined feeding operations and manure storage facilities.

Agriculture does not include Cannabis Production and Distribution.

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 and Mixed Use Districts.

Airport

means Edmonton International Airport, in the Province of Alberta.

Airport Operator

means the Edmonton Regional Airports Authority established as a corporation under the Regional Airports Authorities Act, or a successor to that corporation.

Airport Vicinity Protection Area

means the Edmonton International Airport Vicinity Protection Area established under the AR/55/2006.

Amenity Area

means:

(a) in a residential Development, an indoor and/or outdoor space provided for the active or passive recreation and enjoyment of the occupants of a residential Development, which may be for private or communal use and owned individually or in common.
(b) With respect to non-residential Development, space provided for the active or passive recreation and enjoyment of the public, during the hours which the Development is open to the public, which shall be owned and maintained by the owners of the Development.

Applicant

means the landowner, or an agent, person, firm or company acting on the landowner's behalf or authorized by the land owner to apply for a Development Permit, Building permit, Subdivision, or Land Use Bylaw amendment.

Assisted Living Facility

means accommodation with flexible 24 hour on-site personal care with scheduled access to professional services. Residents receive room and board services; light housekeeping services; 24 hour availability of assistance with personal care and social and recreational support. Professional services include 24 hour Licenced Practical Nurse, Registered Nurse on-call and intermittent scheduled services provided. Settings are therapeutically designed to offer comfort and safety to clients who are fearful, who may be at risk for wandering and who need more structure and stimulation. Individual Residential Units are contained within a larger residence and may contain up to two beds and living area space.

Assisted Living Facility (Limited)

means accommodation with moderate care provisions for residents in a congregate setting. Residents do not require continuous access to professional services or on-site professional services. Room and board services, light housekeeping services, 24 hour availability of assistance and on-site personal care and social and recreational support may be provided. Individual Dwelling Units may contain one or more bedrooms, living area space and cooking facilities.

Auctioneering Facility

means a Development intended for the auctioning of goods and equipment, including the temporary storage of such goods and equipment for a period that does not exceed 30 days, but does not include Farmers/Flea Markets or Secondhand Retail Stores.

Auditorium

means a Building or part of a Building dedicated for performance based entertainment, such as live theatre or concerts, or for public gatherings.

B

Balcony

means a platform, attached to and projecting from the face of a Building with or without a supporting Structure above the first Storey, normally surrounded by a balustrade or railing and used as an outdoor Porch or sundeck where the only means of access is provided from within the Building.

Bars and Neighbourhood Pubs

means Development where the primary purpose of the facility is the sale of alcoholic beverages to the public, for consumption within the premises or off the site. This Land Use typically has a limited menu and minors are prohibited from patronizing the establishment during at least some portion of the hours of operation. Typical uses include neighbourhood pubs, bars, dance clubs, beverage rooms, and cocktail lounges. This use may include a secondary use for small scale production of beer, wine, spirits, or other alcoholic beverages, with on-site tasting and may include ancillary retail sales of the beverages.

Basement

means that portion of a Building that is located wholly or partially below Grade, the ceiling of which does not extend more than 1.8 m above finished Grade.

Bed and Breakfast

means the use of a Dwelling where temporary accommodation is provided to the public for remuneration, for up to 14 days within four (4) or fewer guest rooms, with or without meals.

Blank Wall

means an exterior Building wall with no openings and a single material and uniform texture on a single plane.

Block

means a unit of land bounded by streets or by a combination of streets and public lands, railroad right-of-way, waterways or any barrier to the continuity of Development, but shall not include in the calculation of the Block size measurement the barriers creating the boundary.

Boarding Facility

means a Development consisting of a Single Detached dwelling where the owner lives and supplies lodging and sleeping accommodation, with or without meals, for remuneration to no less than two and no more than six un-related persons. A Boarding Facility does not include a Group Home.

Building

means 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, as defined in the Act, as amended.

Building Mass

means the three-dimensional bulk of a Building: Height, width and depth.

Building Separation

means the minimum distance between two Buildings on adjoining Parcels of Land as specified under the *Alberta Safety Codes Act*, as amended.

Business Support Service

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.

C

Campground

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.

Cannabis

means a Cannabis plant and any part of a Cannabis plant, including the phytocannabinoids produced by, or found in, such a plant, regardless of whether that part has been processed or not, any substance or mixture of substances that contains or has on it any part of such a plant and any substance that is identical to any phytocannabinoid produced by, or found in, such a plant, regardless of how the substance was obtained but does not include a non-viable seed of a Cannabis plant, a mature stalk, without any leaf, flower, seed or branch of such a plant, fibre derived from such a stalk and the root or any part of the root of such a plant.

Cannabis Accessory

(a) means a thing, including rolling papers or wraps, holders, pipes, water pipes, bongs and vaporizers, that is represented to be used in the consumption of Cannabis or a thing that is represented to be used in the production of Cannabis; or

(b) for the purposes of this definition a thing is deemed to be represented to be used in the consumption or production of Cannabis if the thing is sold at the same point of sale as Cannabis.

Cannabis Counselling

means a use where counselling on Cannabis is provided by a person or group of persons who are not medical professionals, and whereas no sales or consumption of Cannabis is permitted at the premise where the activity is conducted.

Cannabis Plant

means a plant that belongs to the genus *Cannabis.*

Cannabis Production and Distribution

means a Development operated by a person who holds a licence under the federal Act that authorizes the person to produce Cannabis. Typical activities would include the production, cultivation, processing, making, testing, manufacturing, packaging, storing, and transshipping of Cannabis in conformity with all federal and provincial Acts.

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.

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.

Cemetery

means Development of a Parcel of Land primarily as landscaped open space for the entombment of the deceased, and may include the following Accessory Developments: cinerariums, columbariums and mausoleums. Typical uses include memorial parks, burial grounds and gardens of remembrance.

Change of Use

means the act of changing the use occupying a Building or Parcel of Land to a different use. A change occurs whenever:

the occupant of a single-tenant Building or Parcel changes the use to a different use;
the occupant of a tenant space in a multi-tenant Building changes to a use not currently existing in another tenant space of the Building or a use that did not previously exist in the Building within the last twelve (12) months;
the use previously existing in a Building or Parcel but has been Discontinued for a period of twelve (12) months; or
a different use that did not previously exist on the property is proposed**.**

Chattel

means a moveable item of personal property.

Chief Administrative Officer

means a person appointed to a position under Section 205 of the Act, as amended.

Cinema

means a Building or part of a Building dedicated to showing motion pictures to patrons in a permanent designated sitting area.

City

means the Municipal Authority of the City of Leduc, in the Province of Alberta

Commercial School

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 dance 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 and does not include Cannabis Production and Distribution.

Compatibility

means the characteristics of different uses or activities or designs which allow them to be located near or Adjacent to each other in harmony. Some elements affecting Compatibility include Height, scale, mass and bulk of Buildings and Structures. Other characteristics include pedestrian or vehicular traffic, circulation, access and parking impacts. Other important characteristics that affect Compatibility are Landscaping, lighting, noise, odor and architecture. Compatibility does not mean "the same as". Rather, Compatibility refers to the sensitivity of Development proposals in maintaining the character of existing Development.

Community Service Facility

means a Development for use by the public or public groups for cultural or community activities. Typical uses include museums, libraries, YMCA/YWCA, tourist information/ interpretive centres and multi-purpose facilities and public clubs.

Condominium

means a Building or Lot containing bare land units or other units and shared areas, as defined in the *Condominium Property Act*.

Container, Shipping Container or Sea Can

means an accessory sealed unit used for the land and sea transport of goods and materials, which may also be used for storage.

Construction Debris Management Plan

means a plan prepared by the Developer, in accordance with the terms of reference prepared by the City, 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.

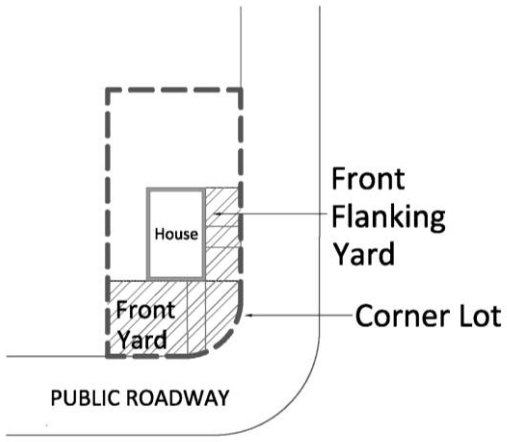
Contractor Service

means Development used for the provision of Building construction, Landscaping, concrete and electrical, Excavation, drilling, heating, plumbing, paving, road construction, sewer or similar services of a construction nature which require on-site storage space for materials, construction equipment or vehicles normally associated with general contracted services. All materials are kept within an enclosed Building, and there are no accessory manufacturing activities. Any sales, display, office or technical support services are accessory to the principal Contractor Services and are regulated in accordance with the purpose statement and regulations of the district where the Development is located.

Corner

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

Corner Lot



CORNER LOT

means a Lot located at the intersection of two Public Roads, other than a Lane.

Council

means the Council of the Municipality of the City of Leduc, as defined in the Act, as amended.

Crematorium

means a Development fitted with equipment for the purpose of the cremation of human remains and may include associated facilities for the preparation of the dead human body for internment or cremation.

Curb Cock

means a shut-off valve connected to a Service Connection enabling shutting off water supply to a Customer's Property.

Curb Cut

means the lowering of a curb, Sidewalk or boulevard to provide vehicular access to a Parcel.

Custom Manufacturing Establishment

means Development used for small scale on-site production of goods by hand manufacturing, primarily involving the use of hand tools and provided such Developments have fewer than five production Employees. Typical Uses include jewelry, toy and musical instrument manufacturing, gunsmiths, pottery and sculpture studios. The Development may include a retail component for the purpose of onsite sales and the good produced on site.

Deleted-Replaced – Bylaw No. 1052-2020, adopted September 14, 2020.

D

Dangerous or Hazardous Goods

a product, substance or organism listed in the *Dangerous Goods Transportation and Handling Act* and by the Major Industrial Accidents Council of Canada (MIACC), as amended.

Day Care Facility

means a Development licenced by the Province to provide personal care, maintenance, supervision or education, without overnight accommodation, for seven or more children under the age of 15 years at one time. This includes daycare centres, nurseries, kindergartens, nursery schools, play schools and other similar uses but does not include an institution operated by or under the authority of the Director of Child Welfare.

Day Care Facility (Limited)

means an accessory use that may be licenced by the Province to provide personal care, maintenance, supervision or education, without overnight accommodation, for up to six children under the age of 15 years at one time.

Deck

means an uncovered platform that is raised more than 0.6 m and measured from finished Grade to top of the Deck surface.

Density

means the overall average number of Dwelling Units located on the net residential hectares (as applicable) contained within the Development and calculated on a per-hectare basis.

Designated Officer

means the Development officer, Bylaw enforcement officer, or any other official appointed by Council to enforce the provisions of this Bylaw.

Design Plan

means a plan that describes how a parcel of land is to be developed and its compatibility with the surrounding area. A Design Plan illustrates the surrounding context which includes information such as existing and proposed land uses (with building form and building height), natural or manmade constraints, the roadway network and the pedestrian circulation. A Design Plan is required to accompany a Development Permit Application for Developments within a Mixed-Use Land Use District, Residential Multi-Unit and Condominium Developments.

Developer

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

Development

means:

(a) an Excavation or stockpile and the creation of either of them;
(b) a Building or an addition to or replacement or repair of a Building and the construction or placing of any of them in, on, over or under land;
(c) a Change of Use of land or a Building or an act done in relation to land or a Building that results in, or is likely to result in, a change in the use of the land or Building;
(d) a change in intensity of use of land or a Building or an act done in relation to land or a Building that results in or is likely to result in a change in the intensity of use of the land or Building;
(e) as defined in the Act, as amended.

Development Authority

means a Development Authority established pursuant to the Act, as amended.

Development Footprint

means the land area covered by Buildings, streets, parking areas and other typically impermeable surfaces.

Development Permit

means a document that is issued under a Land Use bylaw and authorizes a Development, as defined in the Act, as amended.

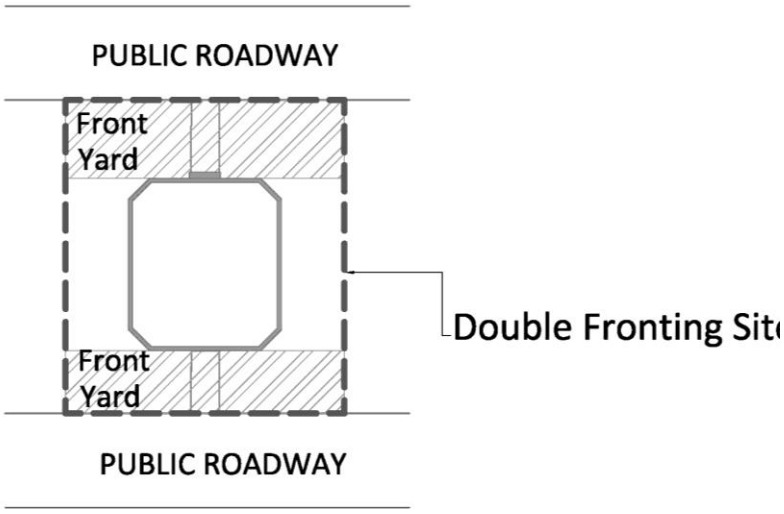
Discontinued

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

Discretionary Use

means those uses of land, Buildings or Structures for which permits may be issued by the Development Authority, if the Development meets all applicable regulations.

Double Fronting Site



means a 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, which are parallel or nearly parallel where Abutting the site.

DOUBLE FRONTING SITE

Drive Through Service

means an accessory use that provides rapid customer services to patrons in a Motor Vehicle and may have outdoor speakers provided. This Land Use includes, but is not limited to, drive-through financial institutions, drive-in / through food services and similar Developments providing drive-in services in which patrons generally remain within their vehicles.

Driveway

means a private area that provides vehicle access from an individual Lot or Site to a Public Road.

Dwelling or Dwelling Unit

means a Building or a portion of a Building containing one or more Habitable Rooms that constitute a self-contained living accommodation unit having sleeping and sanitary facilities and is intended as a permanent residence for one Household and up to either two lodgers, roomers or boarders.

Dwelling, Apartment

means a Building, or part there-of, other than Townhouse Dwelling, containing three or more Dwelling Units arranged in any horizontal or vertical configuration and which have a shared entrance facility through a common vestibule.

Dwelling, Duplex Side-By-Side

means a Building containing only two principal Dwelling Units side by side, each with individual and separate entrances, but does not include a Single Detached Dwelling or Secondary Suite Dwelling. Each Dwelling is separate from the adjoining Dwelling by a vertical Party Wall which is insulated against sound transmission.

Dwelling, Duplex Stacked

means a Building, divided into two individual Dwelling Units, with each Dwelling having a separate direct access to Grade. This type of Development is to be designed and constructed as two Dwellings at the time of initial construction of the Building. This Land Use does not include Secondary Suite Dwelling.

Dwelling, Fourplex

means a Building, divided either horizontally or vertically into four individual Dwelling Units, with each Dwelling having a separate direct access to Grade. This type of Development is to be designed and constructed as four Dwellings at the time of initial construction of the Building.

Dwelling, Garage Suite

means a Dwelling located above a detached Garage, or a one to two-Storey Dwelling attached to the side or rear of a detached Garage. A Garage Suite Dwelling is accessory to a Building in which the Principal Use is Single Detached Dwelling or a Duplex Side-By-Side Dwelling. A Garage Suite Dwelling has cooking facilities, sleeping facilities and sanitary facilities which are separate from those of the principal Dwelling within the Structure. For the purpose of this clause, "cooking facilities" includes any stove, hotplate, oven, microwave oven, toaster oven or electric griddle, as well as any wiring or piping containing the energy or power source for such facilities. A Garage Suite Dwelling has an entrance separate from the vehicle entrance to the detached Garage, either from a common indoor landing or directly from the exterior of the Structure. This Land Use does not include Secondary Suite Dwelling or Garden Suite Dwelling.

Dwelling, Garden Suite

means a single-Storey Dwelling, which is located in a Building separate from the Principal Use which is Single Detached Dwelling. A Garden Suite Dwelling has cooking facilities, sleeping facilities and sanitary facilities which are separate from those of the principal Dwelling located on the site. 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.This Land Use does not include Secondary Suite Dwelling or Garage Suite Dwelling.

Dwelling, Secondary Suite

means Development consisting of a Dwelling located within, and accessory to, a Structure in which the Principal Use is Single Detached Dwelling. A Secondary Suite Dwelling has cooking facilities, sleeping facilities and sanitary facilities which are separate from those of the principal Dwelling within the Structure. For the purpose of this clause, "cooking facilities" includes any stove, hotplate, oven, microwave oven, toaster oven or electric griddle, as well as any wiring or piping containing the energy or power source for such facilities. A Secondary Suite Dwelling also has an entrance separate from the entrance to the principal Dwelling, either from a common indoor landing or directly from the exterior of the Structure. A Secondary Suite Dwelling shall not be subject to separation from the principal Dwelling through a Condominium conversion or Subdivision. This Land Use includes the Development or conversion of existing Basement space or above Grade space to a separate Dwelling. This Land Use does not include Duplex Stacked Dwelling, Duplex Side-By-Side Dwelling, Townhouse Dwelling, Fourplex Dwelling, Triplex Dwelling, Apartment Dwelling, Garage Suite Dwelling, Garden Suite Dwelling, or Boarding Facility.

Dwelling, Single Detached

means a Building containing one Dwelling Unit but does not include a Manufactured Home.

Dwelling, Townhouse

means a Building containing three to six Dwelling Units each with a direct access from the finished Grade. Each Dwelling is separate from the adjoining Dwelling by a vertical Party Wall which is insulated against sound transmission.

Dwelling, Triplex

means a Building, divided either horizontally or vertically into three individual Dwelling Units, with each Dwelling having a separate direct access to Grade. This type of Development is to be designed and constructed as three Dwellings at the time of initial construction of the Building.

E

Easement

means an Easement, interest or right held by a Municipality for the purpose of locating the system or works of a municipal public Utility, as defined in the Act, as amended.

Eating and Drinking Establishment

means Development where the primary purpose of the facility is the sale of prepared foods and beverages to the public, for consumption within the premises or off the site. Minors are never prohibited from any portion of the establishment at any time during the hours of operation. This Land Use typically has a varied menu, with a fully equipped kitchen and preparation area, and includes fast food and family restaurants. This use may include a secondary use for small scale production of beer, wine, spirits, or other alcoholic beverages, with on-site tasting and may include ancillary retail sales of the beverages. This Land Use does not include Bars and Neighbourhood Pubs.

Eating and Drinking Establishment (Limited)

means Development where limited types of prepared foods and beverages, excluding alcoholic beverages, are offered for sale to the public, for consumption within the premises or off the Site. This Land Use typically relies primarily on walk-in clientele, and includes coffee, donut, bagel or sandwich shops, ice cream parlours and dessert shops.

Education (Private)

means a Development for instruction and education which is not permitted to be located on publically owned land and which may or may not offer courses of study equivalent to those offered in a public school or private instruction. This Land Use includes dormitory and Accessory Developments. It does not include Commercial Schools or Home Occupation.

Education (Public)

means a Development that can be located on publically owned land and is for education, training or instruction purposes, and includes dormitories and the administration offices required for the provision of such services on the same site. Typical uses include but are not limited to public and separate schools, community colleges, universities, and technical and vocational schools. This Land Use does not include Education (Private) Developments and Commercial Schools.

Elevation

means a drawing made in Projection on a vertical plane to show a Building face.

Emergency Response Service

means a use where police, fire and publicly operated emergency medical services are provided.

Employees

means the total number of persons reasonably anticipated to be employed in a Building or on a Parcel of Land during normal periods of use.

Encourage

means to support or promote.

Entertainment Facility, Indoor

means an indoor Development in which the public participates in and/ or views an activity for entertainment or social purposes. This includes the sale of food and beverages to the patrons and may be licenced by the Province of Alberta for the on-site consumption of alcohol. Without limiting the generality of the foregoing, this Land Use includes facilities for dinner theatres; theatrical, musical or dance performances; amusement arcades; billiard/pool halls; bingo halls; indoor miniature golf establishment; indoor arts event; indoor exhibition; indoor animals, vegetation or museum exhibit; indoor presentation of exhibits or animal acts; and Cinemas when combined with any other entertainment facility use. This Land Use does not include Adult Entertainment Facility, Casino or Late Night Club.

Entertainment Facility, Outdoor

means an outdoor Development in which the public participates in and/ or views an activity for entertainment or social purposes. This includes the sale of food and beverages to the patrons and may be licenced by the Province of Alberta for the on-site consumption of alcohol. Without limiting the generality of the foregoing, this Land Use includes outdoor theatrical, musical or dance performances; drive in theatres; amusement parks; go-cart tracks; outdoor miniature golf establishments; outdoor arts events and exhibition; animals or vegetation exhibit; exhibits or animal acts. This Land Use does not include Late Night Club.

Equipment Rental

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 for a use in which a Development Permit has been issued, common ground care or agricultural cultivation.

Extent Reasonably Feasible

means that, under the circumstances, reasonable efforts have been undertaken to comply with the regulation, but that the costs of compliance clearly outweigh the potential benefits to the public or would unreasonably burden the proposed project, and reasonable steps have been undertaken to minimize any potential harm or adverse impacts resulting from noncompliance with the regulation.

F

Façade

means the exterior outward face of a Building. Typically, the façade of interest is that surface that serves as the front of that Building and faces a Building's primary street. Buildings on the Corner of two streets present two public façades.

Farmers/Flea Market

means a Development used for the sale of new or used goods and food products by multiple vendors renting tables and space either in or out of an enclosed Building. Vendors may vary from day to day, although the general layout of space to be rented remains the same. Such operations are usually of a seasonal nature.

Fence

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

Fireplace

means an accessory Structure designed to contain a fire for heating by burning biomass fuels such as natural gas, cordwood, chips, sawdust, peat logs, pelletized fuel and kernel corn but does not include coal. Fireplaces may be factory-built, designed for installation in the wall, site-built or free-standing.

Flood Plain

means the area of land along a river, stream or creek that is potentially at risk of flooding from time to time, based on a 1:100 year event as established by the City and/or the Province of Alberta.

Floor Area

means the sum of the areas of all above Grade floors of a Building measured to the glass line, or where there is no glass line, to the outside surface of the exterior walls, or where Buildings are separated by firewalls, to the centre line of the common firewalls, and includes all mechanical equipment areas and all open areas inside a Building that do not contain a floor including atriums, elevator shafts, stairwells, Basements, attached Garages, sheds, open Porches, breezeways and similar areas.

Floor Area Ratio (FAR)

means the numerical value obtained by dividing the Floor Area of all Buildings on a site, excluding parking Structures, by the total area of the site.

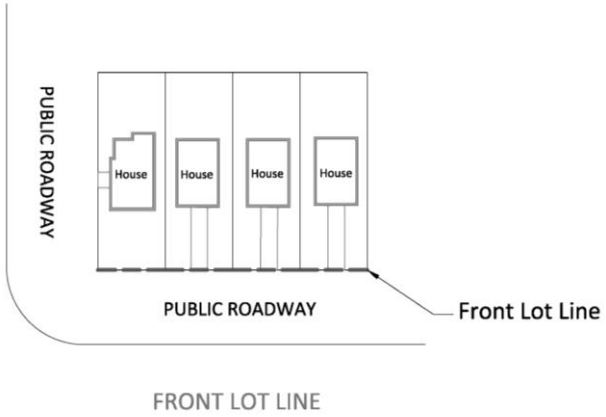
Foundation

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.

Frontage

means the length of a Street boundary measured along the Front Lot Lines of a site. On Double Fronting Sites all sides of a Site Adjacent to streets shall be considered Frontage.

Front Lot Line



means the property line separating a Lot from an Abutting Public Roadway other than a Lane. In the case of a Corner Lot, all property lines Abutting a Public Roadway, other than a Lane, are considered Front Lot Lines.

Funeral Home

means a Development used for the preparation of the dead for burial or cremation, and the holding of funeral services. This Land Use does not include Crematorium.

G

Gaming Establishment

means a Development used for the provision of facilities for patrons to participate in gaming opportunities including, but not limited to, billiards, bowling and arcades. Gaming Establishments do not include Casinos.

Garage

means an Accessory Development or part of the principal Building, designed and used primarily for the storage of Motor Vehicles and includes a carport.

General Industrial (Light)

means industrial business uses that conduct their operations such that no significant adverse effects or nuisance factors such as noise, effluent, odour or emission is created or apparent outside an enclosed building or beyond the site that would make the use incompatible with adjacent non-industrial uses. These uses are low risk prone activities, with no Dangerous Goods above minimum acceptable thresholds. This Land Use category may include, but is not limited to, the following:

(a) processing of raw or finished materials;

(b) transhipment of goods;

(c) manufacturing or assembly of goods, products or equipment;

(d) cleaning, servicing, repairing or testing of materials, goods and equipment normally associated with industrial or commercial business or those associated with personal or household use, where such operations have impacts that would typically make them incompatible in non-industrial districts;

(e) research and development uses and laboratory facilities;

(f) the training of personnel in general industrial operations;

(g) these uses may include any indoor display, office, technical or administrative support areas or any sales operation accessory to the General Industrial (Light) businesses.

Pipe storage yards and Cannabis Production and Distribution are both excluded from this use class.

General Industrial (Medium)

means industrial logistics or industrial manufacturing, including activities involved in storage, transportation, distribution, wholesaling, manufacturing and servicing of industrial goods or equipment, which do not, in the opinion of the Development Authority, emit a significant level of noise, smoke, dust, odour, vibration or other nuisance factor beyond the Medium Industrial District boundary. Where these uses include on-site Dangerous and Hazardous Goods, a Dangerous Goods Impact Assessment (DGIA) will be required identifying the estimated risks using the Major Industrial Accidents Counsel of Canada (MIACC) Version 1 methodology (The MIACC's Acceptability Criteria). These uses may include any indoor display, office, technical or administrative support areas or any sales operation accessory to the General Industrial (Medium) businesses.

Cannabis Production and Distribution is excluded from this use class.

General Industrial (Special)

means industrial operations similar to those classified as General Industrial (Medium) uses, but which include moderate risk activities with Dangerous and Hazardous Goods. A Dangerous Goods Impact Assessment (DGIA) must be completed identifying the estimated risks using the Major Industrial Accidents Counsel of Canada (MIACC) Version 1 methodology (The MIACC's Acceptability Criteria). The uses must demonstrate that there is no more than a 10 in 1,000,000 risk fatality within a 160 meter diameter radius from the dangerous goods/products on site. These uses may include any indoor display, office, technical or administrative support areas or any sales operation accessory to the General Industrial (Special) businesses.

Cannabis Production and Distribution is excluded from this use class.

General Industrial (Heavy)

means a manufacturing, storage, transhipment or processing activity that requires access to transportation facilities capable of handling bulk materials or commodities; has large land requirements for storage, outdoor service, assembly, processing or fabricating operations; and by the nature of the operation may have significant offsite effects such as noise, vibration, light, dust, odour, humidity, smoke, fumes or heavy truck traffic that requires separation from other developments in the opinion of the Development Authority, or that handles Dangerous Goods above maximum acceptable thresholds, or includes uses without acceptable results and mitigation of risk from a Dangerous Goods Impact Assessment (DGIA) identifying the estimated risks using the Major Industrial Accidents Counsel of Canada (MIACC) Version 1 methodology (The MIACC's Acceptability Criteria). These uses may include any indoor display, office, technical or administrative support areas or any sales operation accessory to the General Industrial (Heavy) businesses.

Government Service

means a Development providing Crown Corporation, or municipal, provincial or federal Government Services directly to the public. Typical uses include, but are not limited to, taxation offices, courthouses, postal stations, manpower and employment offices, and social service offices, which result in a significant client visitation. It does not include Emergency Response Service, Detention and Correctional Services.

Deleted-Replaced – Bylaw No. 1023-2019, adopted May 13, 2019

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.

Greenhouse

means a Development for the growing, acclimating, propagating, harvesting, displaying and selling of bedding, edible, Household and ornamental plants and may include accessory uses related to the storing, displaying and selling of gardening, nursery and related products. Cannabis Production and Distribution and Retail Store (Cannabis) are both excluded from this use class.

Gross Vehicle Weight (GVW)

means the total weight of a vehicle, including its maximum allowable load.

Group Home

means Development consisting of the use of a Building as a facility which is recognized, authorized, licenced or certified by a public authority intended to provide room and board for six (6) residents or less, excluding staff, for foster children, disabled persons or for persons with physical, mental, social or behavioural problems, and which may be for the personal rehabilitation of its residents either through self-help or professional care, guidance and supervision. The residential character of the Development shall be primary with the occupants living together as a single housekeeping group and using cooking facilities shared in common. The Land Use does not include treatment facilities such as detoxification centres.

H

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.

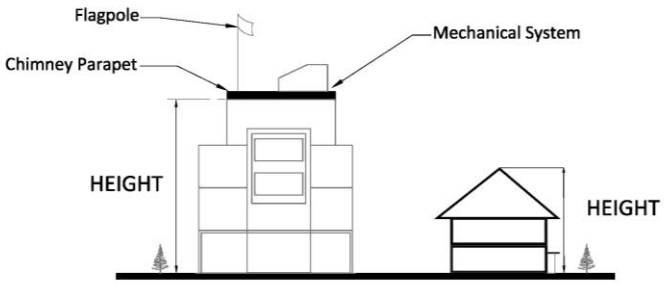
Hard Surfacing

means asphalt, concrete, paving stone or similar material that is used in the construction of a Driveway or parking area. Gravel is not considered Hard Surfacing.

Health Service

means a Building or part of a Building used for the medical, dental, surgical or therapeutical treatment of human beings, but does not include a public or private Hospital or a professional office of a doctor located in his residence. Typical uses include a clinic.

Height



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.

Highway

means a provincial Highway under the *Highways Development and Protection Act*, as defined in the Act, as amended.

Home Occupation

means a secondary use to the residential use of a Dwelling for the purpose of a business which:

(a) is operated by a principal resident of the Dwelling;
(b) may have business associated visits to the residence to a maximum of fifteen (15) per week;
(c) may have a non-resident person employed in the Dwelling;
(d) is not detectable from outside the Dwelling;
(e) may have some business activities extend to the Garage and/or an Accessory Development;
(f) may have some storage related to the business located inside the Dwelling, Garage and/or an Accessory Development;
(g) may have a business-related vehicle; and
(h) does not use any outside Yard for storage or any type of business activity.

Cannabis Counselling and Retail Store (Cannabis) are both excluded from this use class.

Home Office

means a secondary use located within a Dwelling for the purpose of a business which:

(a) is operated by a principal resident of the Dwelling;
(b) does not require business associated visits;
(c) does not require any non-resident persons employed within the Dwelling;
(d) is not detectable from outside the Dwelling;
(e) does not extend the business activity to the Garage or outside yard; and
(f) does not require parking of business-related vehicle.

Cannabis Counselling and Retail Store (Cannabis) are both excluded from this use class.

Hospital

means an institutional Development used to provide in-patient and out-patient health care to the public. Typical Developments include a community health centre and a full service Hospital.

Hotel

means a Development used for the provision of rooms or suites for temporary sleeping accommodation where the rooms have access from a common interior corridor and may be equipped with individual kitchen facilities, and may include accessory Eating and Drinking Establishments, meeting rooms, Personal Service and Retail Stores. A Hotel may not be the principal residence of anyone staying at the Hotel.

Deleted-Replaced – Bylaw No. 1052-2020, adopted September 14, 2020.

Household

means a person or group of persons who occupy the same Dwelling and do not have a usual place of residence elsewhere. A Household may consist of a census family, a family group which may include two or more related census families, a group of no more than five (5) persons who are unrelated, or a person living alone.

K

Kennel

means a Development for the purpose of boarding small animals normally considered as Household pets for periods of greater than 24 hours and includes outside enclosures, pens, runs or exercise

areas. This Land Use may also include training, grooming, impounding/quarantining facilities, animal shelters and retail sales of associated products.

L

Landscaping

means the preservation or modification of the Natural Features of a Site through the placement or addition of any or a combination of the following:

(a) soft Landscaping elements such as trees, shrubs, plants, lawns and ornamental plantings;
(b) hard surfacing elements such as bricks, pavers, shale, crushed rock, concrete, asphalt, or other suitable materials in the form of Patios, Walkways, Driveways, and paths;
(c) architectural elements such as fencing, walls and sculpture; and
(d) grading.

Land Use

means the purpose or activity for which a piece of land or its Buildings are designed, arranged, developed or intended, or for which it is occupied or maintained.

Lane

means a narrow Highway intended chiefly to give access to the rear of Buildings and Parcels of Land, also known as an alley as defined by the *Traffic Safety Act, RSA 2000, c T-6,* as amended.

Late Night Club

means any premises or part thereof, the primary purpose of which is to host regular dances, entertainment performances or other events where:

(a) no alcohol, alcoholic beverages, or Cannabis are available on the premises for consumption or sale;
(b) 20 or more patrons are assembled at any time between 2:00 A.M. and 6:00 A.M.;
(c) the events are held for the purpose of gain or profit;
(d) tickets are sold or an entrance or attendance fee is charged for persons to attend; and
(e) music, noise or sound of any kind or source is emitted, including, but not limited to the performing or playing of live music, amplified recorded or computer generated sounds.

Light Business Facility

means a business use that conducts operations such that no nuisance factor is created or apparent outside an enclosed Building that would make the use incompatible with Adjacent uses. These uses are generally low risk prone activities.

Live Work Unit

means a business operated from a Dwelling by the principal resident of the Dwelling, where:

(a) the business does not exceed 50 per cent of the gross Floor Area of the Dwelling;
(b) the business is limited to:
    i. Day Care Facility;
    ii. Personal Service;
    iii. Professional, Financial and Office Service;
    iv. Custom Manufacturing Establishment;
    v. Health Service; or

vi. Education (Private):

(c) And the associated Dwelling does not contain a Home Office or a Home Occupation.

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) a quarter section;
(b) a river Lot shown on an official plan, as defined in the *Surveys Act*, that is filed or lodged in a Land Titles Office;
(c) a settlement Lot shown on an official plan, as defined in the *Surveys Act*, that is filed in a Land Titles Office;
(d) a part of a Parcel of Land described in a certificate of title if the boundaries of the part are described in the certificate of title other than by reference to a legal Subdivision; or
(e) a part of a Parcel of Land described in a certificate of title if the boundaries of the part are described in a certificate of title by reference to a Plan of Subdivision

As defined in the Act, as amended.

M

Manufactured Home

means a prefabricated detached Dwelling Unit that is transportable. This definition applies to both single section and multi-section models, but does not apply to homes built using Modular Construction, Recreational Vehicles or industrial camp trailers.

Manufactured Home Community

means a Parcel of Land under one title, or distinctive titles under a bareland Condominium Plan of Subdivision, which has been divided into Manufactured Home Lots.

Manufactured Home Lot

means the space allotted for the installation of one Manufactured Home in a Manufactured Home Community.

Maximum Extent Feasible

means that no feasible and prudent alternative exists, and all possible efforts to comply with the regulations or minimize potential harm or adverse impacts have been undertaken.

Minor Impact Utility Service

means Development for public Utility infrastructure purposes which is likely to have some impact on the environment or Adjacent Land Uses by virtue of its appearance, noise, size, traffic generation or operational characteristics. Typical uses include vehicle, equipment and material storage yards for utilities and services; light rail transit stations; transit bus terminals, depots and transfer facilities; surface reservoirs; water towers; power terminals and distributing substations.

Mixed Use Development

means a Development that is designed to accommodate a mix of commercial, residential and/or a limited range of light industrial uses within a single site. This type of Development is sensitive to Adjacent districts that allow residential uses and provides a Building form that is Street oriented at Grade. This mix of uses may be either vertical or horizontal. A common example of a vertical mixed use is Street level retail, one or more floors of office use in the middle floors, and one or more floors of residential use in the upper floors. An example of a horizontal mixed use is two Buildings, one commercial and one office, located on the same site.

Modular Construction

means a residential building of one or more sections constructed within a factory and transported to a site to be permanently installed on a foundation. A modular home shall be considered a detached single family dwelling providing it meets all of the architectural and provincial construction requirements of single family dwellings as outlined within this bylaw, but does not include a manufactured home or mobile home.

Motel

means Development used for the provision of rooms or suites for temporary lodging or light housekeeping, where each room or suite has its own exterior access. Motels may include accessory Eating and Drinking Establishments and Personal Service. A Motel may not be the principal residence of anyone staying at the Motel.

Deleted-Replaced – Bylaw No. 1052-2020, adopted September 14, 2020.

Motor Vehicle

means

(a) a vehicle propelled by any power other than muscular power, or
(b) a moped, but does not include a bicycle, a power bicycle, an aircraft, an implement of husbandry or a Motor Vehicle that runs only on rails;

as defined by the *Traffic Safety Act*, RSA 2000, c T-6, as amended.

Moved-In Building

means a Building or other occupied Structure that existed off-site in its entirety, at some point in time and is transported to a Site for the intended placement and use thereof. This Land Use does include Manufactured Homes, but does not include Modular Construction.

Multi-Unit Development

means a Development of three or more Dwellings, commercial or industrial uses developed on a Site that includes common property, such as, but not limited to, communal parking areas, Driveways, private roadways, Amenity Areas or maintenance areas that are shared. Typical Multi-Unit Developments include rental projects and conventional Condominium Developments, developed in accordance with the *Condominium Property Act, RSA 2000, c. C-22*.

Municipal Development Plan

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

Municipal Tag

means a ticket alleging an offence, issued pursuant to the authority of a bylaw of the City.

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.

N

Natural Conservation

means land areas set aside for outdoor recreation, or to protect sensitive Natural Features and or areas of cultural or scenic value. Without restricting the generality of the foregoing, this would include for example: parks, environmentally sensitive areas, wilderness areas, natural areas, ecological reserves and archaeological sites.

Natural Resource Development

means Development for the on-site removal, extraction and primary processing of raw materials found on or under the site, or accessible from the Municipality. Typical uses in this class include gravel pits, sandpits, clay pits, oil and gas wells, coal-mining and stripping of topsoil. This use class does not include the processing of raw materials transported to the site.

Natural Feature

means any tree, plant life, water feature, natural open space, rock outcropping or view corridor which presents vistas to a Natural Feature. Natural Features include wetlands, forests, ravines, rivers, valleys and associated wildlife habitat areas along the edge of, or which support significant ecological functions within, the Natural Feature.

Non-Conforming Building

means a Building:

(a) 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

(b) that on the date the Land Use Bylaw or any amendment thereof becomes effective does not, or when constructed, will not comply with the Land Use Bylaw. As defined in the Act, as amended.

Non-Conforming Use

means a lawful specific use:

(a) being made of land or a Building or intended to be made of a Building lawfully under construction, at the date a Land Use Bylaw or any amendment thereof, affecting the land or Building becomes effective; and

(b) that on the date the Land Use Bylaw or any amendment thereof becomes effective does not, or in the case of a Building under construction, will not comply with the uses permitted in the Land Use Bylaw. As defined in the Act, as amended.

O

Occupancy

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

Outdoor Storage

means a Development used for the Outdoor Storage of goods and materials where such storage of goods and materials is accessory to the Principal Use of the site.

Outline Plan

means a detailed Land Use plan for an area of land that is typically smaller than the land covered by an Area Structure Plan and which conforms to all Statutory Plans. An Outline Plan is adopted by resolution of Council, Pursuant to Part 17 of the Act, and is otherwise equivalent to a "Conceptual Scheme" as described in the Act.

Overlay

means additional regulations superimposed on specific areas of the Land Use District Map, which supersede or add to the regulations of the underlying Land Use District.

P

Parapet Wall

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

Parcel or Parcel of Land

means the aggregate of the one or more areas of land described in a certificate of title or described in a certificate of title by reference to a plan filed or registered in a Land Titles Office, as defined in the Act, as amended.

Park

means land developed for recreational activities that do not require major Buildings or facilities, and may include picnic areas, playgrounds, pedestrian and bicycle paths, landscaped areas and associated public washrooms.

Parking Facility

means the area set aside for the storage and parking of vehicles and includes Parking Spaces, parkades, Loading Spaces, aisles, entrances and exits to the area, and traffic islands where they are part of the Parking Facility. This Land Use may be the Principal Use on a Site or an accessory use. Park and Ride facilities are included in Parking Facilities.

Parking Garage

means a Structure, or any portion of a principal building, containing communal parking spaces used for vehicular parking or storage and may be located underground.

Parking Pad

means a graveled or hard surfaced area intended to accommodate the required off-street Parking Spaces for Residential Land Uses where a Garage, parking lot, parkade or other Parking Facilities are not provided. The minimum size requirements for a Parking Pad are the same as the requirements for a Garage. This does not include a Driveway.

Parking Space

means that portion of a parking Lot or Structure that is intended to accommodate a single parked vehicle.

Party Wall

means either:

(a) a wall erected at, or upon, a line separating two Parcels of Land, each of which is, or is capable of being, a separate legal Parcel subdivided under the *Municipal Government Act*; or

(b) a wall separating two Dwellings, each of which is, or is capable of being, a separate legal Parcel divided under the *Condominium Property Act*.

Patio

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

Pawn Shop

means the use of premises for the retailing of goods and Chattels in pawn.

Peace Officer

means a Peace Officer as defined in the *Provincial Offences Procedure Act.*

Permitted Use

means those uses of land, Buildings or Structures for which Permits must be issued by the Development Authority, if the Development meets all applicable regulations.

Personal Service

means a Development used for the provision of Personal Services to an individual which are related to the care and appearance of the body, or the cleaning and repair of personal effects and includes such uses as barbershops, hairdressers, tattoo parlours, beauty salons, tanning salons, shoe repair shops, Laundromats, dry cleaning outlets, but does not include Cannabis Counselling, Health Service, Retail Stores, Service Stations or Adult Entertainment Facilities.

Pet Care Service

means a Development where small animals normally considered as Household pets are washed, groomed, trained and/or boarded, but the animals must not be boarded overnight and the Development must not have any outside enclosures, pens, runs or exercise areas. This Land Use may also include the retail sales of associated products.

Place of Worship

means a Development including any meeting halls used for spiritual worship and related religious, charitable, educational or social activities, but does not include a school. Typical uses include churches, chapels, mosques, temples, synagogues, parishes, 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, as defined in the Act, as amended.

Porch

means an entrance Structure typically attached to the front or sides of a residential Dwelling at the ground floor entry level, consisting of a roof and floor, where the front and sides of the Structure may be enclosed by solid walls and/or windows.

Principal Building or Use

means a Building or use that, in the opinion of the Development Authority:

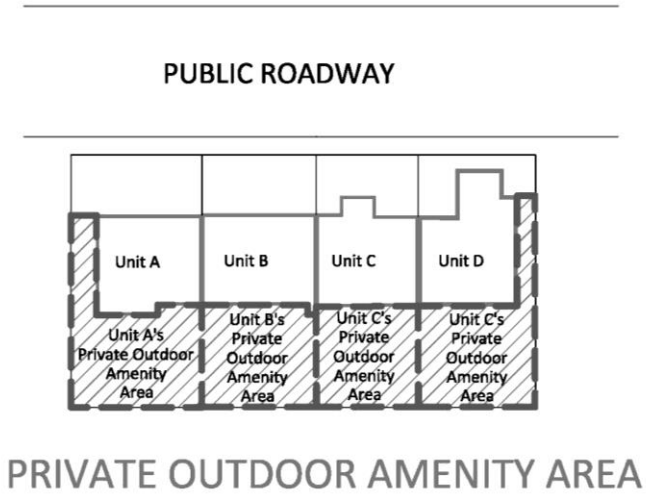
(a) occupies the major or central portion of a site;
(b) is the chief or main Building or use among one or more Buildings or uses on a site; or
(c) constitutes, by reason of its use, the primary purpose for which the Site is used.

There shall be no more than one (1) Principal Building or Use on each site, unless permitted otherwise in this Bylaw.

Private Club

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 lodges as well as rooms for eating, drinking and assembly. This use class does not allow for any Cannabis consumption on the premise. Cannabis Production and Distribution is excluded from this use class.

Private Outdoor Amenity Area



means required open space provided and designed for the active or passive recreation and enjoyment of the residents of a particular Dwelling and which is immediately Adjacent to and directly accessible from the Dwelling it is to serve.

Professional, Financial and Office Service

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

Projection

means Structures projecting from the wall of a Building. Common Structures includes balconies, terraces, alcoves, bay or oval windows and chimneys.

Public Facility

means any land or Buildings owned by the Municipality including lands that are used as Utility lots, playgrounds, recreational areas, public parks, municipal reserves, buffers, boulevards, parkways, ornamental areas or squares.

Public Floor Area (PFA)

means that portion of the Floor Area designed exclusively for public 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.

Public Road

means land:

(a) shown as a road on a plan of survey that has been filed or registered in a land titles office, or

(b) used as a Public Road, and includes a bridge forming part of a Public Road and any Structure incidental to a Public Road; as defined in the Act, as amended.

R

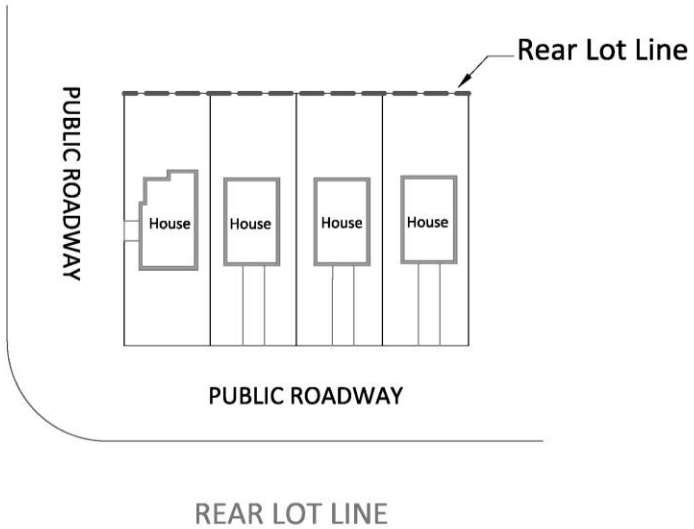
Radio Communication Facility

means a Structure 5.49 m in height or greater for the purpose of transmitting or receiving television, radio, telephone, internet or other electronic communications which is regulated by Industry Canada.

Radio Communication Facility (Limited)

means a Structure less than 5.49 m in height for the purpose of transmitting or receiving television, radio, telephone, internet or other electronic communications which is not regulated by Industry Canada.

Rear Lot Line



means either the property line of a Lot which is furthest from and opposite the Front Lot Line, or, in the case of Corner Lots, the property line of a Lot which is opposite from the shortest of the Front Lot Lines. For Corner Lots that have Public Roadways on three or more sides, there is no Rear Lot Line.

Recreation Facility, Indoor

means a Development providing facilities that are available to the public for sports and recreational activities conducted indoors. Typical uses include indoor Swimming Pools, fitness centres, hockey rinks, gymnasiums, indoor tennis courts and indoor athletic fields.

Recreation Facility, Outdoor

means a Development providing facilities that are available to the public for sports and recreational activities conducted outdoors. Typical uses include golf courses, outdoor Swimming Pools, hockey rinks, sports fields, parks, outdoor tennis courts, unenclosed ice surfaces or rinks, athletic fields, boating facilities, bowling greens, riding stables and fitness trails.

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 recreational or travel purposes and/or motorized sports activities conducted outdoors on both land and water. This includes but is not limited to:

(a) motor homes;
(b) travel trailers;
(c) fifth wheel travel trailers;
(d) campers, whether located on a truck or other vehicle or not;
(e) tent trailers;
(f) boats; and
(g) a trailer used to transport any of the above.

This use does not include a Manufactured Home.

Recycling Depot

means a Development used for the collection and temporary storage of recyclable materials, including bottles, cans, newspapers and similar Household goods for transfer. All storage shall be contained within enclosed storage containers or Buildings.

Research and Development Facility

means premises used for the purpose of conducting low risk research and Development of products or services, but does not include retail or wholesale of those products or services. Businesses locating in a Building or part thereof are generally used by raw material Development and testing firms; processed products Development and testing firms; and chemical and biological products Development and testing firms.

Reserve Land

means environmental reserve, municipal reserve, community services reserve, school reserve or municipal and school reserve as defined in the *Act*, as amended.

Residential Sales Centre

means a permanent or temporary Building or Structure used for a limited period of time for the purpose of marketing residential land or Buildings.

Residential Unit

means a Habitable Room, or a group of two or more Habitable Rooms, not equipped with self-contained cooking facilities, providing accommodation for not more than two persons.

Retail Store (Cannabis)

means a retail store licenced by the Province of Alberta to sell Cannabis and Cannabis Accessories to the public, for consumption elsewhere.

Retail Store (Drug Paraphernalia)

means a Development used for the retail sale of any product, equipment, thing or material of any kind primarily used or intended to be primarily used to produce, process, package, store, inject, ingest, inhale or otherwise introduce into the human body a controlled substance as defined in the *Controlled Drugs and Substances Act, R.S.C.* This Land Use does not include: a licensed pharmacy under Section 5 of the Pharmacy and Drug Act, R.S.A. 2000, c. P-13; a medical practice, operated by a physician, dentist or pharmacist as defined in the Health Professions Act, R.S.A 2000, c. H-7; or a veterinary practice, as defined in the Veterinary Profession Act, R.S.A. 2000, c. V-2.

Retail Store (General)

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, video sales and rentals, automotive parts and accessories, office equipment, stationery and similar goods from within an enclosed Building.

Retail Store (Liquor)

means a retail store licenced by the Province to sell alcoholic beverages to the public, for consumption elsewhere. Typical uses include wine and beer stores.

Retail Store (Neighbourhood)

means a Development used for the retail sale of those goods required by area residents on a day-to-day basis in an enclosed Building intended to serve a small or local area rather than a major or municipal area. Typical uses include small food stores, drug stores, video sales and rentals, and

variety stores selling confectionery, tobacco, groceries, beverages, pharmaceutical and personal care items, hardware or printed matter, but does not include an Adult Entertainment Facility.

Retail Store (Secondhand Shop)

means Development used for the retail sale of secondhand or used Household goods, including the refurnishing and repair of the goods being sold. Such establishments generally require a larger display, storage and Loading Space. Typical uses include the resale of antique or used furniture, clothing, jewelry, stereos and musical instruments. This Land Use does not include Flea Markets, Pawn Shops or the sale of used vehicles, recreation craft or construction /industrial equipment.

S

Satellite Dish

means an antenna, the purpose of which is to receive Signals from orbiting satellites.

Screening

means a Fence, wall, berm or Landscaping feature used to visually separate areas or functions.

Seasonal Garden Centre

means a temporary Structure, which may or may not including fencing, erected on the Site of an existing Retail Store, for the purpose of selling gardening related goods on a seasonal basis.

Service Station

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. Service Station may include Eating and Drinking Establishments and/or a Retail Store (Neighbourhood). Typical uses include truck stops and Highway Service Stations.

Service Station (Bulk Fuel Depot)

means land, Buildings and Structures for the bulk storage and distribution of petroleum products and may include key lock retail sales.

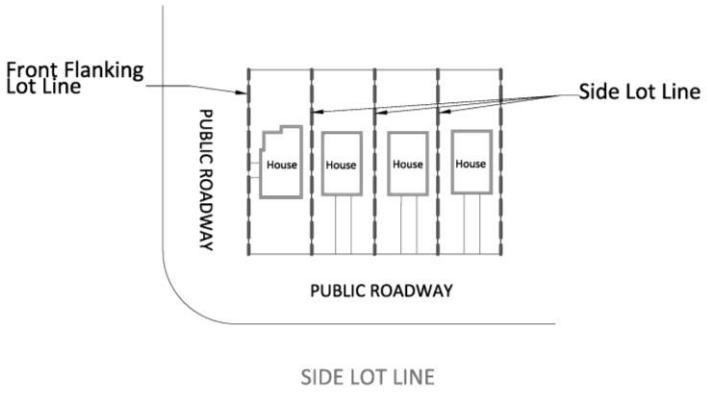
Service Station (Limited)

means Development used for the servicing, washing and repairing of vehicles, with 3 bays or less, and for the sale of gasoline, other petroleum products and a limited range of automotive parts and accessories. Service Station (Limited) may include gas bars, Eating and Drinking Establishments, and/or a Retail Store (Neighbourhood). Does not include Vehicle Repair Facility.

Setback

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

Side Lot Line

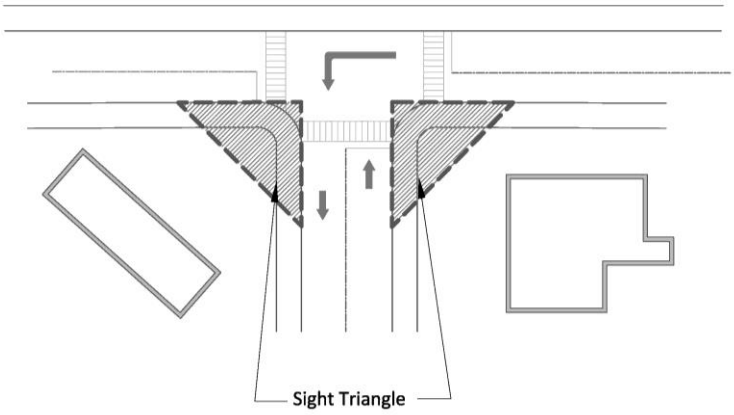


means the property line of a Lot other than a Front Lot Line or Rear Lot Line.

Sidewalk

means a paved or asphalted path for pedestrians

Sight Triangle



means a triangular portion of land established at roadway intersections in which nothing is erected, placed, planted or allowed to grow in such a manner as to limit or obstruct the sight distance of motorists or pedestrians entering or leaving the intersection as shown in the diagram.

Site

means an area of land consisting of one or more Abutting lots under single ownership or control.

Site Area

means the total area of a site.

Site Coverage

means the ratio of the total horizontal area of all covered Buildings or Structures on a Site that are located at 0.6 m or more above Grade, including any covered Projections (i.e. Verandas, Porches, enclosed/covered raised Decks) less than 2.4 m above Grade, to the total Lot area. This definition shall not include:

(a) steps, eaves, cornices and similar Projections;

(b) Driveways, aisles and Parking Spaces unless they are part of a Parking Facility which is 0.6 m or more above Grade; or unenclosed inner and outer courts, terraces and Patios where these are less than 0.6 m above Grade.

Site Depth

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

Site (Interior)

means a Site that is bounded by only one road or one road and a Lane.

Site Plan

means a document that describes how a parcel of land is to be improved. It includes the outlines of all structures and site improvements, such as buildings, driveways, parking lots, and landscaping. A Site Plan accompanies all Development Permit Applications.

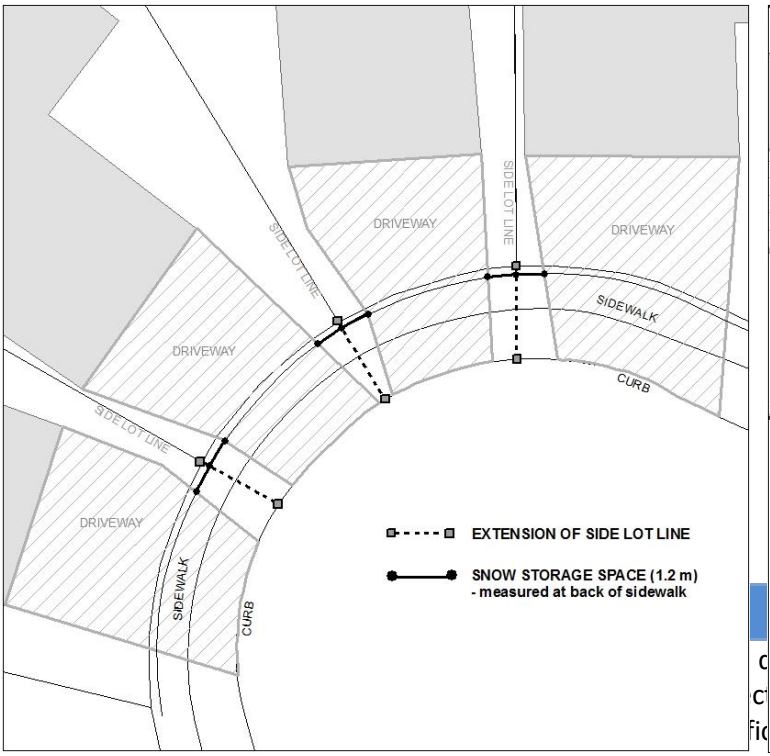
Site Width

means the horizontal distance between the Side Lot Lines of a site. Where the Side Lot Lines are parallel (or near parallel), the Site Width is the Frontage width of the site. Where the Side Lot Lines are not parallel, the Site wide is the width as measured from the minimum Front Yard or Rear Yard Setback distance for the district, whichever is the lesser.

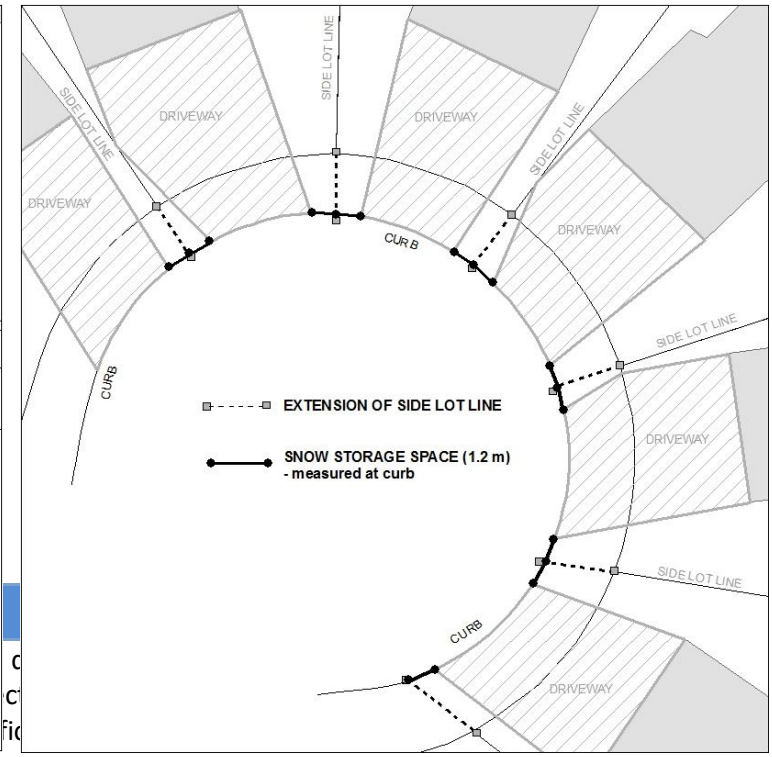
Snow Storage Space

means the area provided for the purpose of storing snow and ice removed from private residential Driveways on pie-shaped Lots.

Measured at the Back of Sidewalk:



Measured at the Curb:



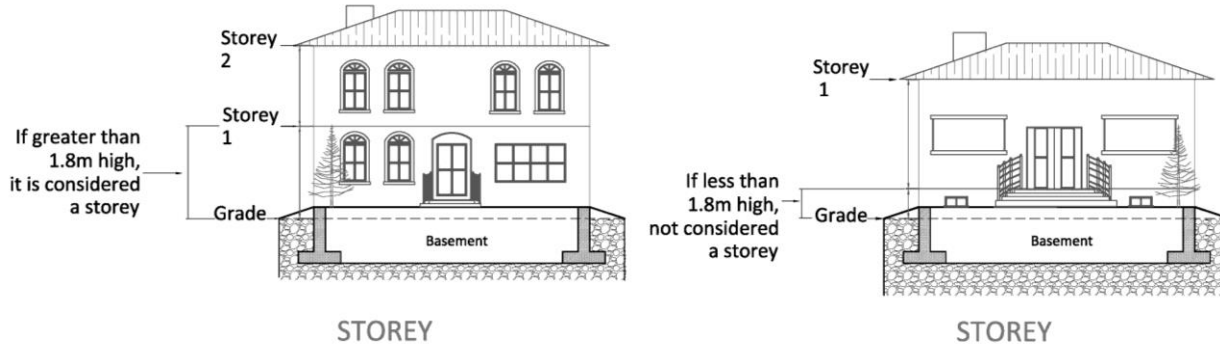
Spray Painting Operation

means a Development in which dangerous quantities or flammable or combustible vapours, mists, residues, dusts or deposits are present due to the operation of a spray process.

Statutory Plan

means an intermunicipal development plan, a Municipal Development Plan, an area Structure plan and an area redevelopment plan adopted by a Municipality under the Act, as amended.

Storey



means that portion of a Building, which is situated between the top of any floor and the top of the floor next above it. If there is no floor above, the Storey is the portion of the Building, which is situated between the top of any floor and the ceiling above it. If the top of the floor directly above a Basement is more than 1.8 m above Grade, such Basement shall be considered a Storey for the purpose of this Bylaw.

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 (70%) of the ground floor.

Street

means a right-of-way used for a public thoroughfare and designed for the use of vehicles and/or pedestrians, but does not include a Lane.

Street Wall

means the portion of a Block that abuts a street.

Structure

means a Building or other thing erected or placed in, on, over or under land, whether or not it is so affixed to the land as to become transferred without special mention by a transfer or sale of the land, pursuant to the Act, as amended.

Subdivision

means the division of a Parcel of Land into one or more smaller Parcels by a Plan of Subdivision or other instrument, or as defined in the Act, as amended.

Subdivision and Development Appeal Board

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

Surveillance Suite

means a use where a living accommodation, including a self-contained cooking facility, is provided, and that will only be approved on a parcel where another use has been approved and where the occupant of the use performs a security function that is necessary for the operation of the use.

Swimming Pool

means a Structure, basin or tank containing an artificially created pool of water that is greater than 0.6 m deep at any point and is used for swimming, recreation, bathing, diving, wading or other similar purposes and includes all Buildings, equipment and facilities used in connection with it. This Land Use includes hot tubs.

T

Temporary Development

means a Development for which a Development Permit has been issued for a limited time only.

Temporary Outdoor Event

means an organized public activity in a GR or US 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 Land Use does not include Recreation Facility, Outdoor.

Temporary Shelter Services

means a Development located within a Place of Worship which is sponsored or supervised by a public authority or non-profit agency for the purpose of providing short-term accommodation and assistance within an existing building to persons that are temporarily without housing. Temporary Shelter Services shall have staff providing supervision of the people being accommodated at all times the facility is being operated. Temporary Shelter Services shall only provide limited additional services such as shower or laundry facilities and restricts the provision of meals to persons staying at the facility.

Temporary Storage

means the storage of goods and materials on a temporary basis for which the length of time is determined at the discretion of the Development Authority.

Top of Bank

means the line where the surrounding tableland is broken by a valley slope and forms the valley crest as determined by a Geotechnical Engineer.

Traffic Island

means an area or space set aside within a street, road, or parking area, prohibited for use by Motor Vehicles and that is marked or indicated by paint or physical means, to be clearly visible at all times. Typically, islands are raised with perimeter concrete curbs and are landscaped within.

Trail System

means a network of trails that are part of the integrated City of Leduc trail network, as per the Parks, Open Spaces & Trails Master Plan, and provide a variety of surface and experiences to meet the needs of a variety of users, and provides links to existing and proposed facilities.

U

Underground Parking Facility

means a Parking Facility located below Grade.

Utility

means a system or works used to provide one or more of the following for public consumption, benefit, convenience or use:

(a) water or steam;
(f) sewage disposal;
(g) public transportation operated by or on behalf of the Municipality;
(h) irrigation;
(i) drainage;
(j) fuel;
(k) electric power;
(l) heat;
(m) waste management;
(n) residential and commercial Street lighting;
(o) storm water management facilities, including lakes, wetlands and dry ponds; or
(p) any Building required to operate the Utility as defined in the Act, as amended.

V

Variance

means an alteration or change to a standard prescribed by this Bylaw that is authorized by the Development Authority or the Board.

Vehicle Oriented Service

means a use that predominantly caters to automotive vehicles. Vehicle Oriented Service includes, but is not limited to, drive-through vehicle services, car washes and similar Developments providing drive-in services in which patrons generally remain within their vehicles.

Vehicle Repair Facility

means a Development where mechanical repairs, painting and structural changes or repairs are made to Motor Vehicles and Recreational Vehicles including automobiles, trucks, farm machinery, Recreational Vehicles and heavy equipment, and the sale, installation, servicing or storage of related accessories and parts. This includes truck, heavy equipment shops, body shops and Recreational Vehicle repair shops.

Vehicle Repair Facility (Limited)

means a Development used for the servicing and mechanical repair of Motor Vehicles including automobiles, light trucks, utility vehicles, motorcycles, snowmobiles and similar vehicles; and the sale, installation or servicing of related accessories and parts. This includes transmission shops, muffler shops, tire shops, automotive glass shops and upholstery shops. Vehicle Repair Facility (Limited) may operate a car wash as an accessory use. This does not include body repair and paint shops.

Vehicle Sales, Leasing or Rental Facility

means Development used for the retail sale, service and rental of new or used commercial and industrial vehicles, including farm vehicles and equipment related to the Agriculture community; including, but not limited to, heavy duty trucks, dump trucks, vacuum and welding trucks, cargo and flatbed trailers, tractors, harvesting or threshing machinery, spraying machinery for agricultural use, grain trucks and all-terrain vehicles.

Vehicle Sales, Leasing or Rental Facility (Limited)

means a Development used for the retail sale or rental of new or used Motor Vehicles including automobiles, Recreational Vehicles, motorcycles, snowmobiles, tent trailers, boats, travel trailers or similar light vehicles or crafts, together with incidental maintenance services and sale of parts. This Land Use includes automobile dealerships, rental agencies and motorcycle dealerships, but does not include dealerships for the sale of large Recreational Vehicles, Manufactured Homes or large trucks.

Veranda

means an entrance Structure typically located at the front or sides of a residential Dwelling at the ground floor entry level, consisting of a roof and floor, where the front and sides of the Structure remain open to the outside elements.

Veterinary Clinic

means a Development for the purpose of providing medical care and treatment to small animals normally considered as Household pets. The animals must not be boarded overnight, except for animals in the care of the use where overnight stays are necessary for medical observation or recovery of the animal, and the Development must not have any outside enclosures, pens, runs or exercise areas. This Land Use may also include the retail sales of associated products.

Violation Ticket

means a ticket that is issued pursuant to the *Provincial Offences Procedure Act.*

W

Walkway

means an off-street pedestrian path.

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 Land Use includes

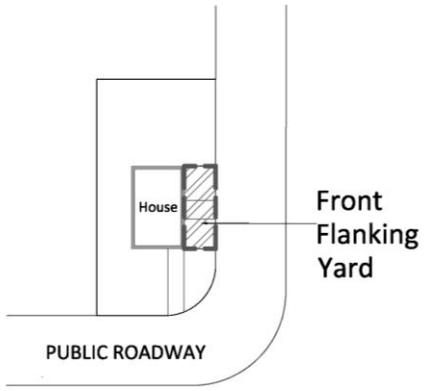
Developments where principal goods being sold are such bulky items as furniture, carpet, major appliances and Building materials. This Land Use does not include Flea Markets or Developments used for the retail sale of food or a broad range of goods for personal or Household use.

Y

Yard

means a part of a Site unoccupied by any portion of a Building or Structure 1.0 m or more above Grade except for specifically permitted encroachments and Accessory Developments permitted in this Bylaw. A Yard may contain a boundary Fence.

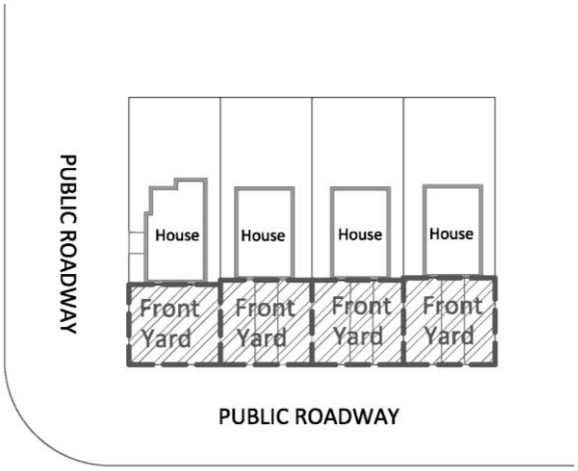
Yard, Flanking Front



YARD, FLANKING FRONT

means the side of a Corner, double fronting Lot that is parallel to the longest of the two property lines fronting a Public Roadway.

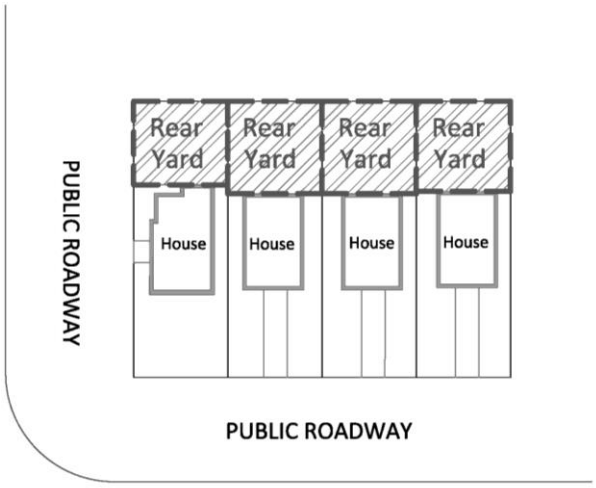
Yard, Front



YARD, FRONT

means the portion of a Site Abutting the Front Lot Line extending across the full width of the site, situated between the Front Lot Line and the nearest wall of the principal Building.

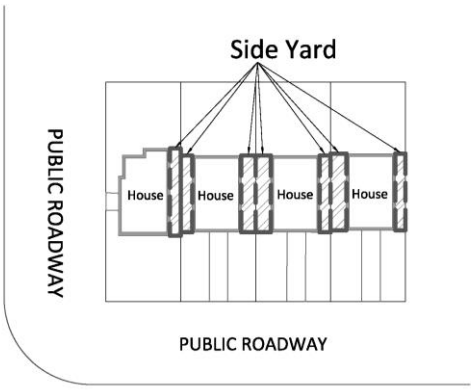
Yard, Rear



YARD, REAR

means the portion of a Site Abutting the Rear Lot Line extending across the full width of the site, situated between the Rear Lot Line and the nearest wall of the principal Building.

Yard, Side



YARD, SIDE

means that portion of a Site Abutting a Side Lot Line extending from the Front Yard to the Rear Yard. The Side Yard is situated between the Side Lot Line and the nearest wall of the principal Building.

Z

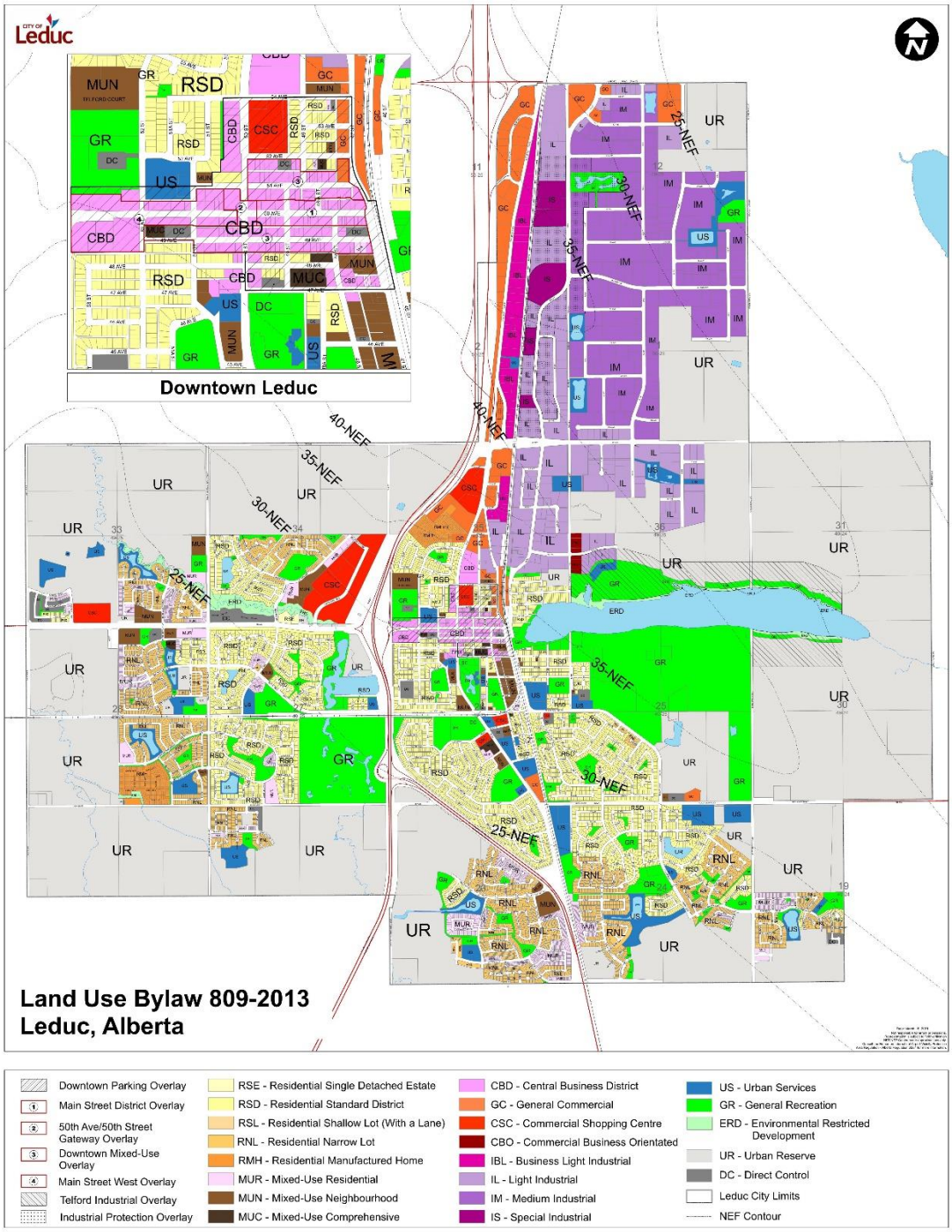
Zero Lot Line Structure

means a Structure with at least one (1) wall conterminous with the Lot line, which wall may include footings, eaves and gutters that may encroach onto the Abutting Lot under the authority of an encroachment and maintenance Easement.

PART 9: LAND USE MAPS

27.0 Land Use Maps

Figure 7: Land Use Map



READ A FIRST TIME IN COUNCIL THIS 11 DAY OF FEBRUARY, AD 2013.

READ A SECOND TIME, AS AMENDED, IN COUNCIL THIS 11 DAY OF MARCH AD 2013.

READ A THIRD TIME, AS AMENDED, IN COUNCIL AND FINALLY PASSED THIS 11 DAY OF MARCH, AD 2013.

"original signed"

_____

Greg Krischke
MAYOR

"original signed"

_____

Laura Knoblock
CITY CLERK

March 11, 2013

_____

Date Signed