



## **Council Meeting of February 23, 2015**

### **PUBLIC ATTACHMENT "D"**

**DOCUMENT STATUS:** Public

**REFERS TO:** Land Use Bylaw Amendment 3357/D-2015  
Timberlands North Area Structure Plan

## BYLAW NO. 3357/D-2015

Being a Bylaw to amend Bylaw No. 3357/2006, the Land Use Bylaw of The City of Red Deer as described herein.

COUNCIL OF THE CITY OF RED DEER, ALBERTA, ENACTS AS FOLLOWS:

Bylaw No. 3357/2006 is hereby amended as follows:

1. The land shown cross-hatched in the sketch attached as Schedule A "Map 6/2015" to this bylaw is redistricted from R3 Residential (Multiple Family) District to C5 Commercial (Mixed Use) District.
2. The land shown with horizontal lines in the sketch attached as Schedule A "Map 6/2015" to this bylaw is redistricted from A1 Future Urban Development District to P1 Parks and Recreation District.
3. The "Land Use District Map Q17" contained in Schedule A of the Land Use Bylaw is hereby amended in accordance with the Schedule A "Map 6/2015" attached hereto and forming part of the bylaw.
4. Section **4.1 R1 Residential (Low Density) District, (2)(a) Table 4.1 R1 Regulations** is amended by deleting the existing "Front Yard Set Back" and replacing it with the following new "Front Yard Set Back" Requirements:

Front Yard Set Back	6.0 m, except for the R1 zoned lands located within the Timberlands North Neighbourhood Area Structure Plan area (south of 67 Street and east of 30 Avenue) where the front yard setback is: <ul style="list-style-type: none"><li>• Minimum 3.0 m and a maximum of 4.5 m for the live portion of a dwelling unit, and</li><li>• Minimum 6.0 m for any front attached garage portion of a dwelling unit</li></ul>
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5. Section **4.1.1 Residential (Carriage Home) District, (3)(a) Table 4.1.1 R1C Regulations – Principle Dwelling Unit** is amended by deleting the existing "Front Yard Setback" and replacing it with the following new "Front Yard Minimum" requirements:

Front Yard Set Back	<ul style="list-style-type: none"><li>• Minimum 3.0 m and maximum 4.5 m for the live portion of a dwelling unit, except when a parcel fronts onto a P1 Parks and Recreation District, then the minimum is 2 m and the maximum is 3 m, and</li><li>• Minimum 6.0 m for any front attached garage portion of a dwelling unit</li></ul>
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6. Section **4.1.2 R1WS Residential (Wide/Shallow Lot) District, General Purpose** is amended by deleting the existing General Purpose and replacing it with the following revised General Purpose:

The general purpose of this District is to provide residential lots that have a wide frontage and a shallow depth intended to reduce the dominance of front attached garages from the street. Development will consist of detached dwelling units with articulated front elevations through the use of dormers, bays, porches and gable ends. Front attached garages

cannot be closer to the street than the live portion of the house. Front porches are strongly encouraged and are allowed to encroach into the minimum front yard.

7. Section **4.1.2 R1WS Residential (Wide/Shallow Lot) District, (1)(a) Permitted Uses** is amended by deleting (ii) "Detached Dwelling Unit with mandatory front attached garage and mandatory front porch, subject to section 4.1.2(2)(b) Use Provisions" and replacing with the following:

<b>(a) Permitted Uses</b>	
(ii) Detached Dwelling Unit with mandatory front attached garage, subject to section 4.1.2(2)(b)	

8. Section **4.1.2 R1WS Residential (Wide/Shallow Lot) District, (2)(a) Table 4.1.2 R1WS Regulations** is amended by deleting the existing "Front Yard Setback" and replacing it with the following new "Front Yard Minimum" requirements:

Front Yard Minimum	<ul style="list-style-type: none"> <li>• 3.8 m for the live portion of a dwelling unit, and</li> <li>• 6.0 m for the front attached garage portion of the dwelling unit</li> </ul>
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9. Section **4.1.2 R1WS Residential (Wide/Shallow Lot) District, (2)(a) Table 4.1.2 R1WS Regulations** is amended by adding the following to "Lot Depth":

"A lot depth maximum variation may be considered in the following situations as long as the lot remains wider than it is deep:

- When lot configuration is impacted by natural features;
- When lot configuration is impacted by road design; and
- When a lot transitions into another land use district."

10. Section **4.1.2 R1WS Residential (Wide/Shallow Lot) District, (2)(b) Table 4.1.2 R1WS Use Provisions** is amended by replacing the maximum width of a front attached garage with the following:

The width of the front attached garage cannot be greater than 60% of the entire front face exposure of the dwelling unit (live and garage portion combined). The driveway cannot be wider than the width of the front attached garage.

11. Section **4.4.1 R2T Residential (Town House) District, (2) R2T Regulations** is amended by deleting the existing "Front Yard Setback" and replacing it with the following new "Front Yard Minimum" Requirements:

Front Yard Set Backs	<ul style="list-style-type: none"> <li>• Minimum 3.0 m and maximum 4.5 m for the live portion of a dwelling unit, and</li> <li>• Minimum 6.0 m for any front attached garage portion of a dwelling unit</li> </ul>
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12. Section **5.6.1 C5 Commercial (Mixed Use) District, 1. C5 Permitted and Discretionary Use Table** is amended by deleting the existing (a) Permitted Uses and replacing it with the following new (a) Permitted Uses:

<b>(a) Permitted Uses</b>	
(i) Day care facility	
(ii) Dwelling units above the ground floor	

(iii) Health and medical services
(iv) Home music instructor/instruction, subject to section 4.7(10)
(v) Home occupations which, in the opinion of the Development Officer, will not generate traffic subject to section 4.7(8)
(vi) Live work unit subject to section 4.3.2(2)(b)
(vii) Merchandise sales and/or rental (excluding industrial goods, motor vehicles, machinery and fuel and all uses where primary focus is adult oriented merchandise and/or entertainment)
(viii) Multiple family building with a minimum density of 35 dwelling units/hectare
(ix) Multi-attached buildings with a minimum density of 35 dwelling units/hectare
(x) Restaurant without drive through
(xi) Sale of residential units from a show office/suite
(xii) Signs, subject to section 3.3 and 3.4:
(1) Awning and canopy signs
(2) Fascia signs
(3) Neighbourhood identification sign
(4) Projecting signs

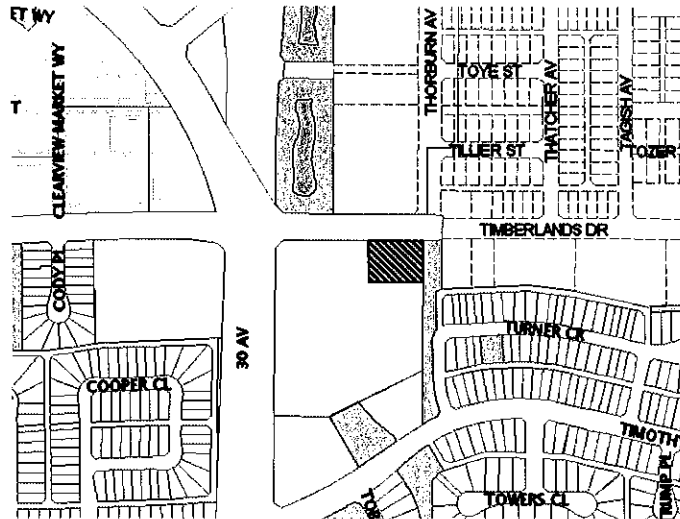
13. Section 5.6.1 C5 Commercial (Mixed Use) District, 1. C5 Permitted and Discretionary Use Table is amended by deleting the existing (b) Discretionary Uses and replacing it with the following new (b) Discretionary Uses:

<b>(b) Discretionary Uses</b>
(i) Accessory building or use
(ii) Assisted living facility
(iii) Commercial entertainment facility
(iv) Commercial recreation facility
(v) Commercial service facility
(vi) Drinking establishment (adult entertainment prohibited) and subject to section 5.7(8)
(vii) Office in total not to exceed 10% of the gross commercial floor area of the building within which it is located
(viii) Parking lot/parking structure
(ix) Place of worship or assembly
(x) Public and quasi-public buildings
(xi) Transportation communications or utility facility
(xii) Outdoor display or sale of goods
(xiii) Restaurant with drive through
(xiv) Sale of fuel
(xv) Signs subject to section 3.3 and 3.4:
(1) Freestanding
(2) Portable signs
(3) Painted wall signs
(4) Wall signs

14. Section 8.22 Exceptions Respecting Land Use, 1. Areas Specifically Designated for a Particular Use is amended by adding the following new subsection:

- (aa) The location highlighted below, south of Timberlands Drive and abutting the road right-of-way, shall be restricted to a mixed use building as described herein. A portion of the said building must abut Timberlands Drive. The building shall be comprised of at-grade (main floor) commercial use and 3-storeys of multi-family

residential use above. Above at-grade uses shall be limited to multi-family residential. The building shall have an active commercial street face built close to or abutting Timberlands Drive. For further clarity, the restrictions of this Section 8.22 (aa) shall be considered fundamental land use restrictions applicable to this location highlighted below; and, the restrictions of this Section 8.22 (aa) shall 'overlay' or restrict and limit the listed permitted and discretionary uses of any general Land Use District (e.g. C5 District) that may otherwise apply to the location highlighted below.



READ A FIRST TIME IN OPEN COUNCIL this	day of	2015.
READ A SECOND TIME IN OPEN COUNCIL this	day of	2015.
READ A THIRD TIME IN OPEN COUNCIL this	day of	2015.
AND SIGNED BY THE MAYOR AND CITY CLERK this	day of	2015.

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MAYOR

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CITY CLERK