

## Section 10.1. Public Park (P) Land Use District

(1) **Application**

This section applies to the areas designated as Public Park (P) on the Land Use District Map, Schedule A, of this Bylaw.

(2) **Purpose**

The purpose of the Public Park District is to:

- (a) provide parks along with complementary facilities throughout the City for the purpose of public recreation;
- (b) conserve and enhance the cultural, recreational and natural resources of the Sturgeon River Valley; and
- (c) protect lands in the Sturgeon River flood risk area from subdivision and development which would disrupt normal hydrological action or increase the risk of damage from flooding, in accordance with the Section 6.10 of this Bylaw. **(BL25/2011)**

(3) **Permitted Land Uses**

- (a) park

(4) **Discretionary Land Uses**

The following are discretionary uses:

- (a) campground;
- (b) community hall with a gross floor area up to 745 sq. m;
- (c) day care facility;
- (d) exhibition grounds;
- (e) government service;
- (f) greenhouse and plant nursery;
- (g) indoor recreation service;
- (h) outdoor recreation service;
- (i) public utility building;
- (j) stadium;
- (k) wall mural; and
- (l) accessory developments to subsections (3) and (4).

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### (5) Performance Standards

- (a) The Development Officer may issue a development permit subject to such conditions as are necessary to ensure that the development is consistent with the purpose of this district.
- (b) Property adjacent to the Sturgeon River or within the Sturgeon River flood risk area shall be held to the following additional performance standards:
  - (i) development must allow public access to public lands along the Sturgeon River banks;
  - (ii) any development that disturbs the normal hydrological process within the Sturgeon River Valley must minimize the risk of on-site and off-site flood damage; and
  - (iii) development, which includes any channelization or diking along the river banks, shall be designed in consultation with Alberta Environment.

### (6) Building Height

The maximum building height is 8.5 m.

### (7) Setbacks

The minimum setback:

- (a) for a building or parking lot is 10 m from a property line which adjoins a residential use or district;
- (b) for an athletic field or boundary of an outdoor recreation service is the distance as determined by the Development Officer, to prevent the sport or recreation activity from interfering with adjoining developments; and in all other cases is as determined by the Development Officer to prevent or reduce interference with adjoining developments and to ensure the orderly flow of pedestrian and vehicular traffic.

### (8) Accessory Buildings

Accessory building setbacks and heights of accessory buildings or structures shall be determined by the Development Officer.

**Section 10.1. Public Park (P) Land Use District**

**Summary Table - Public Park District**

Summary tables are provided for reader convenience only and do not form part of this Bylaw. For any discrepancies between the following table and any other section of this Bylaw the latter shall govern.

<b>Min. Setback</b>	10 m if adjoins a residential use or district	
<b>Other setbacks</b>	for athletic field or outdoor recreation area as determined by Development Officer	
<b>Max. Building Height</b>	8.5 m	
<b>Parking</b>		
	government service	1 stall/8 seats or 1 stall/45 sq. m
	community hall	1 stall/5 seats or 1 stall/20 sq. m
	public utility building, exhibition grounds, greenhouse and plant nursery, stadium, campground, park	as required by Development Officer
	day care facility	4 stalls; or 1 stall per 2 employees plus 1 stall per 10 patrons; whichever is greater
	indoor and outdoor recreation service	1 stall per 5 seats for fixed seating areas, plus 1 stall per 10 sq. m of gross floor area for uses without fixed seating; Notwithstanding clauses (i) and (ii), the Development Officer may require additional or differing parking requirements based upon the individual components of the recreation service

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## Section 10.2. Public and Private Service (PS) Land Use District

(1) **Application**

This section applies to the areas designated as Public and Private Service (PS) on the Land Use District Map, Schedule A, of this Bylaw.

(2) **Purpose**

The purpose of the Public and Private Service Land Use District is to provide areas for schools and community services.

(3) **Permitted Land Uses**

- (a) elementary or secondary school; and
- (b) park.

(4) **Discretionary Land Uses**

The following are discretionary uses:

- (a) accessory residences for staff or students to the use listed in clause (3)(a);
- (b) community hall with a gross floor area up to 745 sq. m;
- (c) day care facility;
- (d) emergency protective service;
- (e) government service;
- (f) indoor recreation service;
- (g) outdoor recreation service;
- (h) public utility building;
- (i) religious assembly;
- (j) transitional residential services;
- (k) wall mural; and
- (l) accessory development to any use listed in (3) or (4).

(5) **Performance Standards**

The Development Officer may issue a development permit subject to such conditions as are considered necessary to ensure that the development is consistent with the purpose of this district.

(6) **Building Height**

The maximum building height is 11 m.

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(7) **Building Setbacks**

- (a) The minimum building setback is 6 m from any property line; and
- (b) Notwithstanding (a), all developments must provide a minimum building setback of 10 m from any property line which adjoins a residential use or district.

(8) **Landscaping**

In addition to the requirements under Section 6.13, a building that is within 15 m of a residential use or district must provide a landscaped buffer to the satisfaction of the Development Officer.

(9) **Accessory Buildings**

Accessory building setbacks and heights of accessory buildings or structures shall be determined by the Development Officer.

**Section 10.2. Public and Private Service (PS) Land Use District**

**Summary Table - PS District**

Summary tables are provided for reader convenience. For any discrepancies between the following table and any other section of this Bylaw, the latter shall govern.

<b>Min. Front Yard</b>	6 m	
<b>Min. Side Yard</b>	6 m	
<b>Min. Rear Yard</b>	6 m	
<b>Other Setback</b>	Min. 10 m from an adjoining residential land use/district	
<b>Max. Building Height</b>	11 m	
<b>Parking</b>	community hall	1 stall/5 seats or 1 stall/20 sq. m
	outdoor recreation service, indoor recreation service, emergency protective service, public utility building,	as required by Development Officer
	government service, religious assembly	1 stall/8 seats or 1 stall/45 sq. m
	elementary & junior high school	1 stall/20 students - design capacity
	senior high school	4 stalls/20 students - design capacity
	accessory residences for staff or students to a use listed above, park, transitional residential services	as required by Development Officer
	day care facility	4 stalls; or 1 stall per 2 employees plus 1 stall per 10 patrons; whichever is greater
	indoor and outdoor recreation service	1 stall per 5 seats for fixed seating areas, plus 1 stall per 10 sq. m of gross floor area for uses without fixed seating; Notwithstanding clauses (i) and (ii), the Development Officer may require additional or differing parking requirements based upon the individual components of the recreation service.

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## Section 10.3. Institutional Facilities (IF) Land Use District

(1) **Application**

This section applies to the areas designated as Institutional Facilities (IF) on the Land Use District Map, Schedule A, of this Bylaw.

(2) **Purpose**

The purpose of the Institutional Facilities Land Use District is to provide areas for the location and establishment of facilities which, under public franchise, ownership, or private enterprises operating for the public convenience and necessity, provide public services such as utilities, health care, sewage treatment, education, religious activities and other public assembly, cultural facilities, recreational facilities etc. and which utilize large areas of land or are situated in a campus environment.

(3) **Permitted Land Uses**

The following are permitted uses:

- (a) day care facility;
- (b) government service;
- (c) outdoor recreation service;
- (d) park; and
- (e) parking structure.

(4) **Discretionary Land Uses**

The following are discretionary uses:

- (a) accessory residences for staff or students to a use listed in (3) or (4);
- (b) cemetery;
- (c) community hall;
- (d) emergency protective service;
- (e) health service;
- (f) hospital;
- (g) indoor recreation service;
- (h) long term care housing;
- (i) public utility building;
- (j) religious assembly;
- (k) elementary, secondary or post-secondary school;

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- (l) supportive housing;
- (m) transitional residential services;
- (n) treatment centre;
- (o) wall mural; and
- (p) accessory development to any use listed in (3) or (4).

### (6) **Performance Standards**

The Development Officer may issue a development permit subject to such conditions as are necessary to ensure that the development is consistent with the purpose of this district.

### (7) **Building Height**

The maximum building height is 12 m, except that the maximum building height for any portion of a building within 10.0 m of the property line adjacent to a residential use shall be 10.5 m.

### (8) **Building Setbacks**

- (a) The minimum building setback is 6 m for any property line; and
- (b) notwithstanding (a), all developments must provide a minimum building setback of 10 m from any property line which adjoins a residential development or district.

### (9) **Landscaping**

In addition to Section 6.13 of this Bylaw, a building that is within 15 m of a residential use or district must provide a landscaped buffer to the satisfaction of the Development Officer.

### (10) **Accessory Buildings**

Accessory building setbacks and heights of accessory buildings or structures shall be determined by the Development Officer.

**Section 10.3. Institutional Facilities (IF) Land Use District**

**Summary Table - IF District**

Summary tables are provided for reader convenience. For any discrepancies between the following table and any other section of this Bylaw, the latter shall govern.

<b>Min. Front Yard</b>	Min. 6 m	
<b>Min. Side Yard</b>	Min. 6 m	
<b>Min. Rear Yard</b>	Min. 6 m	
<b>Other Setback</b>	Min. 10 m from an adjoining residential land use/district	
<b>Max. Building Height</b>	12 m, except a portion of the building within 10 m of a residential use is 10.5 m	
<b>Parking</b>	cemetery, emergency protective service, public utility building, park, accessory residences for staff or student, post-secondary school, transitional residential services, public utility building	as determined by Development Officer
	government service, religious assembly	1 stall/8 seats or 1 stall/45 sq. m
	community hall	1 stall/5 seats or 1 stall/20 sq. m
	health services	1 stall/45 sq. m
	long term care housing	a minimum of 1 stall per 5 dwelling units, plus 1 stall per 7 dwelling units for visitor parking, plus 1 stall per employee with a letter from the applicant identifying the total number of employees
	supportive housing	1 stall per dwelling unit or 1 stall per 5 dwelling units for each non-self-contained supportive housing unit, plus 1 stall per 7 dwelling units for visitor parking, plus 1 stall per employee with a letter from the applicant identifying the total number of employees
	hospital treatment centre	1 stall/ 4 patient or resident bed plus 1.5 stall/employee ( max. work shift)
	elementary & junior high school	1 stall/20 students - design capacity
	senior high school	4 stalls/20 students - design capacity

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	indoor and outdoor recreation service	1 stall per 5 seats for fixed seating areas, plus 1 stall per 10 sq. m of gross floor area for uses without fixed seating; Notwithstanding clauses (i) and (ii), the Development Officer may require additional or differing parking requirements based upon the individual components of the recreation service
	day care facility	4 stalls; or 1 stall per 2 employees plus 1 stall per 10 patrons; whichever is greater

## Section 10.4. Urban Reserve ( UR) Land Use District

### (1) Application

This section applies to the areas designated as Urban Reserve (UR) on the Land Use District Map, Schedule A, of this Bylaw.

### (2) Purpose

The purpose of the Urban Reserve District is to control land areas which are undeveloped or developed to low intensity and to ensure their orderly transformation to more intensive development.

### (3) Discretionary Land Uses

The following are discretionary uses:

- (a) a single-detached house on a site greater than 0.4 ha;
- (b) agriculture on a site greater than 8 ha;
- (c) animal service;
- (d) construction service;
- (e) greenhouse and plant nursery;
- (f) home occupation;
- (g) public utility building;
- (h) topsoil processing or sales; and
- (i) accessory development to any use listed in subsection (3).

### (4) Development Regulations

Each of the land uses listed in the following table shall comply with the regulations set out for that use in the applicable districts as follows:

Land Use	Applicable District
(a) Single-Detached House	R1
(b) Public Utility Building	PS
(c) Residential Sales Centre	R1
(d) Show Home	R1
(e) Construction Service	CIS
(f) Animal Service	CIS

**Section 10.4. Urban Reserve ( UR) Land Use District**

**(5) Compatibility**

In addition to subsection (4), all developments must be compatible with the Municipal Development Plan or the applicable Area Structure Plan.



## Section 10.5. Direct Control (DC) Land Use District

(1) **Application**

This section applies to the districts designated as Direct Control (DC) on the Land Use District Map, Schedule A, of this Bylaw.

(2) **Purpose**

The purpose of the Direct Control District is to enable Council to exercise particular control over the use and development of land or buildings within the area so designated.

(3) **Land Uses - Council Approval**

Except for those uses that are listed under subsection (4), Council

- (a) shall determine the land uses that may be allowed in a DC district; and
- (b) may impose such standards and conditions it considers appropriate to regulate that use.

(4) **Discretionary Land Uses - Development Officer**

Council delegates the following discretionary uses for approval by the Development Officer, and the Development Officer may impose standards and conditions they consider appropriate to regulate these uses:

- (a) accessory developments to a use provided for by Council in subsection (3).

(5) **Development Regulations**

Council or the Development Officer may refer to a corresponding conventional land use district or any part of the Land Use Bylaw to determine land use regulations that may be applied to a prospective direct control development permit.

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## Section 10.6 Direct Control Mixed Use (DCMU) Land Use District

(BL42/2005)

(1) **Application**

This section applies to the areas designated as Direct Control Mixed Use (DCMU) on the Land Use District Map, Schedule A of this Bylaw.

(2) **Purpose**

The purpose of the Direct Control Mixed Use (DCMU) District is to provide an area for a mixture of commercial, institutional and medium to high density residential land uses. Such areas should be relatively compact, attractive, pedestrian-friendly and reasonably compatible with surrounding areas. Developments within this land use district should provide a variety of housing options, the provision of commercial and residential uses within the same structure, an appropriate ratio of non-residential uses to create a community where residents have the opportunity to live and work.

(3) **Land Uses – Council Approval**

For uses that are not listed under subsection (4) or subsection (5), Council:

- (a) shall determine the land uses that may be allowed in a DCMU district; and
- (b) may impose such standards and conditions it considers appropriate to regulate that use. In determining the development regulations that may be applied, Council may refer to the DCMU or any other land use district or any part of the Land Use Bylaw.

(4) **Permitted Land Uses**

Council delegates the following permitted uses for approval by the Development Officer:

- (a) apartment building;
- (b) art gallery;
- (c) business support service;
- (d) communal amenity area;
- (e) convenience store;
- (f) dwelling units above a ground floor commercial use;
- (g) financial institution;
- (h) general retail store with a gross floor area up to 400 sq. m;
- (i) general service;
- (j) government service;
- (k) health service;
- (l) indoor recreation service;

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- (m) parking structure;
- (n) professional office;
- (o) residential sales centre;
- (p) restaurant up to 100 seats;
- (q) specialty store;
- (r) take-out restaurant;
- (s) shopping centre;
- (t) supportive housing;
- (u) townhousing; and
- (v) video outlet.

### (5) Discretionary Land Uses

Council delegates the following discretionary uses that may be approved by the Development Officer:

- (a) amusement arcade;
- (b) artist studio; **(BL14/2008)**
- (c) broadcasting studio;
- (d) catering service;
- (e) cinema;
- (f) commercial school;
- (g) community hall with a gross floor area up to 745 sq. m;
- (h) drinking establishment;
- (i) family day home;
- (j) general retail store with a gross floor area over 400 sq. m;
- (k) grocery store;
- (l) home occupation;
- (m) household repair service;
- (n) liquor store;
- (o) live/work unit; **(BL 14/2008)**
- (p) pool hall;

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- (q) religious assembly;
- (r) restaurant with over 100 seats;
- (s) theatre;
- (t) veterinary clinics without outdoor kennels, pens, runs or similar enclosures;
- (u) wall mural; and
- (v) accessory developments to any use listed in (3), (4) or (5).

### (6) Pre-Application Requirements

In addition to the application requirements of Section 3.3 of this Bylaw, an applicant for development permit within a DCMU Land Use District must submit to the satisfaction of the Development Officer:

- (a) an overall conceptual site development plan for the area designated as DCMU or, if the applicant is only developing a portion of the subject area, a site development plan in relation to the portion to be developed in which plan the applicant has also illustrated how the development will be integrated with the area designated as DCMU;
- (b) a traffic impact analysis that demonstrates that traffic impacts are compatible with the purpose of the DCMU District and do not prejudice safety and traffic movements with the area designated as DCMU or on adjacent public roadways;
- (c) details regarding the architectural guidelines for a development, including design drawings illustrating the colour scheme and building materials and the architectural guidelines proposed for the development; and
- (d) a building height impact assessment for any building that is proposed to exceed 15 m in building height, demonstrating to the satisfaction of the Development Officer that the impact on either adjacent buildings or adjacent property has been minimized.

### (7) Floor Area

- (a) The maximum gross floor area for any building is 3 times the site area; and
- (b) a minimum of 25% of the total gross floor area shall be used for commercial (non-residential) purposes. In determining this calculation, the Development Officer may consider the total commercial gross floor area for all buildings on multiple sites that comprise an integrated, mixed use development.
- (c) Notwithstanding clause (b), a minimum of 11.6% of the total gross floor area shall be used for commercial (non-residential) purposes on the following properties:

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- (i) Lot 1, Block 65, Plan 802 2230 (22 Sir Winston Churchill Avenue);
- (ii) Lot 1, Block 64, Plan 802 2231 (20A Sir Winston Churchill Avenue); and
- (iii) Lot 1, Block 26, Plan 2961MC (24 Wir Winston Churchill Avenue),

including any future revisions to these legal descriptions based on a subdivision or condominium plan. **(BL14/2008)**

### (8) Building Height

- (a) The maximum building height is 20 m for properties included in Bylaw 11/90, the Downtown Area Redevelopment Plan, as amended;
- (b) The maximum building height for properties outside of the Downtown Area Redevelopment Plan area is 15 m; and
- (c) Notwithstanding subsection (b), the maximum building height may be increased to 20 m at the discretion of the Development Officer.
- (d) Notwithstanding clause (a), the maximum building heights shown in Schedule F of this Bylaw shall apply to the following properties:
  - (i) Lot 1, Block 65, Plan 802 2230 (22 Sir Winston Churchill Avenue);
  - (ii) Lot 1, Block 64, Plan 802 2231 (20A Sir Winston Churchill Avenue); and
  - (iii) Lot 1, Block 26, Plan 2961MC (24 Wir Winston Churchill Avenue),

including any future revisions to these legal descriptions based on a subdivision or condominium plan. **(BL14/2008)**

### (9) Building Setbacks

The minimum building setbacks shall be provided as follows:

- (a) the front and rear yard building setback shall be determined by the Development Officer with regard to adjacent uses, urban design considerations and on-site constraints;
- (b) the minimum side yard building setback is 5 m, unless otherwise determined by the Development Officer taking into account adjacent uses, urban design considerations and on-site constraints;
- (c) the minimum setback for an accessory building is 3 m; and

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- (d) where a larger setback is required in accordance with the Alberta Building Code or the Alberta Fire Code, the distances required by the Alberta Building Code or the Alberta Fire Code prevail.

### (10) Location of Buildings

The minimum separation distances for buildings are:

- (a) 10 m between the exterior wall of an apartment building and any other residential building;
- (b) 4 m between the exterior wall of each dwelling unit in an apartment and:
  - (i) a common walkway;
  - (ii) a roadway;
  - (iii) a parking stall; and
  - (iv) a communal amenity area.
- (c) 3 m between the exterior wall of a commercial or mixed use building and any internal roadway; and
- (d) where greater separation distances are required in accordance with the Alberta Building Code or the Alberta Fire Code, the distances required by the Alberta Building Code or the Alberta Fire Code prevail.

### (11) Design, Character and Appearance of Buildings

In addition to the requirements of Section 6.7 of this Bylaw, the Development Officer may require that a building or buildings be designed and finished with one or more of the following:

- (a) design techniques including but not limited to, the use of variations in building setbacks, and articulation of building facades in order to create architectural interest, to provide a unified building exterior, and to minimize the perceived mass and linearity of buildings;
- (b) the establishment of a common architectural theme for a development including principal design elements, finishing materials, colours and roof style;
- (c) the use of high quality materials on the exterior including brick, brick veneer or other high quality finish of a colour acceptable to the Development Officer;
- (d) the use of a stepback for the second or higher storey along a façade facing a public roadway; and
- (e) the use of clear glazing on the ground floor to facilitate pedestrian interaction and safety.

### (12) Residential Development

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Residential development:

- (a) must provide a private amenity area in the form of a balcony or patio for dwelling units within an apartment building;
- (b) within a mixed use building must not be located below any storey used for commercial purposes;
- (c) within a mixed use building must have an entrance separate from the entrance to any commercial component of the building; and
- (d) all townhousing developments in a DCMU district must comply with the following requirements for development in the R3 District:
  - (i) lot area;
  - (ii) lot frontage;
  - (iii) lot depth;
  - (iv) landscaping;
  - (v) lot coverage;
  - (vi) building height; and
  - (vii) private amenity area and setbacks.

### (13) **Overhead Weather Protection**

- (a) Commercial buildings and mixed use buildings must have continuous overhead weather protection for the entire building frontage along a pedestrian walkway in a method suitable to the architectural style of the building; and
- (b) the continuous overhead weather protection must be at least 2.0 m wide and must have a vertical clearance of at least 2.5 m and at most 4.0 m above the sidewalk.

### (14) **Landscaping and Communal Amenity Areas**

Developments shall be subject to the following requirements:

- (a) a development that adjoins a public roadway shall provide perimeter landscaping in accordance with Section 6.13(7). For residential buildings located adjacent to a public roadway, the perimeter landscaping shall be increased to a minimum width of 6 m;
- (b) parking lots with more than 10 parking stalls shall be landscaped in accordance with Section 6.13(6);
- (c) a building that includes 40 or more dwelling units must provide an indoor or outdoor communal amenity area for the benefit of the residents of the building, to the satisfaction of the Development Officer; and

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- (d) for developments containing 3 or more buildings, an outdoor communal amenity area of not less than 100 square metres must be provided for residents and patrons of the development, to the satisfaction of the Development Officer in accordance with following:
  - (i) the amenity area may include seating areas, raised gardens, courtyards and recreational areas;
  - (ii) the amenity area may include a plaza or focal point;
  - (iii) the amenity area may include such elements as street furnishings, hard surfacing, plantings, amenities, art and sculpture and architectural features to create a strong sense of communal gathering space. The amenity area must also provide for an area of overhead weather protection as a portion of the amenity area; and
  - (iv) the amenity area must have convenient pedestrian connections and provide for barrier free access.

### (15) Vehicular and Pedestrian Circulation

In addition to the requirements of Sections 6.9 and 6.23 of this Bylaw, the following applies:

- (a) in making a determination about the design of on-site motor vehicle and pedestrian circulation within the DCMU District, the Development Officer must ensure that motor vehicle and pedestrian routes are located and designed in a manner that provides a clearly defined, safe, efficient and convenient circulation pattern for both vehicles and pedestrians, including barrier-free routes. Loading bays must be located in such a manner as not to impede the safe and efficient flow of traffic and pedestrian movement and minimize impacts on adjacent land uses.
- (b) In addition to Section 9.9 of this Bylaw, the Development Officer may impose whatever conditions the Development Officer considers necessary in order to require that the applicant:
  - (i) provide connections to parking areas, and to public rights-of way adjoining a development for access to transit, services and amenities;
  - (ii) provide pedestrian access to ensure a development is integrated with a surrounding area;
  - (iii) provide pedestrian walkways along storefronts which have doors or similar openings;
  - (iv) separate pedestrian movements and motor vehicle traffic by delineating crosswalks with special paving or, where possible, raising crosswalks; and
  - (v) construct and maintain the pedestrian walkways for use by the public.

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(BL42/2005)

**Summary Table - DCMU District**

Summary tables are provided for reader convenience only and do not form part of this Bylaw. For any discrepancies between the following table and any other section of this Bylaw the latter shall govern.

<b>Floor Area</b>	Max. is 3 x site area Min. 25% of total gross floor area must be commercial	
<b>Max. Building Height</b>	20 m	
<b>Min. Front Yard</b>	Development Officer discretion	
<b>Min. Side Yard</b>	5 m unless otherwise determined by the Development Officer	
<b>Min. Rear Yard</b>	Development Officer discretion	
<b>Building Location</b>	10 m Min. separation between the exterior wall of an apartment building and any other residential building	
	4 m Min. separation between exterior wall of dwelling unit and common walkway, roadway, parking stall or communal amenity area	
<b>Parking</b>	business support service, catering service, commercial school, convenience store, financial institution, general retail store, general service, health service, household repair service, liquor store, professional service, specialty store, take-out restaurant, veterinary clinic, video outlet	1 stall/45 sq. m
	art gallery, amusement arcade, broadcasting studio, pool hall, residential sales centre	as determined by Development Officer
	cinema, theatre	1 stall/10 seats
	community hall	1 stall/5 seats or 1 stall/20 sq. m; whichever is greater
	drinking establishment, restaurant	1 stall/6 seats
	family day home	4 stalls or 1 stall/2 employees + 1 stall/10 patrons, whichever is greater
	government service, religious assembly	1 stall/8 seats or 1 stall/45 sq. m, whichever is greater
	grocery store	1 stall/20 sq. m
	indoor recreation service	(see text in Section 7.3)

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	shopping centre	1 stall/30 sq. m
	bachelor unit	1 stall/unit
	1 bedroom unit	1 stall/unit
	2 bedroom unit	1.5 stalls/unit
	3+ bedroom unit	2 stalls/unit
	supportive housing	(see text in Section 7.3)
	townhousing	2 stalls/unit
	residential use visitor parking	1 stall/5 dwelling units (for supportive housing and townhousing, see text in Section 7.3)

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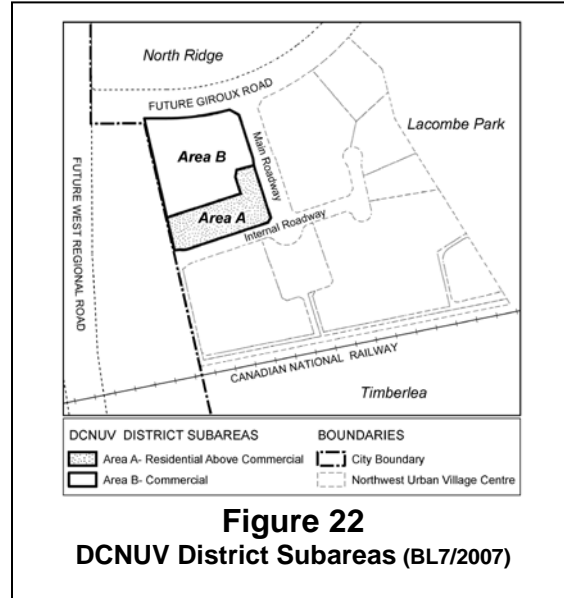
**Section 10.7. Direct Control Northwest Urban Village (DCNUV) Land Use District (BL32/2006)**

**(1) Application**

This section applies to the areas designated as Direct Control Northwest Urban Village (DCNUV) on the Land Use District Map, Schedule A of this Land Use Bylaw. The area designated as DCNUV District encompasses Area A – commercial, and the option of dwelling units above ground floor commercial and Area B – commercial, as identified in Figure 22.

**(2) Purpose**

The purpose of the DCNUV District is to provide a complementary mix of land uses to transition between the DCMU District in the Northwest Urban Village Centre and the West Regional Road and North Ridge neighbourhoods. The DCNUV District implements the principles of an Urban Village development by locating complementary land uses within a convenient walking distance, thus, reducing the dependency on the automobile. The area should be efficient, attractive, pedestrian-friendly and provide a mix of land uses that are reasonably compatible with surrounding areas. Commercial developments within this land use district should provide a range of commercial uses geared to accommodate adjacent residential needs. The residential dwelling units located above commercial uses provide a higher density of housing with options in design and tenure.



**(3) Land Uses – Council Approval**

For uses that are not listed under subsection (4) or subsection (5), Council:

- (a) shall determine the land uses that may be allowed in a DCNUV district; and
- (b) may impose such standards and conditions it considers appropriate to regulate that use. In determining the development regulations that may be applied, Council may refer to the DCNUV or any other land use district or any part of the Land Use Bylaw.

**(4) Permitted Land Uses**

Council delegates the following permitted uses for approval by the Development Officer:

- (a) art gallery;
- (b) business support service;
- (c) communal amenity area;
- (d) convenience store;

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- (e) dwelling units above ground floor commercial in Area A as per Figure 22;
- (f) financial institution;
- (g) general retail store with a gross floor area up to 400 sq. m;
- (h) general service;
- (i) government service;
- (j) grocery store with a gross floor area up to 4,180 sq. m;
- (k) health service;
- (l) professional office;
- (m) restaurant up to 100 seats;
- (n) shopping centre;
- (o) specialty store;
- (p) take-out restaurant; and
- (q) video outlet.

**(5) Discretionary Land Uses**

Council delegates the following discretionary uses that may be approved by the Development Officer:

- (a) amusement arcade;
- (b) artist studio; **(BL14/2008)**
- (c) car wash;
- (d) cinema;
- (e) commercial school;
- (f) community hall with a gross floor area up to 745 sq. m;
- (g) day care facility;
- (h) drinking establishment;
- (i) family day home;
- (j) gas bar;

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- (k) general retail store with a gross floor area over 400 sq. m;
- (l) grocery store with gross floor area over 4,180 sq. m;
- (m) home occupation;
- (n) hotel with up to 60 units;
- (o) household repair service;
- (p) indoor recreation service;
- (q) liquor store;
- (r) live/work unit; **(BL14/2008)**
- (s) outdoor display;
- (t) parking structure;
- (u) public utility building;
- (v) religious assembly;
- (w) restaurant with over 100 seats;
- (x) theatre;
- (y) veterinary clinics without outdoor kennels, pens, runs or similar enclosures;
- (z) wall mural; and
- (aa) accessory developments to any use listed in (3), (4) or (5).

**(6) Pre-Application Requirements**

In addition to the application requirements of Section 3.3 of this Bylaw, an applicant for development permit within the DCNUV Land Use District must submit to the satisfaction of the Development Officer:

- (a) An overall conceptual site development plan for:
  - (i) the area designated as DCNUV; or
  - (ii) if the applicant is only developing a portion of the subject area, a site development plan in relation to the portion to be developed in which plan the applicant has also illustrated how the development will be integrated with the area designated as DCNUV.

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The overall conceptual site development plan must identify the proposed building types and locations, development phasing, vehicular and pedestrian routes, and amenity areas in accordance with the purpose of this District.

- (b) A traffic impact analysis may be requested that demonstrates that traffic impacts are compatible with the purpose of the DCNUV District and do not prejudice safety and traffic movements with the area designated as DCNUV or on adjacent public roadways.
- (c) Details regarding the architectural guidelines for a development, including design drawings illustrating the colour scheme and building materials that incorporate the architectural guidelines proposed for the overall conceptual site development. All structures shall adhere to the architectural guidelines for the overall Urban Village regardless of the national corporate standards that may govern certain businesses.
- (d) A building height impact assessment for any building that is proposed to exceed 15 m in building height, demonstrating to the satisfaction of the Development Officer that the impact on either surrounding buildings or surrounding properties has been minimized.

**(7) Floor Area**

The maximum gross floor area for any building or combination of buildings on a site is up to three (3) times the site area.

**(8) Building Height**

The maximum building height is 15 m, or at the discretion of the Development Officer subject to Section 10.7(6)(d).

**(9) Building Orientation and Setbacks**

- (a) Buildings located adjacent to the main roadway or internal roadway shall adhere to the following (Figure 22):
  - (i) all buildings adjacent to the street shall be oriented toward the street;
  - (ii) the first and second storeys shall be developed to the front and side property lines;
  - (iii) notwithstanding subsection (ii), a minor setback of a recessed entrance, rest area, courtyard, shopping court, outdoor cafe, building amenity, recessed arcade, mid-block pedestrian path or similar amenity may be allowed where, in the opinion of the Development Officer:
    - (A) the design of the building frontage maintains the continuity of the street frontage with adjoining developments, and
    - (B) pedestrian amenity is maintained;

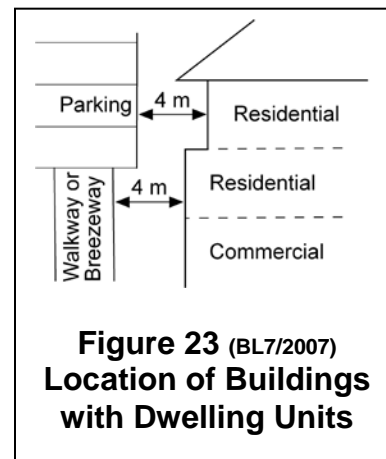
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- (iv) rear yard setbacks shall be determined by the Development Officer with regard to adjacent uses, urban design considerations and on-site constraints; and
- (b) All building setbacks from Giroux Road and the West Regional Road must be a minimum of 7 m from the property line.
- (c) All other setbacks not addressed in subsections (a) and (b) shall be determined by the Development Officer.
- (d) Where a larger setback is required in accordance with the Alberta Building Code or the Alberta Fire Code, the distances required by the Alberta Building Code or the Alberta Fire Code prevail.

**(10) Location of Buildings with Dwelling Units**

The minimum separation distances for buildings are 4 m between the exterior wall of each dwelling unit above a commercial use to: (Figure 23)

- (i) a common walkway;
- (ii) a breezeway;
- (iii) a roadway or drive aisle;
- (iv) a parking stall; or
- (v) a communal amenity area.



**(11) Design, Character and Appearance of Buildings**

In addition to the requirements of Section 6.7 of this Bylaw, the Development Officer may require that a building or buildings be designed and finished with one or more of the following:

- (a) design techniques including but not limited to, the use of variations in sloped roofs, building setbacks, and articulation of building facades in order to create architectural interest, to provide a unified building exterior, and to minimize the perceived mass and linearity of buildings;
- (b) the establishment of a common architectural theme for the development including principal design elements, finishing materials, colours and roof style. The exterior wall finish must be uniform around all sides of the building;
- (c) the use of high quality materials on the exterior including brick, brick veneer or other high quality finish of a colour acceptable to the Development Officer;
- (d) the use of a stepback for the third or higher storey along a façade facing a public roadway;

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- (e) the use of clear glazing on the ground floor to facilitate pedestrian interaction and safety;
- (f) in addition to the requirements of Section 6.11 and 6.16 of this Bylaw, the screening of outdoor storage and refuse and recycle areas taking into consideration the view from the adjacent district and public roadway; and
- (g) the incorporation of design features that will create a pedestrian friendly environment for building facades that front onto a pedestrian walkway, including:
  - (i) multiple and varied street entrances providing direct access to the sidewalk; and
  - (ii) architectural features and street furniture that strengthen the image of the businesses along the street.

**(12) Design of Public Entrances**

All developments must have a primary public entrance adjoining a public sidewalk that is recessed as follows:

- (a) for an interior lot, the width of the recessed area as measured along the property line must be a minimum of 2 m, and the depth must be a minimum of 1 m measured from the principal building facade to the nearest property line; and
- (b) a recessed entrance is not required where a corner setback, building recess or recessed arcade, or similar element satisfies the dimensions specified in subsection (a).

**(13) Residential Development**

Residential development is only permitted in areas detailed in Figure 22 and must:

- (a) be located above commercial;
- (b) provide a private amenity area, such as a balcony;
- (c) in a mixed use building, have an entrance separate from the entrance to any commercial component of the building; and
- (d) maintain the continuity of the street frontage with adjoining developments.

**(14) Overhead Weather Protection**

Developments shall be subject to the following requirements:

- (a) commercial buildings and mixed use buildings must have continuous overhead weather protection for the entire building frontage along a pedestrian walkway in a method suitable to the architectural style of the buildings in Area A of Figure 22 and as determined by the Development Officer; and

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- (b) commercial buildings in Area B of Figure 22 may have a continuous weather overhead weather protection for pedestrian walkways in a method suitable to the architectural style of the building and as determined by the Development Officer; and
- (c) overhead weather protection must be at least 2.0 m wide and must have a vertical clearance of at least 2.5 m and at most 4.0 m above the sidewalk, unless otherwise determined by the Development Officer.

**(15) Landscaping and Communal Amenity Areas**

In addition to Section 6.13, the following landscaping standards apply:

- (a) Any parking lot within Area A or B having more than 10 stalls which are visible from an adjoining residential district or public roadway must have perimeter landscaping between the parking area and the front property line as determined by the Development Officer. Perimeter landscaping in conjunction with other man-made features must provide substantial interruption of the view of the parking area to a minimum height of 1.0 m and must be provided by means of:
  - (i) intermittent screen fencing and landscaping; or
  - (ii) undulated berming and landscaping; or
  - (iii) a continuous landscape screen.
- (b) All minimum required yards must be landscaped. Within required yards, trees must be planted in an overall ratio of 1 tree per 75 sq. m of landscape area to enhance development and provide a visual buffer for adjacent residential uses. Wherever space permits, trees must be planted in groups and groupings must be dispersed within the site. Coniferous trees must comprise a minimum proportion of 40% of all trees planted.
- (c) Notwithstanding clause (b), only deciduous trees must be employed in landscaping of interior parking lots.
- (d) Foundation plantings must be incorporated along Giroux Road and the West Regional Road and shall consist of shrubs and deciduous trees grouped, where appropriate, in clusters every 6 m along the building frontage to enhance development and act as a visual buffer. (Figure 21)
- (e) Foundation plantings may be allowed within a required yard to a maximum of 1.0 m, provided that a minimum setback of 2.0 m is maintained between the internal road or property line and the planting.
- (f) a building that includes 40 or more dwelling units must provide an indoor or outdoor communal amenity area for the benefit of the residents of the building, to the satisfaction of the Development Officer;

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- (i) the amenity area may include meeting room with kitchen, indoor gym, workshop, seating/reading area, raised gardens, roof top courtyards or recreational areas; and
- (ii) the amenity area must be barrier free access.

**(16) Vehicular and Pedestrian Circulation**

In addition to the requirements of Sections 6.23 and 9.9 of this Bylaw, the following applies:

- (a) In making a determination about the design of on-site motor vehicle and pedestrian circulation within the DCNUV District, the Development Officer will ensure that motor vehicle and pedestrian routes are located and designed in a manner that provides a clearly defined, safe, efficient and convenient circulation pattern for both vehicles and pedestrians, including barrier-free routes.
- (b) Loading bays must be located in such a manner as not to impede the safe and efficient flow of traffic and pedestrian movement and minimize impacts on adjacent land uses.
- (c) The Development Officer may impose conditions necessary to ensure:
  - (i) pedestrian connections to parking areas, and to public rights-of way adjoining a development for access to transit, services and amenities;
  - (ii) pedestrian access integrating a development with the surrounding area;
  - (iii) pedestrian walkways along storefronts which have doors or similar openings;
  - (iv) separated pedestrian and motor vehicle traffic by delineating crosswalks using special paving or, where possible, raising crosswalks; and
  - (v) construction and maintenance of pedestrian walkways for use by the public.

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**Summary Table - DCNUV District**

Summary tables are provided for reader convenience only and do not form part of this Bylaw. For any discrepancies between the following table and any other section of this Bylaw the latter shall govern.

<b>Floor Area</b>	Maximum floor area up to three times the site area.	
<b>Building Height</b>	15 m	
<b>Setback to Arterials</b>	7 m setback from property line adjacent to Giroux Road and West Regional Road	
<b>Setbacks for Main Street and Internal Street</b>	0' front and side property lines	
	Rear yard setbacks to be determined by Development Officer	
<b>All Other Setbacks</b>	All other setbacks to be determined by Development Officer	
<b>Location of Buildings with Dwelling Units</b>	The minimum separation distance for buildings are 4 m between the exterior wall of each dwelling unit to a common walkway, a breezeway, a roadway or drive aisle, a parking stall or a communal amenity area.	
<b>Parking</b>	art gallery, amusement arcade, public utility building	as required by Development Officer
	business support service, liquor store	1 stall/30sq.m of gross floor area
	cinema, theatre	1 stall/4 seats
	commercial school, convenience store, financial institution, general retail store, general service, health service, household repair service, professional office, specialty store, take-out restaurant, veterinary clinic, video outlet	1 stall/45 sq. m of gross floor area
	community hall	1 stall/5 seats or 1 stall/20 sq. m of gross floor area, whichever is greater
	day care facility, family day home	4 stalls; or 1 stall/2 employees plus 1 stall/10 patrons, whichever is greater
	drinking establishment, restaurant	1 stall/4 seats
	government service, religious assembly	1 stall/8 seats or 1 stall/45 sq. m of gross floor area, whichever is greater;
	grocery store	1 stall/20 sq m of gross floor area

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	hotel	1 stall/guest room, plus additional stalls in accordance with the parking requirements for any other uses which form part of the hotel
	indoor recreation service	1 stall/5 seats for areas with fixed seating, plus 1 stall/10 sq m of gross floor area for uses without fixed seating; and the Development Officer may require additional or differing parking requirements based upon the individual components of the recreation service
	shopping centre	1 stall/30 sq. m of gross floor area and see Part 7 (3a) for additional requirements on specific uses within a shopping centre
	bachelor unit	1 stall/unit
	1 bedroom unit	1 stall/unit
	2 bedroom unit	1.5 stalls/unit
	3+ bedroom unit	2 stalls/unit
	residential use visitor parking	1 stall/5 dwelling units