

BYLAW NO. 2018/12

A BYLAW OF RED DEER COUNTY, IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE OF AMENDING THE LAND USE BYLAW NO. 2006/6 WITH AMENDMENTS AND CHANGES.

Pursuant to the authority conferred upon it by the Municipal Government Act, the Council of Red Deer County hereby enacts that **Bylaw No. 2006/6, Land Use Bylaw**, as amended, be amended as follows:

1. Section 8, Use Definitions – (1) add the following definitions:

“**Above Ground Parkade** means a multilevel structure designed specifically for the parking of motorized vehicles.”;

“**Day Care Facility** means a development licensed by the Province to provide daytime personal care and education to children or elderly persons, but does not include overnight accommodation. Typical facilities would include daycare or "elder care" centres, day nurseries, family day home child care for seven (7) or more children, kindergartens, nursery schools and play schools.”;

“**Financial Service** means the provision of financial and investment services by a bank, trust company, investment dealer, credit union, mortgage broker, financial planning services or related business.”; and

“**Transportation Terminal/Hub** means a facility for bus depots, moving companies, vehicle rental agencies, trucking, taxi or courier firms.”

- (2) amend the following definitions to read as follows:

“**Office** means development primarily for the provision of professional, management, administrative, or consulting in an office setting. Typical uses include, but are not limited to, the offices of lawyers, accountants, travel agents, real estate and insurance firms, planners and other consultants, dentists, doctors, clerical services and secretarial agencies. This excludes government services, financial services, the servicing and repair of goods, the sale of goods to the customer on site, and the manufacturing and handling of a product.”; and

“**Cottage** means a “standalone dwelling unit” with a maximum gross floor area of 92 m² (990 ft²). The structure must have a minimum dimension of 6.1 m (20 ft), measured on the shortest side of the unit, with an eaves overhang of at least 46 cm (18 in) measured perpendicularly from the vertical wall.”

2. Section 10, Interpretive Definitions – add the following definitions:

“**Cabin** means a building with a maximum gross floor area of 28 m² (301 ft²) where the maximum occupancy duration shall not exceed 240 days in one year. This does not include a hotel, a motel, a manufactured home, manufactured home (singlewide), a recreational vehicle, or a boarding or a lodging house.”; and

“**Escarpment** means a slope where the grade exceeds 15% or is suspected of being unstable.”

3. Section 15, Subdivision Authority and Subdivision of Land – amend Section 15.4 to read as follows: “The Development Officer shall receive, determine whether the application is complete, and process subdivision applications on behalf of, and make recommendations to, the Subdivision Authority.”
4. Section 24, Variance Authority – add the following as Section 24.10: “Notwithstanding Section 24.3, the Development Officer may consider allowing a variance up to 10% of the required landscaping and parking for commercial, industrial and institutional developments.”
5. Section 26, Development Permit Referrals – amend Section 26.3 to read as follows: “After 19 days from the date of referral to any County department, any external agency or any adjacent landowner, the Development Authority may deal with the application whether or not comments have been provided.”
6. Section 38, Accessory Buildings and Uses – amend Section 38.2 to read as follows: “Notwithstanding Section 38.1 an accessory building may include a garden suite in accordance with Section 63a of this Bylaw.”
7. Section 54, General Landscaping Regulations – amend Section 54.6 c) to read as follows: “The Development Authority may release 85% of the total value indicated in the irrevocable letter of credit once the landscaping as approved has been completed.”
8. Section 59, Objects Prohibited or Restricted in Yards – remove Section 59.6 in its entirety.
9. Part 8, Parking and Loading Facilities, Section 68, Residential Uses – (1) amend Section 68.2 to read as follows: “The parking or loading stalls located within the front yard for all residential uses shall be hard surfaced as defined in the bylaw, except for single detached dwellings and duplexes in the Ag, R1, and R2 Districts.”; and

(2) add the following sections: “68.4 - Parking areas required for multi-attached dwellings shall be paved or finished to a hard surfaced standard satisfactory to the Development Authority.”; and

“68.5 - With the exception of multi-attached dwellings, parking stalls located within the rear yard may be a gravel surfaced standard satisfactory to the Development Authority.”
10. Section 71, Number of Vehicle Parking Stall Required – add the following table as Table 71-8, Commercial Core Land Use Minimum Parking Requirement:

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| Financial Institution | 2 stalls per 100 m ² (1,080 ft ²) GFA |
| Food and Beverage Service Facility, for less than 100 occupants and 120 m ² of public space | 1 stall per 4 seats plus 1 stall per staff |
| Food and Beverage Service Facility, for greater than 100 occupants and 120 m ² of public space | 1 stall per 4 seats plus 1 stall per staff |

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| Government Service | 2 stalls per 100 m ² (1,080 ft ²) GFA |
| Personal Service Facility | 2 stalls per 100 m ² (1,080 ft ²) GFA |
| Multi-attached dwelling, second story and above | See table 71-5 |
| Office | 2 stalls per 100 m ² (1,080 ft ²) GFA |
| Retail Store – Minor | 2 stalls per 100 m ² (1,080 ft ²) GFA plus 1 stall per staff |
| Social Care Facility | 0.4 stalls per unit to provide for residents, visitors and day duty staff, with a minimum of three stalls |
| Apartment, second story and above | See table 71-5 |
| Community Facility | 4 stalls per 100 m ² (1,080 ft ²) GFA |
| Commercial Recreation Facility – Indoor | 8 stalls per 100 m ² (1,080 ft ²) GFA |
| Hotel, for less than 30 rooms | 1 stall per room plus 3 stalls for staff |
| Live/ Work Units, second story and above | 1 additional parking space per unit |
| Private Club | 4 stalls per 100 m ² (1,080 ft ²) GFA |
| Day Care Facility | 0.2 stalls per child plus 1 stall per staff |

11. Part 11, Agricultural District (Ag) – amend this section as follows: (1) Remove “Garden Suite” from Section 101.3, Discretionary Uses OUTSIDE an Urban Fringe Area or an Intermunicipal Development Boundary, and from Section 101.5, Discretionary Uses WITHIN an Urban Fringe Area or an Intermunicipal Development Boundary;
- (2) Add “Garden Suite” to Section 101.2, Permitted Uses OUTSIDE an Urban Fringe Area or an Intermunicipal Development Boundary, and to Section 101.4, Permitted Uses WITHIN an Urban Fringe Area or an Intermunicipal Development Boundary; and
- (3) Amend Section 101.4, Permitted Uses WITHIN an Urban Fringe Area or an Intermunicipal Development Boundary, by removing “On parcels of 32 ha (80 acres) or more: Extensive Agricultural Operation.”
12. Part 12, Country Residential District (R-1) – (1) amend Section 102.2 by removing “Intensive Agricultural Operation limited to the keeping of livestock on a minimum lot size of 1.2 ha (3.0 acres)”;
- (2) Remove Section 102.5 in its entirety.
13. Part 25, Business Service Industrial District (BSI) – (1) amend Section 115.2 by removing “minimum 929 m² (10,000 ft²)” from the use “Contractor Operation - minimum 929 m² (10,000 ft²) Office/Shop/Warehouse”;
- (2) amend Section 115.2 by removing “minimum 25,000 ft²” from the use “Commercial Recreation Facility – Indoor minimum 25,000 ft²”; and
- (3) amend Section 115.2 by adding “Transportation Terminal/Hub.”

14. Part 31, Direct Control District (DCD) - Direct Control District #9, Liberty Crossing at Gasoline Alley West Urban Design Plan (Gasoline Alley West & Liberty Crossing), amend Section 5, Implementation, by removing “and, as may be applicable, the South Hills Area Structure Plan” from the end of the first paragraph.,

FIRST READING: MARCH 27, 2018
SECOND READING:
THIRD READING:

MAYOR
Date Signed

COUNTY MANAGER
Date Signed