



CITY OF FORT SASKATCHEWAN

A BYLAW OF THE CITY OF FORT SASKATCHEWAN IN  
THE PROVINCE OF ALBERTA TO AMEND BYLAW C23-20, LAND USE BYLAW

BYLAW C17-21

**WHEREAS** the *Municipal Government Act*, R.S.A., 2000, c.M-26 as amended or repealed and replaced from time to time, provides that a municipality has the power to amend the Land Use Bylaw;

**NOW THEREFORE**, the Council of the City of Fort Saskatchewan, in the Province of Alberta, duly assembled, enacts as follows:

1. That Bylaw C23-20 be amended as follows:

A) By adding the following under Part 11 – Direct Control Land Use Districts:

**11.20 – DC(A)-17 Direct Control – Town Crest Road District**

**11.20.1 Purpose**

The purpose of this site-specific direct control district is to provide for high quality residential care, mixed-use, and commercial development. Key attributes of this district include residential care development supplemented by complementary uses that will serve to intensify the Highway 21 corridor.

**11.20.2 Area of Application**

This Direct Control District applies to Lots 9 & 10, Block 5, Plan 0920405, as shown on Figure 11.20.

**11.20.3 DC(A)-17 Uses:**

- (a) The Fundamental Use Provisions as requisite qualifiers for Allowed Uses listed within 11.20.3 (b) shall ensure:
- i. That Pet Care Service shall not include any outside enclosures, pens, or exercise areas.

**(b) DC(A) 17 Allowed Uses to be considered at the discretion of the Development Authority**

- Apartment
- Assisted Living Facility
- Business Support Service
- Child Care Facility
- Community Garden
- Commercial School
- Community Service Facility
- Eating and Drinking Establishment
- Entertainment Facility, Indoor
- Government Service

- Health Service
- Home Office
- Hotel
- Parking Facility
- Personal Service
- Pet Care Service
- Place of Worship
- Professional, Financial, and Office Service
- Recreation Facility, Indoor
- Retail Store (Cannabis)
- Retail Store (Convenience)
- Retail Store (General)
- Retail Store (Liquor)
- Sign, Electronic Message
- Sign, Fascia
- Sign, Fascia (Limited)
- Sign, Freestanding
- Sign, Freestanding (Limited)
- Sign, Portable
- Sign, Portable (Limited)
- Sign, Projecting
- Veterinary Clinic

Accessory development to any use listed in subsection 11.15.3 (b)

#### 11.20.4 DC(A)-17 - Site Subdivision Regulations

	Interior or Corner Site	
<b>(a) Site Area</b>	Minimum	2,000m <sup>2</sup>
<b>(b) Site Width</b>	Minimum	At the discretion of the Subdivision Authority
	Maximum	At the discretion of the Subdivision Authority
<b>(c) Site Deptl</b>	Minimum	At the discretion of the Subdivision Authority
	Maximum	At the discretion of the Subdivision Authority

#### 11.20.5 DC(A)-17 - Site Development Regulations

	Interior or Corner Site	
<b>(a) Front Setback</b>	Minimum	7.5m

<b>(b) Rear Setback</b>	Minimum	3.0m for sites abutting a non-Residential Land Use District
		6.0m for sites abutting a Residential Land Use District or a public park
<b>(c) Side Setback</b>	Minimum	3.0m for site abutting a non-Residential Land Use District.
		6.0m for sites abutting a Residential Land Use District or a public park.
<b>(d) Height</b>	Minimum	8.0m
	Maximum	26.0m

#### 11.20.6 On-Site Parking for Residential Care

Assisted Living Facility off street parking shall be a minimum of:

- (a) 1 stall per 2 units;
- (b) 10 stalls for staff parking; and
- (c) 10 Visitor parking spaces for the site.

#### 11.20.7 Residential Care Amenity Area

- (a) Apartments and Assisted Living Facilities uses must provide communal indoor amenity areas within the building for use by residents to the satisfaction of the Development Authority. Such amenity area shall include but not be limited to library, fitness, games, music, arts and crafts, swimming pool and meeting rooms.

#### 11.20.8 Landscaping and Outdoor Amenity Area

- (a) The minimum landscaped area shall be 20% of the site and shall be subject to applicable provisions under Section 9.3 – Landscaping Requirements for Institutional Land Uses and Section 5.6- General Landscape Requirements of this Bylaw.
- (b) Landscaping shall consider the seasonal appearance of the site.
- (c) Landscape buffer width along the frontage of Highway 21 shall be to the satisfaction of the Development Authority.
- (d) Developments must provide a minimum amenity area of 2.5m<sup>2</sup> per sleeping or dwelling unit to be developed as outdoor communal amenity area with a total not less than 100m<sup>2</sup> for the benefit of the residents.
- (e) Rooftop gardens shall be considered landscaped area.
- (f) 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 a communal gathering place, to the

approval of the Development Authority.

- (g) The amenity area must also provide for an area of overhead weather protection as a portion of the amenity area.
- (h) Parking areas shall be screened from amenity areas to the satisfaction of the Development Authority.
- (i) Pedestrian circulation plan shall be provided for residential uses to the satisfaction of the Development Authority.

#### **11.20.9 Lighting**

- (a) All outdoor lighting will be in accordance with Part 5- General Regulations for All Land Use Districts.
- (b) All outdoor lighting within this District shall be of a design and style that are consistent with the purpose of this District to the satisfaction of the Development Authority.
- (c) Outdoor lighting must be provided for all amenity areas, walkways and parking areas to the satisfaction of the Development Authority.

#### **11.20.10. Noise Mitigation**

- (a) A noise report prepared by a qualified professional may be required submitted prior to the issuance of development permits. This report shall consider appropriate noise attenuation measures in order to mitigate noise from Highway 21 and surrounding commercial activities. Any recommendations from the report shall be implemented by the applicant through the permit approval process.
- (b) The Development Authority may require mitigation measures including and not limited to:
  - i. provision of noise attenuation walls;
  - ii. increased landscaping, including a landscape buffer;
  - iii. relocation of parking areas, loading areas, walkways, business entrances, or other high activity areas away from residential property lines;
  - iv. screening or relocating on-site lighting to avoid spillage onto residential properties;
  - v. restricting the location of outdoor speakers;
  - vi. changing the proposed structure to mitigate noise, light, or glare impacts; and
  - vii. these measures may not be required depending on the findings of a noise report prepared by a qualified professional.
- (c) Except for on-site parking, loading areas, short term marketing promotions, and eating and drinking establishment (outdoor), all business activities shall be carried out entirely within completely enclosed buildings or structures.

#### **11.20.11 Additional Development Regulations:**

- (a) All development and uses within this Land Use District are subject to the applicable provisions of Part 5 – General Regulations for all Land Use Districts, Sections 6.2, 6.7, 6.8, 6.10, and 6.11 of Part 6 – Residential Land Use Districts, Part 7- Commercial Land Use Districts, Sections 7.5.6(c) (e), Part 13 – Parking and Loading, and Part 14 – Signs.

- (b) A conceptual drawing shall be provided at the time of Development Permit application.
- (c) Exterior treatment of buildings such as colour, finish, materials, and texture shall be to the satisfaction of the Development Authority.
- (d) 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 that there shall be general conformity with adjacent buildings, and that there may be adequate protection afforded to the amenities of adjacent buildings and sites. The form and character of buildings shall complement adjacent character of the neighbourhood.
- (e) Where at least 50% of the required parking for a use is allocated in a parking garage, an additional one storey or 4.0m may be permitted in addition to the maximum building height.
- (f) Except for off-street parking, loading areas and approved patios, all business activities shall be carried out entirely within completely enclosed buildings or structures.

**Figure 11.20a: Applicable Area DC(A)-17- Town Crest Road District**



- 2. That Appendix A, Land Use Map covering:
  - a) Lots: 9, 10, Block: 5, Plan: 0920405 be amended from C2 (Commercial Retail and Service District) to DC(A)-17 (Direct Control- Town Crest Road District);  
as shown on the attached Schedule "A".

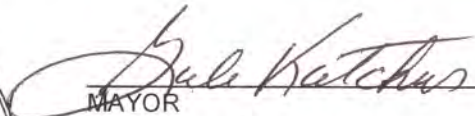
3. This Bylaw is cited as the Amendment to Land Use Bylaw C23-20, as amended, repealed and/or replaced from time to time.
4. If any portion of this Bylaw is declared invalid by a court of competent jurisdiction, the invalid portion must be severed and the remainder of the Bylaw is deemed valid.
5. This Bylaw becomes effective upon third and final reading.

READ a first time this                    8<sup>th</sup>                    day of                    June                    2021.

READ a second time this                6<sup>th</sup>                    day of                    July                    2021.

READ a third time and passed this    6<sup>th</sup>                    day of                    July                    2021.

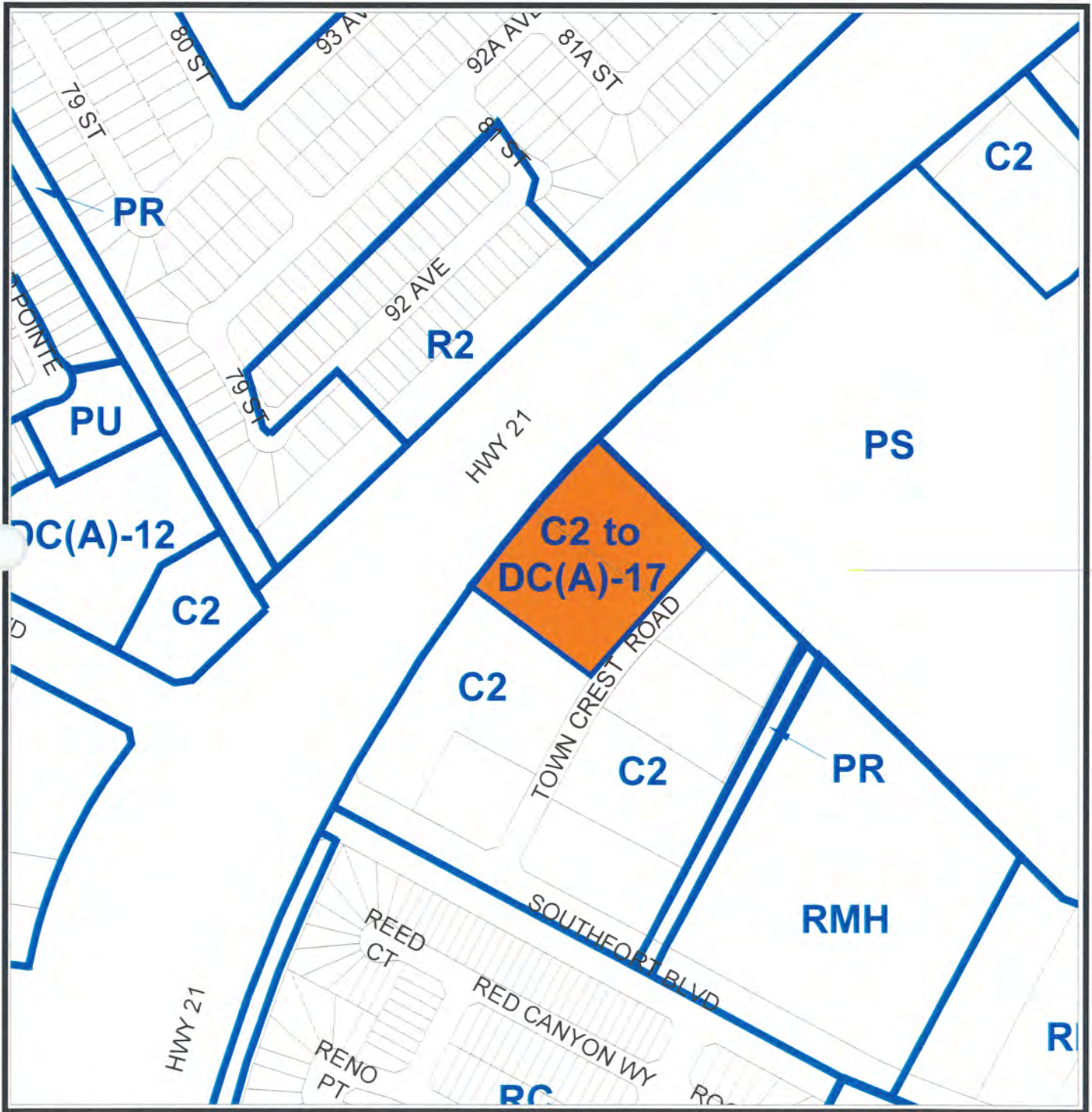


  
MAYOR

  
DIRECTOR, LEGISLATIVE SERVICES

DATE SIGNED: July 6, 2021

# Bylaw C17-21 Schedule "A"



Lots: 9-10, Block: 5, Plan: 0920405

 C2 to DC(A)-17