

TOWN OF RAYMOND
BYLAW NO. 1095-21

BEING a bylaw of the Town of Raymond, in the Province of Alberta, to amend Bylaw No. 987-11, being the municipality's Land Use Bylaw.

AND WHEREAS the Council of the Town of Raymond is in receipt of a request to redesignate the following land described as:

Lot 33, Block 22A, Plan 8111944

from "General Residential – R-1" to "Direct Control – DC-1", as shown on the map in Schedule 'A', attached hereto.

AND WHEREAS THE PURPOSE of Bylaw No. 1095-21 is to redesignate the land described above to Direct Control and establish the uses and regulations for the district.

AND WHEREAS the municipality must prepare a corresponding bylaw and provide for its consideration at a public hearing.

THEREFORE, under the authority and subject to the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended, the Council duly assembled does hereby enact the following:

1. That the land described as Lot 33, Block 22A, Plan 8111944 as shown on the attached Schedule 'A' is designated Direct Control – DC-1.
2. That the Direct Control district regulations for the described land are as established in Schedule 'B', attached.
3. That the Land Use Districts Map of the Town of Raymond Land Use Bylaw No. 987-11 is amended to reflect this designation.
4. Bylaw No. 987-11, being the Land Use Bylaw, is hereby amended and a consolidated version of the Land Use Bylaw reflecting the amendment is authorized to be prepared.
5. This bylaw comes into effect upon third and final reading hereof.

READ a **first** time this ____ day of _____, 2021.

READ a **second** time this ____ day of _____, 2021.

READ a **third** time and finally passed this ____ day of _____, 2021.

Mayor – Jim Depew

Chief Administrative Officer – Kurtis Pratt

SCHEDULE 'B'
BYLAW NO. 1095-21
DIRECT CONTROL DISTRICT REGULATIONS
LOT 33, BLOCK 22A, PLAN 8111944

1. INTENT

To provide for the site-specific operation of a restaurant, in addition to the residential use, at a scale sensitive to the residential context of the neighbourhood and the designation of the property as a Registered Historic Resource.

2. DEFINITIONS

For the purposes of the Direct Control district established under Bylaw No. 1095-21, the following uses are defined as such:

Accessory structure in conjunction with residential use means a building or structure that is incidental and subordinate to and customarily found in connection with a single-detached dwelling.

Accessory structure in conjunction with fine dining restaurant use means a building or structure that is incidental and subordinate to and customarily found in connection with a fine dining restaurant.

Fine dining restaurant means an establishment where food and beverages are prepared and served for consumption on the premises to customers seated in the indoor dining room, with a maximum capacity not to exceed 15 customers, and/or the designated outdoor patio dining area, with a maximum capacity not to exceed 6 customers, during prescribed hours of operation. Customer turnover rates are slow, typically one hour or longer. Catering and take-out service for off-premises consumption may be provided only as an incidental and ancillary use during prescribed hours of operation.

Shingle sign means a sign suspended from and located entirely under a covered porch, eave, awning, or entryway.

All other uses, words and expressions are as defined in Part 5: Definitions of the Land Use Bylaw.

3. USES

(1) Permitted Uses

Accessory structure in conjunction with residential use:

49 m² (528 ft²) or less

Dwelling:

Single-detached site-built

Fine dining restaurant

Signs:

Type 9: window sign

Shingle sign

(2) Discretionary Uses

Accessory structure in conjunction with residential use:

greater than 49 m² (528 ft²)

Accessory structure in conjunction with fine dining restaurant

Shipping container, temporary

Solar collector

Signs:

Type 4: monument sign

SCHEDULE 'B'
BYLAW NO. 1095-21
DIRECT CONTROL DISTRICT REGULATIONS
LOT 33, BLOCK 22A, PLAN 8111944

4. MINIMUM LOT SIZE

Existing title

5. MINIMUM SETBACK REQUIREMENTS

Use	Front		Side		Rear	
	m	ft.	m	ft.	m	ft.
Accessory structure in conjunction with residential use	Not permitted in front yard		1.5	5	1.5	5
Accessory structure in conjunction with fine dining restaurant	Not permitted in front yard		7.6	25	7.6	25
Dwelling, Single-detached site-built	7.6	25	1.5	5	7.6	25
Fine dining restaurant	Must be located within dwelling, except for designated outdoor patio dining area to be located in the rear yard and setback at least 7.6 m (25 ft) from the rear and side property lines.					
Shipping container, temporary	In accordance with Part 3: Use Specific Standards for Shipping Containers in the Land Use Bylaw					
Solar collector	In accordance with Part 3: Use Specific Standards for Solar Collectors in the Land Use Bylaw					

6. MAXIMUM LOT COVERAGE

Combined total of principal and all accessory structures: 45%

7. MAXIMUM BUILDING HEIGHT

Dwelling, single-detached site-built: 10.1 m (33 ft)

Accessory structure: 6.1 m (20 ft)

8. GENERAL DEVELOPMENT STANDARDS

The General Development Standards contained in Part 2 of the Land Use Bylaw shall apply, unless otherwise specified in the standards of this district.

9. LANDSCAPING, SCREENING, AND FENCING

As prescribed in the General Residential – R-1 land use district.

10. PARKING REQUIREMENTS

(1) A minimum of 2 off-street parking spaces shall be provided on-site for the single-detached dwelling.

(2) Off-street parking for non-resident staff of the fine dining restaurant shall be provided on-site.

SCHEDULE 'B'
BYLAW NO. 1095-21
DIRECT CONTROL DISTRICT REGULATIONS
LOT 33, BLOCK 22A, PLAN 8111944

- (3) On-street customer parking for the fine dining restaurant shall be limited to the designated on-street parking area within the Broadway Street right-of-way labelled "Proposed Parking" on the attached Schedule 'C', Site Plan Showing Proposed Parking.
- (4) Design and construction standards for the off-street parking spaces and designated on-street parking area within the Broadway Street right-of-way shall be as prescribed by the Town of Raymond and at the applicant's cost.
- (5) The applicant shall be required for the costs associated with design and construction of the off-street parking spaces and designated on-street parking area and may be required to enter into a development agreement for construction of the off-street parking spaces and/or the designated parking area in accordance with the provisions of the Land Use Bylaw.
- (6) Conditions for directional signage associated with off-street and on-street parking for the fine dining restaurant may be required.

11. BUILDING DESIGN AND APPEARANCE

- (1) The existing dwelling shall retain a residential style and appearance.
- (2) The exterior finish and style of any additions to the dwelling and any accessory structures associated with the fine dining restaurant shall be complementary to and compatible with the residential character of the neighbourhood and the architectural features of the existing dwelling.

12. SIGNAGE

- (1) No more than 2 signs shall be permitted.
- (2) Sign requirements for a Type 4: Monument Sign and Type 9: Window Sign shall be in accordance with Part 3: Use Specific Standards of the Land Use Bylaw for Signs in the General Residential – R-1 land use district.
- (3) Sign requirements for a shingle sign are as follows:
 - (a) Quality, construction, and character of the sign shall be in keeping with the residential nature of the area and compatible with the dwelling.
 - (b) The sign shall be securely fastened to the wall of the dwelling or overhang of a porch, eave, or awning.
 - (c) The sign shall not exceed 0.38 m² (4 ft²) in size.
- (4) All other provisions for signs are as prescribed in Part 3: Use Specific Standards of the Land Use Bylaw.

13. SOUND

- (1) Use of an outdoor broadcast or sound system to announce an event, reservation, activity, etc. is prohibited.
- (2) Outdoor broadcast of music is permitted in accordance with the Town of Raymond Noise Bylaw. As a condition of development, additional limitations may be established for outdoor music associated with the dine dining restaurant use.

SCHEDULE 'B'
BYLAW NO. 1095-21
DIRECT CONTROL DISTRICT REGULATIONS
LOT 33, BLOCK 22A, PLAN 8111944

14. HOURS OF OPERATION

The hours of operation for the fine dining restaurant are as follows:

Monday:	9 a.m. to 9 p.m.
Tuesday:	9 a.m. to 9 p.m.
Wednesday:	9 a.m. to 9 p.m.
Thursday:	9 a.m. to 9 p.m.
Friday:	9 a.m. to 9 p.m.
Saturday:	9 a.m. to 9 p.m.
Sunday:	9 a.m. to 9 p.m.

15. DEVELOPMENT APPROVAL AUTHORITY

For the purposes of this Direct Control bylaw, the approval authority for:

- (a) **Permitted Uses** – is delegated to the Town of Raymond Development Officer. The Development Officer may refer the application to the Municipal Planning Commission in accordance with Permitted Use Applications procedures in the Administrative section of the Land Use Bylaw.
- (b) **Discretionary Uses** – is delegated to the Town of Raymond Municipal Planning Commission.

16. VARIANCE OF BYLAW PROVISIONS

No variance to the standards established under this Direct Control district or the applicable Parts of the Land Use Bylaw are permitted without authorization of Council through a bylaw amendment.

17. OTHER PROCESSES, REQUIREMENTS AND PROVISIONS

All other processes, requirements, and provisions are as established in Parts 1-5 of the Land Use Bylaw, as applicable.