

TOWN OF CHESTERMERE BYLAW 020-09

BEING A BYLAW TO AMEND LAND USE BYLAW NO. 99-600 OF THE
TOWN OF CHESTERMERE

WHEREAS pursuant to the provisions of the Municipal Government Act, Chapter M-26, Revised Statutes of Alberta 2000, and amendments thereto, the Council of the Town of Chestermere in the Province of Alberta (hereinafter called the Council) has adopted Land Use Bylaw No. 99-600 as amended;

WHEREAS the Council deems it desirable to create new land use districts known as the Eastern Town Centre Commercial District (ETC), Interim Commercial District (IC) Community Services District (CS) and Low-rise Apartment Residential District (R-4); and

WHEREAS the Council deems it desirable that Land Use Bylaw No. 99-600 be amended;

NOW THEREFORE

the Council hereby enacts as follows:

1. PART III, SECTION 8.1.0 (ESTABLISHMENT OF DISTRICTS) is amended by the following:

Re-designating from Rocky View Ranch and Farm District (RF) to:

- i. RESIDENTIAL MODIFIED DISTRICT (R-1M)
- ii. RESIDENTIAL SEMI DETACHED DISTRICT (R-2)
- iii. EASTERN TOWN CENTRE COMMERCIAL DISTRICT (ETC)
- iv. INTERIM COMMERCIAL DISTRICT (IC)
- v. BUSINESS PARK/LIGHT INDUSTRY DISTRICT (BP/LI)
- vi. COMMUNITY SERVICES DISTRICT (CS)
- vii. PUBLIC-QUASI-PUBLIC DISTRICT (P)
- viii. DIRECT CONTROL RESIDENTIAL MULTI-UNIT DISTRICT (DC(R-3))
- ix. DIRECT CONTROL LOW RISE APARTMENT RESIDENTIAL DISTRICT (DC(R-4))

those lands described as:

The NW ¼ 13-24-28-W4M;
The NE ¼ 13-24-28-W4M;
A portion of the SE ¼ 13-24-28-W4M;

A portion of the NE ¼ 14-24-28-W4M
A portion of the NW ¼ 14-24-28-W4; and
A portion of the NE ¼ (contained in Block 1, Plan 890876) 14-24-28-W4M

(See attached Schedule A)

2. PART III, SECTION 21.0.0 thru SECTION 23.0.0 is amended by renumbering these sections accordingly as SECTION 22.0.0 thru SECTION 24.0.0.
3. PART III, SECTION 24.0.0 thru SECTION 33.0.0 is amended by renumbering these sections accordingly as SECTION 26.0.0 thru SECTION 35.0.0.
4. PART I, SECTION 2.0.0 (DEFINITION OF TERMS) is amended by the addition of the following:

“Accommodation and Convention Services” means development primarily used for the provision of rooms or suites for temporary sleeping accommodation such as *hotels* (rooms have access from a common interior corridor and are not equipped with individual kitchen facilities), *motels* (temporary lodging or kitchenette where each room or suite has its own exterior access), *country inns*; or, *development* which provides permanent facilities for meetings, seminars, conventions, product and trade fairs and other exhibitions;

“Accommodation Units” means any room or group of rooms designed to provide accommodation to the traveling or recreational public including a room in a hotel, motel, resort or tourist establishment, a rental cottage or cabin or a tent or a trailer site;

“Agricultural Support Services” means development providing products or services directly related to the agricultural industry;

“Animal Health Care Services, Small Animal” means development such as a hospital or shelter used for the temporary or overnight accommodation, care, treatment or impoundment of animals considered as domestic pets, but not farm animals. This would include pet clinics, animal veterinary clinics and veterinary offices but not kennels, outdoor pens, runs or enclosures;

“Arts and Cultural Centre” means facilities provided by the municipality or by another group or organization without profit or gain for

community activities related to culture and the arts. Activities may include the display of artwork, instructional classes and workshops, performances, and the retail sale of art and related supplies;

“Automotive, Equipment and Vehicle Services” means *development* used for the rental, lease, sale, storage, service, restoration and/or mechanical repair of automobiles, trucks, trailers, motorcycles, heavy equipment, snowmobiles, motor homes, tent trailers, boats, travel trailers or similar light *recreation vehicles*. Uses and facilities would also include transmission shops, muffler shops, autobody paint and repair facilities, and fleet services involving *motor vehicles* for the delivery of people, goods or services;

“Business Park” means a comprehensively planned industrial development with common functional characteristics that may contain a range of business activities in a number of buildings situated within a campus-like setting;

“Commercial School/College” means a place of instruction operated for profit but does not include a public, separate or private school;

“Community Recreational Buildings” means an indoor recreational facility intended to serve the general public;

“Contractor, General” means development used for industrial service support and construction. Typical uses include laboratories, cleaning and maintenance contractors, building construction, landscaping, concrete, electrical, excavation, drilling, heating, plumbing, paving, road construction, sewer or similar services of a construction nature which require on-site storage space for materials, construction equipment or vehicles normally associated with the contractor service. Any sales, display, office or technical support service areas shall be accessory to the principal general contractor use;

“Contractor, Limited” means development used for the provision of electrical, plumbing, heating, painting, catering and similar contractor services primarily to individual households and the accessory sales of goods normally associated with the contractor services where all materials are kept within an enclosed building, and there are no accessory manufacturing activities or fleet storage of more than four vehicles;

“Dealership/Rental Agency, Automotive” means an establishment having as its main use the storage of vehicles for sale, rent or lease.

Accessory uses may include facilities for the repair or maintenance of such vehicles;

“Dealership/Rental Agency, Implement and Equipment” means an establishment having as its main use the storage of agriculture implements and industrial equipment for sale, rent or lease. Accessory uses may include facilities for the repair or maintenance of such implements;

“Dealership/Rental Agency, Recreational Vehicles” means an establishment having as its main use the storage of recreational vehicles for sale, rent or lease. Accessory uses may include facilities for the repair or maintenance of such vehicles;

“Dwellings, Row” means *development* consisting of a *building* containing a row of three or more *dwelling units* each sharing a common wall extending from the first floor to the roof, at the side only with no *dwelling* being placed over another in whole or in part. Each *dwelling unit shall* have separate, individual, and direct access to the *building* at grade;

“General Industry” means the following activities:

1. the processing of raw, value added or finished materials;
2. the manufacturing or assembling of goods, products or equipment;
3. the cleaning, servicing, repairing or testing of materials, goods and equipment normally associated with industrial or commercial businesses or cleaning, servicing and repair operations to goods and equipment associated with personal or household use, where such operations have impacts that would make them incompatible in non-industrial districts;
4. the storage or transshipping of materials, goods and equipment, including petro-chemical products and supplies; and
5. the training of personnel in *general industrial* operations.

It *may* include any indoor display, office, technical or administrative support areas or any sales operation accessory to the *general industrial* uses. *General Industry shall* be classified as follows:

General Industry Type I means those *developments* where activities and uses are primarily carried on within an enclosed *building* and no significant nuisance factor is created or apparent outside an enclosed *building*. Any *development*, even though fully enclosed, where, in the opinion of the *Development Officer*, there is significant risk of interfering with the amenity of adjacent *sites* because of the nature of the *site*, materials or processes, *shall not* be considered a *General Industry Type I*;

“**General Industry Type II**” means those *developments* in which all or a portion of the activities and uses are carried on outdoors, without any significant nuisance or environmental factors such as noise, appearance, or odour, extending beyond the boundaries of the *site*. Any *development* where the risk of interfering with the amenity of adjacent or nearby *sites*, because of the nature of the *site*, materials or processes, cannot be successfully mitigated shall not be allowed;

“**Government Services**” means *development* providing municipal, provincial or federal *government services* directly to the public or the community at large, and includes *development* required for the public protection of persons or property;

“**Grocery Stores, Regional**” means a building used for the sale primarily of foodstuffs and convenience goods to regional clientele, and which specifically excludes the sale of specialty products as a principle use;

“**Health Care Services**” means *development* used for the provision of physical and mental health services on an out patient basis, of a preventative, diagnostic treatment, therapeutic nature. Typical uses or facilities would include medical and dental offices, health clinics, chiropractor offices;

“**Indoor Participation Recreation**” means *development* providing facilities within an enclosed *building* for sports and active recreation where patrons are predominantly participants and any spectators are incidental and attend on a nonrecurring basis;

“**Laboratories**” means a facility for the purpose of scientific or technical research, investigations or experimentation;

“**Manufacturing**” means a use where all the materials or components are combined to create a product and where all of the processes and functions associated with the use are completely contained within a building;

“**Mixed Use Buildings**” means a building intended to be used for retail/office purposes on the main floor and residential uses on the upper floors;

“**Office Parks**” means a development on a tract of land that contains a number of separate office buildings, accessory and supporting uses and office space and is designed, planned, constructed and managed on an integrated and coordinated basis;

“Public Market” means the use of a building, structure or lot for the purpose of selling any or all of produce, fish, seafood, flowers and crafts and may include retail stores and restaurants;

“Research Parks” means a development on a tract of land that contains a number of separate office buildings, accessory and supporting uses related to scientific research, investigation, testing, or experimentation, but not facilities for the manufacture or sale of products, except as incidental to the main purpose of the laboratory. The overall development includes open space and is designed, planned, constructed, and managed on an integrated and coordinated basis;

“Restaurant Drive Through” means a building where food is prepared and sold for consumption to patrons either on the premises or in their vehicles for consumption off the premises;

“Retail Garden Centre” means a development providing for the retail sale of bedding, household and ornamental plants, and associated merchandise, and may include display gardens, but does not include on-site outdoor and indoor cultivation or propagations of plants;

“Retail Store, Regional” means a building or part thereof in which foods, wares, merchandise, substances, articles or things are offered or kept for sale directly to the regional client at retail;

“Self Storage Facility” means a building where goods are stored in separate compartments which may be made available to the general public for the storage of personal items;

“Service Station” means an establishment for the sale of automotive fuels, lubricating oils and associated automotive fluids or the routine servicing and minor repair of motor vehicles or both, excluding automotive specialty and auto body and paint shop uses, and may also include the following accessory uses: convenience store, towing service, car wash or the sale of automotive accessories;

“Show Home” means the use of an unoccupied residential building as a sales office for a builder and/or as a facility to demonstrate a builder’s construction quality, design options or methods;

“Specialty Food Store” means a retail store specializing in a specific type or class of foods such as an appetizer store, bakery, butcher, delicatessen, fish, gourmet and similar foods;

“**Tourist Information Services and Facilities**” means the use of a *parcel* of land or a *building* to provide information to the travelling public and *may* include washrooms and picnic facilities;

“**Tractor Trailer Service Depot**” means a facility for the storage of highway truck trailers and highway truck tractors which may or may not be joined to create one tractor trailer unit and may include a building for maintenance of vehicles and the use of the existing residential building for an administrative office;

“**Truck Stop**” means any building, premises or land in which or upon which a business, service or industry involving the maintenance, servicing, storage or repair of commercial vehicles is conducted or rendered including the dispensing of motor fuel or petroleum products directly into motor vehicles, the sale of accessories or equipment for trucks and similar commercial vehicles. A truck stop also may include convenience store and restaurant facilities, and may include overnight accommodation facilities solely for the use of truck crew.

5. PART I, SECTION 2.0.0 (DEFINITION OF TERMS) is amended by the following:
- a) The definition of “Private Clubs and Organizations” is replaced by the following:

“**Private Clubs and Organizations** means *buildings* used for the meeting, social or recreational activities of members of a non-profit philanthropic, social service, athletic, business or fraternal organization, without *on-site* residences. *Private Clubs may* include rooms for eating, drinking and assembly;
 - b) The definition of “shopping center” (a) “regional shopping centre” is replaced by the following:

“**Shopping Centre, Regional**” means a shopping centre providing for the sale of general merchandise, apparel, furniture and home furnishings in full depth and variety and convenience goods and personal services. It may be built around one or more regional retail stores and provides services to a regional market-base and cliental;

6. Section 9.11.25 is replaced by the following:

9.11.25 A-Board Signs

- a) A-board signs shall only be allowed in Public-quasi-public District (P), Community Service District (CS) and all the commercial and industrial districts.
 - b) A-board signs in Public-quasi-public District (P), Community Service District (CS) and all the commercial districts shall not exceed 0.6m (2.0 ft.) in width and 1.0m (3.28 ft.) in height.
 - c) A-board signs in the industrial districts shall not exceed 1.0m (3.28ft) in width and 1.5m (5 ft.) in height.
 - d) A-board signs shall be manufactured by a professional sign painter, have a painted finish, be neat and clean and be maintained as such.
 - e) A-board signs shall not impede the movement of pedestrian and vehicular traffic.
 - f) A-board signs shall not be erected for a period exceeding 12 hours per day; and
 - g) A-board signs shall not exceed two (2) signs per site.
7. Section 9.11.28 a) is replaced by the following:
- a) Community advertising signs shall only be allowed in the Public Quasi Public District (P), Community Service District (CS) and all the commercial districts.
8. Section 9.11.29 a) is replaced by the following:
- a) Fascia signs shall only be allowed in Public-quasi-public District (P), Community Service District (CS) and all the commercial and industrial districts.
9. Section 9.11.30 is replaced by the following:
- a) Freestanding signs shall only be allowed in Public-quasi-public District (P), Community Service District (CS) and all the commercial and industrial districts..
 - b) Primary freestanding signs in Public-quasi-public District (P), Community Service District (CS) and all the commercial districts shall:

- i) Not exceed 9m (29.5 ft.) in height or project above the height of the principal building;
 - ii) Not exceed 30 m² (323 sq. ft.) in sign area;
 - iii) Not project within 600 mm (1.97 ft.) of a property line; and
 - iv) Not exceed one (1) sign per site.
- c) Primary Freestanding signs in industrial districts shall:
- i) Not exceed 9m (29.53 ft.) in height or project above the height of the principal building;
 - ii) Not exceed 9 m² (96.88 sq. ft.) in sign area;
 - iii) Not project within 600 mm (1.97 ft.) of a property line; and
 - iv) Not exceed one (1) sign per site.
- d) Additional auxiliary or tenant signs on the same commercial and industrial site may be allowed to the discretion of approving authority. The following regulation shall be taken into the consideration:
- i) The sign does not exceed 6m (20ft) in height;
 - ii) Not exceed 9 sq. m (96.88 sq. ft.) in sign area;
 - iii) Multiple signs on single sites shall be architecturally compatible; and
 - iv) A distance of 30m (98.42 ft) is maintained between freestanding signs.
10. Section 9.11.37 a) is replaced by the following:
- a) Computerized signs shall only be permitted in Public-quasi-public District (P), Community Service District (CS) and all the commercial and industrial districts.

11. A new PART III, SECTION 21.0.0 LOW RISE APARTMENT RESIDENTIAL DISTRICT (R-4) is to be inserted following Section 20.0.0 as follows:

21.1.0 PURPOSE AND INTENT

- 21.1.1 The intent and purpose of this District is to provide for the development of multi-family housing in the form of 3 to 4 storey apartment buildings in order to increase the variety of housing choices available in the community.

21.2.0 LIST OF PERMITTED USES

Apartment Building with a density of less than 99 units/hectare (40 units/acre)
Home Occupations – Class 1
Public Parks and Playgrounds
Stacked Townhouses
Townhouse Development

21.3.0 LIST OF DISCRETIONARY USES

Accessory Building and Uses
Apartment Building with a density greater than 99 units/hectare (40 units/acre).
Child Care Facility
Home Occupations – Class 2
Signs

21.4.0 GENERAL REQUIREMENTS

- 21.4.1 In addition to the general land use regulations and provisions contained in Part III, Section 9.0.0, the following regulations shall apply to every development in this district.

21.5.0 MINIMUM REQUIREMENTS

21.5.1 Area of Site:

- a) Apartment Buildings: 0.14 hectares (0.35 ac).

21.5.2 Width of Site:

- a) Apartment Buildings: 30 m (100 ft.).

21.5.3 Front Yard Setback:

- a) All sites: 6 m (20 ft.).

21.5.4 Side Yard Setback:

- a) Apartment Buildings: 3 m (10 ft.) or $\frac{1}{2}$ the height of the principal building(s), whichever is greater.

21.5.5 Separation Between Buildings in Dwelling Groups:

- a) 6.0m (19.7 ft) where more than one building is located on the site

21.5.6 Rear Yard Setback:

- a) Principal Buildings: 6 m (20 ft);
- b) Accessory Buildings: 1.5 m (5 ft.).

21.5.7 Amenity Space:

- a) 6 m^2 (65 sq.ft.) per unit for at grade units plus 4 m^2 (43 sq.ft.) per unit for above grade units or 10% of the site, whichever is greater

21.5.8 Landscaping:

- a) A minimum of 40% of the site area including all adjoining boulevards shall be landscaped.

21.6.0 MAXIMUM REQUIREMENTS

21.6.1 Height of Buildings:

- a) 3 storey or 12 m (39 ft) to the top of the parapet of the principal building; except building which incorporates barrier free design and approved by the Town Council: 4 storey or 15 m (49 ft);
- b) 4.5 m (15 ft.) for accessory buildings.

21.6.2 Number of Units per Grouping: not more than 50 units per building, unless the building is designed to be unobtrusive to surrounding neighbours to the satisfaction of the Approving Authority

21.7.0 SPECIAL REQUIREMENTS:

21.7.1 Architectural Controls:

Adherence to architectural controls and guidelines shall be demonstrated during the development permit stage. Architectural style must reflect a uniform architectural theme.

12. A new PART III, SECTION 24.0.0 EASTERN TOWN CENTRE COMMERCIAL (ETC) is to be inserted following Section 23.0.0 as follows:

24.1.0 PURPOSE AND INTENT

24.1.1 The purpose and intent of this District is to accommodate commercial business, appropriate in a comprehensively-planned area, that may provide a combination of shops, services, offices, entertainment, accommodation, and government services. The types of development within this District are moderate to large in size, primarily serve the needs of a regional clientele, are comprehensively planned and designed to demonstrate a wide variety of building types and scale, with a comprehensive pedestrian network and parking areas with attractive landscaping components.

24.2.0 List OF PERMITTED USES

Accommodation Units
Accommodation and Convention Services
Automotive Services
Financial Institutions
Child Care Facility
Convenience Store
Dealership/Rental Agency, Automotive
Drinking Establishment
Government Services
Grocery Stores, Regional
Health Care Services
Hotel
Household Service Shop

Liquor Store
Mixed Use Buildings (Commercial and Residential)
Motel
Offices
Patio, accessory to the principle business use
Personal Service Business
Public Buildings
Restaurant
Restaurant (Licensed)
Restaurant (Drive Through)
Retail, Garden Centre
Retail Store
Retail Store, Regional
Service Station
Shopping Centre, Regional
Signs
Specialty Food Store
Warehouse Store

24.3.0 LIST OF DISCRETIONARY USES

Accessory Buildings and Uses
Animal Health Care Services, Small Animal
Arts and Cultural Centre
Car Wash
Commercial School or College
Commercial Communications Facilities (Types A, B,C)
Dealership/Rental Agency, Recreational Vehicle
Gaming Establishment, Bingo
Private Clubs and Organizations
Public Market
Religious Assembly

Any use that is similar, in the opinion of the Development Officer, to the permitted or discretionary uses described above that also meets the purpose and intent of this District.

24.4.0 GENERAL REQUIREMENTS

24.4.1 In addition to the general land use regulations and provisions contained in Part III, Section 9.0.0, the following regulations shall apply to every development in this District.

24.5.0 MINIMUM REQUIREMENTS

24.5.1 Front Yard Setback:

- a) 6 m (20 ft), except;
- b) street oriented Mixed Use buildings, where the front yard may be reduced to 1 m (3.3 ft).

24.5.2 Side Yard Setback:

- a) Minimum of 6 m (19.7ft), except;
- b) where a fire resistant wall is provided in accordance with the Alberta Building Code, 0 m ;

24.5.3 Rear Yard Setback: 6 m (20ft).

24.6.0 MAXIMUM REQUIREMENTS

24.6.1 Maximum Building Coverage: 50%

24.6.2 Maximum Floor Area Ratio

- a) 1.0 for commercial buildings;
- b) 2.0 for mixed use buildings

24.6.3 Building Height:

- a) Maximum of 15 m (49 ft) for Principal Commercial Buildings;
- b) 3 storey or 12 m (39 ft) to Mixed Use principal building; except a building which incorporates barrier free design and approved by the Town Council: 4 storey or 15 m (49 ft);
- c) Maximum of 4.5 m (15 ft.) for all other buildings; and
- d) For the purposes of determining height in this District, architectural features such as towers or peaks which are proposed to reduce the perceived mass of the building or to add architectural interest, or to screen elevator shafts and HVAC enclosures shall be excluded from the calculation of the Height of Building.

24.7.0 SPECIAL REQUIREMENTS:

- 24.7.1 Building elevations which face the Trans Canada Highway or Highway 1A shall incorporate design elements that will enhance the appearance of all facades of the building.
 - 24.7.2 The Development Officer may require a greater building setback for any development which backs onto either the Trans Canada Highway or Highway 1A.
 - 24.7.3 The Development Officer may require additional landscaping and berming along the rear property lines of commercial development which backs onto either the Trans Canada Highway or Highway 1A.
 - 24.7.4 A building may be occupied by a combination of one or more uses listed in this District.
 - 24.7.5 More than one building may be constructed on any parcel.
 - 24.7.6 A minimum of 15% of each lot is required to be landscaped in either hard or soft landscaping.
 - 24.7.7 The quality and extent of landscaping initially established on site shall be the minimum standard to be maintained for the life of the development. Adequate means of irrigating any soft landscaping and maintaining both hard and soft landscaping shall be detailed as part of a development permit application.
13. A new PART III, SECTION 25.0.0 INTERIM COMMERCIAL DISTRICT (IC) is to be inserted following Section 24.0.0 as follows:
- 25.1.0 PURPOSE AND INTENT
 - 25.1.1 The purpose and intent of this District is to accommodate commercial business that may provide a combination of shops, services, offices, entertainment, accommodation, and government services on an interim basis. The types of development within this District primarily serve the needs of a regional clientele and are designed to demonstrate a wide variety of building types and scale, with pedestrian linkages and parking areas connected to the permanent commercial area.
 - 25.2.0 LIST OF PERMITTED USES
 - Accommodation Units

Automotive Services
Financial Institutions
Child Care Facility
Convenience Store
Dealership/Rental Agency, Automotive
Drinking Establishment
Government Services
Grocery Stores, Regional
Health Care Services
Hotel
Household Service Shop
Liquor Store
Motel
Offices
Patio, accessory to the principle business use
Personal Service Business
Public Buildings
Public Market
Restaurant
Restaurant (Licensed)
Restaurant (Drive Through)
Retail, Garden Centre
Retail Store
Retail Store, Regional
Self Storage Facility
Service Station
Signs
Specialty Food Store
Truck Stop
Warehouse Store

25.3.0 LIST OF DISCRETIONARY USES

Accessory Buildings and Uses
Animal Health Care Services, Small Animal
Arts and Cultural Centre
Car Wash
Dealership/Rental Agency, Recreational Vehicle
Gaming Establishment, Bingo
Golf Driving Range
Private Clubs and Organizations
Religious Assembly

Any use that is similar, in the opinion of the Development Officer, to the permitted or discretionary uses described above that also meets the purpose and intent of this District.

25.4.0 GENERAL REQUIREMENTS

25.4.1 In addition to the general land use regulations and provisions contained in Part III, Section 9.0.0, the following regulations shall apply to every development in this District.

25.5.0 MINIMUM REQUIREMENTS

25.5.1 Front Yard Setback: 6 m (19.7ft);

25.5.2 Side Yard Setback:

- a) Minimum of 6 m (20ft), except;
- b) where a fire resistant wall is provided in accordance with the Alberta Building Code, 0 m ;

25.5.3 Rear Yard Setback: 6 m (20ft).

25.6.0 MAXIMUM REQUIREMENTS

25.6.1 Maximum Building Coverage: 50%

25.6.2 Maximum Floor Area Ratio: 1.0

25.6.3 Building Height:

- a) Maximum of 15 m (49 ft) for Principal Buildings;
- b) Maximum of 4.5 m (15 ft.) for all accessory buildings; and
- c) For the purposes of determining height in this District, architectural features such as towers or peaks which are proposed to reduce the perceived mass of the building or to add architectural interest, or to screen elevator shafts and HVAC enclosures shall be excluded from the calculation of the Height

25.7.0 SPECIAL REQUIREMENTS:

25.7.1 The interim commercial lands will be required by Alberta Transportation some time in the future for the realignment and widening of the Trans Canada Highway and, consequently, all buildings and structures will have to be removed within five years

following notice from Alberta Transportation that construction of highway improvements will commence.

- 25.7.2 Building elevations which face the Trans Canada Highway or Highway 1A shall incorporate design elements that will enhance the appearance of all facades of the building.
- 25.7.3 The Development Officer may require a greater building setback for any development which backs onto either the Trans Canada Highway or Highway 1A.
- 25.7.4 The Development Officer may require additional landscaping and berming along the rear property lines of commercial development which backs onto either the Trans Canada Highway or Highway 1A.
- 25.7.5 A building may be occupied by a combination of one or more uses listed in this District.
- 25.7.6 More than one building may be constructed on any parcel.
- 25.7.7 A minimum of 15% of each lot is required to be landscaped in either hard or soft landscaping.
- 25.7.8 The quality and extent of landscaping initially established on site shall be the minimum standard to be maintained for the life of the development. Adequate means of irrigating any soft landscaping and maintaining both hard and soft landscaping shall be detailed as part of a development permit application.

14. PART III, SECTION 26.0.0 (BUSINESS PARK/LIGHT INDUSTRIAL DISTRICT) is replaced by the following:

26.1.0 PURPOSE AND INTENT

- 26.1.1 The purpose and intent of this District is to create employment opportunities in the municipality through the development of an integrated business park area.

26.2.0 LIST OF PERMITTED USES

Accessory Buildings and Uses
Accommodation and Convention Services
Agricultural Support Services

Animal Health Care Services (Small Animal)
Automotive, Equipment and Vehicle Services
Automotive Services
Business Park
Commercial School/College
Contractor (Limited)
General Industry Type 1
Government Services
Hotel
Indoor Participation Recreation
Laboratories
Manufacturing
Offices
Office Parks
Personal Service Business
Restaurant
Restaurant (Licensed)
Restaurant (Drive Through)
Research Parks
Self Storage Facility
Service Station
Tourist Information Services and Facilities
Warehouse

26.3.0 LIST OF DISCRETIONARY USES

Crematorium
Commercial Communications Facilities (Type A, B and C
Facilities)
Contractor (General)
Dealership/Rental Agency, Automotive
Dealership/Rental Agency, Implement and Equipment
Dealership/Rental Agency, Recreational Vehicles
Funeral Home
General Industry Type 2
Religious Assembly
Tractor Trailer Service Depot
Truck Stop

Any use that is similar, in the opinion of the Development
Officer, to the permitted or discretionary uses described above
that also meets the intent and purpose of this District.

26.4.0 GENERAL REQUIREMENTS

26.4.1 In addition to the general land use regulations contained in Part III, Section 9.0.0, the following regulations shall apply to every development in this district.

26.5.0 MINIMUM REQUIREMENTS

26.5.1 Front Yard: 6m (20 ft)

26.5.2 Side Yards:

- a) Street side of a corner site or where a rear yard abuts a residential district: 6m (20ft.)
- b) All other: 1.2m (4 ft) except where a fire resistant wall is provided in accordance with the Alberta Building Code, 0 m.

26.5.3 Rear yard:

- a) Street side of a corner site, or where a rear yard abuts a residential district: 6m (20ft.)
- b) All other: 1.2m (4 ft) except where a fire resistant wall is provided in accordance with the Alberta Building Code, 0 m.

26.5.4 Landscaping: 10% of each individual lot is required to be landscaped in either soft or hard surfaces.

26.6.0 MAXIMUM REQUIREMENTS

26.6.1 Maximum Building Coverage: 50%

26.6.2 Maximum Floor Area Ratio: 1.0

26.6.3 Maximum Building Height: 15.0 m (50 ft) and/or 3 storey

26.6.4 For the purposes of determining height in this District, architectural features such as towers or peaks which are proposed to reduce the perceived mass of the building or to add architectural interest, or to screen HVAC enclosures, shall be excluded from the calculation of Maximum Building Height.

26.7.0 SPECIAL REQUIREMENTS

- 26.7.1 The Development Officer may require a greater building setback for a development which backs onto the Trans Canada Highway and Highway 791.
- 26.7.2 The Development Officer may require additional landscaping and berming along the rear property lines of development which backs onto the Trans Canada Highway and Highway 791.
- 26.7.3 The Development Officer may require a greater building setback, additional landscaping and architectural detailing of any wall of a business which is across the street from property to be developed in a residential fashion.
- 26.7.4 A building may be occupied by a combination of one or more uses listed for this District.
- 26.7.5 The front yard for a business shall be along the property line where vehicular access is provided.
- 26.7.6 The quality and extent of landscaping initially established on site shall be the minimum standard to be maintained for the life of the development. Adequate means of irrigating any soft landscaping and maintaining both hard and soft landscaping shall be detailed as part of a development permit application.
- 26.7.7 All apparatus on the roof shall be screened from view to the satisfaction of the Approving Authority.
- 26.7.8 Lighting:
- a) all on site lighting shall be located, oriented and shielded so as not to adversely affect the adjacent properties;
 - b) Pedestrian scale lighting is encouraged. Lighting for signage, parking areas and pedestrian areas should be carefully placed and oriented to shine away from adjacent properties; and
 - c) Neon or flashing lighting is discouraged.
- 26.7.9 Air Contaminants, Visible and Particulate Emissions
- a) No use or operation shall cause or create air contaminants, visible emissions or particulate emissions which exceed those

measures prescribed by the Province of Alberta within The Clean Air Act and the regulations pursuant thereto.

- b) Airborne particulate matter originating from open storage areas, yards or roads shall be kept to a minimum by appropriate landscaping, paving, oiling, wetting, or other means.

26.7.10 Odorous Matter

No use or operation shall cause or create the emission of toxic matter in amounts or quantities that exceed the levels prescribed by the Province of Alberta within the Clean Air Act and the regulation pursuant thereto.

26.7.11 Toxic Matter

No use or operation shall cause or create the emission of toxic matter in amounts or quantities that exceed the levels prescribed by the Province of Alberta within the Clean Air Act and the regulations pursuant thereto.

26.7.12 Fire and Explosion Hazards

All uses and operations which store, manufacture or utilize materials or products which may be hazardous due to their flammable or explosive characteristics shall comply with the Fire Prevention Bylaw or the regulations of the senior government authority having jurisdiction.

- 26.7.13 The Approving Authority may specify such other requirements as it deems necessary or desirable having due regard to the nature of the proposed development, purpose of the district and the impact of the use on adjacent non-industrial properties.

- 15. A new PART III, SECTION 27.0.0 COMMUNITY SERVICES DISTRICT (CS) is to be inserted following Section 27.0.0 as follows:

27.1.0 PURPOSE AND INTENT

- 27.1.1 The purpose and intent of this District is to accommodate recreational and educational facilities, religious institutions, offices, health and research facilities and public utilities to service the community.

27.2.0 LIST OF PERMITTED USES

Community Recreational Buildings
Commercial School/College
Government Services
Health Care Services
Indoor Participation Recreation
Offices
Private Clubs and Organizations
Public Buildings
Public Parks
Public or Quasi-Public Uses, Installations or Facilities
Public Utilities
Religious Assembly
Research Facilities
Schools, Public or Separate
Senior Housing
Signs

27.3.0 LIST OF DISCRETIONARY USES

27.4.0 GENERAL REQUIREMENTS

27.4.1 In addition to the general land use regulations and provisions contained in Part III, Section 9.0.0, the following regulations shall apply to every development in this District.

27.5.0 MINIMUM REQUIREMENTS

27.5.1 Front Yard Setback: 6 m (19.7ft);

27.5.2 Side Yard Setback:

- a) Minimum of 6 m (20ft); except
- b) where a fire resistant wall is provided in accordance with the Alberta Building Code, 0 m ;

27.5.3 Rear Yard Setback: 6 m (20ft).

27.5.4 Landscaping: A minimum of 15% of each lot is required to be landscaped in either hard or soft landscaping.

27.6.0 MAXIMUM REQUIREMENTS

27.6.1 Maximum Building Coverage: 40%

27.6.2 Maximum Floor Area Ratio: 1.6

27.6.3 Building Height:

- a) 4 storey and/or 15m (49 ft) for principal buildings for senior housing;
- b) 12 m (39 ft) for other principal buildings;
- c) 4.5 m (15 ft.) for accessory buildings; and
- d) For the purposes of determining height in this District, architectural features such as towers or peaks which are proposed to reduce the perceived mass of the building or to add architectural interest, or to screen elevator shafts and HVAC enclosures shall be excluded from the calculation of the Height.

16. PART III, SECTION 32.0.0 is amended by including the following under subsection 32.4.0 as follows:

32.4.28 A portion of the NE ¼ 14-24-28-W4M is hereby designated DC(R-3) by Bylaw 020-09

17. The Direct Control (MULTI-UNIT) District (DC(R-3)) shall be developed for multi-unit purposes in general conformance with the following guidelines:

1. Land Use

The Permitted and Discretionary Uses of the RESIDENTIAL MULTI-UNIT DISTRICT (R-3) shall be the permitted and discretionary uses respectively.

2. Development Guidelines

The General Land Use Regulations and Provisions for all Districts contained in Section 9.0.0 of Land Use Bylaw 99-600 and the Permitted and Discretionary Use of Rules of Section 20.0.0 RESIDENTIAL MULTI-UNIT DISTRICT (R-3) shall apply unless otherwise noted below:

a) MINIMUM REQUIREMENTS

i. Front Yard Setbacks:

1. A minimum of 1.5m (5 ft) for frontage onto a public roadway and where vehicular parking and access is off the rear lane, provided all eaves and cantilevers do not encroach into the required front yard setback;
18. PART III, SECTION 30.0.0 is amended by including the following under Subsection 30.4.0 as follows:
 - 32.4.29 A portion of the NE ¼ 14-24-28-W4M is hereby designated DC(R-4) by Bylaw 020-09.
19. This Bylaw comes into full force and takes effect on the date of third and final reading.

FIRST READING, PASSED THIS 17 DAY OF AUGUST, 2009.

SECOND READING, PASSED THIS 15 DAY OF MARCH, 2010.

THIRD READING, PASSED THIS 15 DAY OF MARCH, 2010.

MAYOR

CHIEF ADMINISTRATIVE OFFICER