

**THE CITY OF SPRUCE GROVE**

**BYLAW C-1057-18**

**2018 LAND USE BYLAW REVIEW AMENDMENTS**

**WHEREAS**, pursuant to the *Municipal Government Act*, R.S.A., 2000, c.M-26, a municipality shall pass a land use bylaw and may amend the land use bylaw;

**AND WHEREAS**, the City of Spruce Grove wishes to amend Bylaw C-824-12, the Land Use Bylaw for the City of Spruce Grove;

**NOW THEREFORE**, the Council for the City of Spruce Grove, duly assembled hereby enacts as follows:

Bylaw C-824-12 is amended as follows:

1. By adding, in addition to the page number, a footer to the bottom of each page of the Bylaw denoting Bylaw C-824-12.
2. By adding the following in bold:

**SECTION 7 DEFINITIONS**

**BOULEVARD**

That part of the road right-of-way, **including Arterial, Collector and Local roads**, between the curb and the property line that is designed to suit the needs of the surrounding community and which may include a combination of pedestrian amenities and required Street infrastructure such as walkways, lighting, seating, decorative features and Landscaping.

**CANTILEVERED WALL**

A projection of part of an exterior wall of a building not supported by foundation wall for the purpose of accommodating a bow or bay window, shelving units, closets, a fireplace, or a portion of a bathroom. At no time shall a cantilevered wall section extend the entire length of a room **if it encroaches into any required setback.**

**CORNER CUT**

**An area of land provided and maintained for adequate and safe visibility for vehicular and pedestrian traffic at intersections of Streets and Alleys.**

### **FLEET SERVICES**

**A Development using a fleet of vehicles for the delivery of people, goods or services, where such vehicles are not available for sale or long term lease. This Use Class includes ambulance services, taxi services, bus lines, messenger and courier services, or similar type services.**

### **LOCAL ROAD**

**A Street that primarily provides direct property access and is not an Alley.**

### **PATIO**

**An at grade concrete slab or other hard surface that for the purpose of outdoor gathering.**

### **PRIVACY WALL**

A structure that provides visual screening and is located on a balcony, deck or patio and does not include a **fence**, railing or a wall attached to an accessory building.

### **PRIVATE DEVELOPMENT**

**A Site which contains several dwellings that are situated along private roadways.**

3. By deleting the following in strikethrough and adding the following in bold:

#### **SECTION 11 WHERE A DEVELOPMENT PERMIT IS NOT REQUIRED**

(1)(f) The erection, construction or the maintenance of gates, Fences, or other means of enclosure less than 2.0 m in height provided that the erection of such a fence or gate conforms to Sections ~~34~~ **and 50** of this Bylaw.

(1)(m) A Permitted Use which will occupy the same space where a business of the same Permitted Use has vacated the same space and a Development Permit was previously ~~issues~~ **issued** for that space.

(1)(n)(iv) No **outdoor storage of** materials, goods or finished products for business purposes ~~are stored On Site~~; and

4. By deleting the following in strikethrough and adding the following in bold:

#### **SECTION 12 APPLICATION FOR A DEVELOPMENT PERMIT**

- (1)(c)(vii) ~~Proposed servicing~~ **Location and depth of existing and proposed services and shallow utilities including materials and connection details;**
- (1)(c)(x) The location of required parking **and driving aisles;**
- (1)(c)(xii) ~~A storm drainage plan~~ **Storm Water Management Plan including pipe sizing and orifice calculations, ponding depths and runoff rates;**
- (1)(c)(xix) A pedestrian circulation plan within the Site; **and**
- (1)(c)(x)(x) The type and location of traffic signs within private property and entering/exiting public road rights-of-way.**
- (1)(~~e~~)(~~xx~~)(**d**) A geotechnical report;
- (1)(~~e~~)(~~xxi~~)(**e**) A traffic analysis;
- (1)(~~e~~)(~~xxii~~)(**f**) Right of entry authorization; ~~and~~.
- (1)(~~e~~)(~~xxiii~~)(**g**) Description of adjacent land uses.
- (1)(~~e~~)(**h**) The estimated cost of the proposed Development excluding land.
- (1)(~~e~~)(**i**) A copy of the certificate of title for the subject property, issued within fifteen business days prior to the application date.
- (1)(~~f~~)(**j**) A fee as set out in the Development Fees Bylaw.
- (1)(l)** Such additional information as the Development Authority may deem necessary.

5. By deleting the following in strikethrough and adding the following in bold:

#### SECTION 14 VARIANCES

- (3) Notwithstanding Sections 14(1) and 14(2) the Development Officer shall not grant a variance from the regulations prescribing ~~Height, Site Coverage, or Density~~. Further, within the GPL – Greenbury Planned Lot District, the Development Officer shall not grant a variance to the required Side Yard Setback or lot access. **Subject to Sections 14(1) and 14(2), the Development Officer may grant a variance from the regulations prescribing Height up to 10% of the maximum prescribed Height.**

6. By adding the following in bold:

SECTION 33 EASEMENTS AND RIGHTS OF WAY

- (5) Drainage swales shall be kept clear of all obstructions and debris and shall not be altered or blocked.**

7. By adding the following in bold and deleting the following in strikethrough:

SECTION 34 FENCES AND SCREENING

- (8) When ~~attached to~~ **associated with** a Single Detached Dwelling, a privacy wall on a deck must not exceed 2.0 m in height when measured from the surface of the deck. **A privacy wall on a patio must not exceed 3.0 m in height. Notwithstanding, no privacy walls shall be permitted on a deck or patio in the Front Yard.**

- (9) When ~~attached to~~ **associated with** a Semi-Detached Dwelling or a Street Oriented Row House, a privacy wall along the shared property boundary shall be a minimum of 1.5 m but not more than 3.0 m in height when measured from the surface of the deck. All other privacy walls must not exceed 2.0 m in height when measured from the surface of the deck **or patio. Notwithstanding, no privacy walls shall be permitted on a deck or patio in the Front Yard.**

- (10) ~~A privacy wall on a patio is considered a fence and must meet the fence requirements.~~

- ~~(14)~~**(10)** Within the GPL – Greenbury Planned Lot ~~d~~**D**istrict, for any Zero Side Yard Development, there shall be no fencing located in the front yard, no fencing between the principal buildings, and no fencing closer than the furthest façade in the rear yard.

- ~~(12)~~**(11)** In the case of commercial, industrial, public and quasi-public uses the Development Officer may require fencing to mitigate negative impacts against adjacent uses. The fence type will be at the discretion of the Development Officer and will be dependent upon the need for the mitigation. The fence shall be not less than 1.5 m or more than 2.0 m in height.

8. By deleting the following in strikethrough and adding the following in bold

SECTION 45 PUBLIC UTILITY BUILDINGS

- (1) ~~Public Utility Buildings that do not include offices are permitted in any District, unless specified elsewhere in this Bylaw.~~

- (2) ~~Notwithstanding the above, the~~ **The** location of a Public Utility Building on a Site is subject to Setbacks which are satisfactory to the Development Officer. This shall also apply to any equipment placed on a Site.

9. By adding the following in bold:

#### SECTION 47 RESTRICTED OBJECTS IN YARDS

- (2) A Recreational Vehicle shall not be permitted in a Side, **Street Side** or Front Yard or the driveway of a Site in any residential District except from May 1 to October 31 in any year.

10. By adding the following in bold and deleting the following in strikethrough :

#### SECTION 50 TRAFFIC SIGHT LINES AT INTERSECTIONS

- (1) A sight triangle shall be maintained at all Street intersections. A site triangle may include:
- (a) A Corner ~~e~~**Cut** which is part of the Site boundary;
  - (b) A straight line drawn between two points on the exterior boundaries of the subject Site 3.0 m from the point where they intersect at an Alley;  
or
  - (c) A straight line drawn between two points on the exterior boundaries of the subject Site 6.0 m from the point where they intersect at a Street.

**Notwithstanding the above, a Corner Cut meeting the dimensions required above shall be provided in those instances where sidewalks are to be located along the Street at either of the above noted intersections.**

11. By adding the following in bold:

#### SECTION 68 GAS BARS AND SERVICE STATIONS

- (8) **No part of the pump island, fill pipes, vent pipes, or Service Station or Gas Bar Building, depending on whichever is closest to the Child Care Facility, shall be located within 50.0 m of a Child Care Facility Use, including the Building or bay of the Building and, where provided, On Site outdoor play space.**

12. By adding the following in bold:

**SECTION 70 HOME OCCUPATIONS**

(2)(i) Not more than one business related vehicle, **no heavier than 5,000 kg**, shall be parked on the property at any time.

13. By adding the following in bold:

**SECTION 85 NUMBER OF ON SITE PARKING STALLS REQUIRED**

(2) The minimum number of On Site Parking Stalls required for each Use of Building or Development shall be as follows:

RESIDENTIAL	MINIMUM NUMBER OF PARKING STALLS
<b>Private Developments and bare land condominium subdivisions</b>	<b>In addition to the number of parking stalls required for each dwelling, one guest Parking Stall per every seven Dwellings must be clearly identified as "Guest Parking". The tentative bare land condominium subdivision plan shall clearly delineate these additional parking stalls within the common property.</b>

14. By deleting the following in strikethrough and adding the following in bold:

**SECTION 89 GENERAL LANDSCAPING**

(15) The Registered Land Owner of a Site Abutting a City Boulevard of an ~~Arterial Road~~ is responsible for Landscaping said Boulevard at the Registered Land Owner's expense, excluding anything specified in a Development Agreement or as determined by the Development Officer. **The Registered Land Owner of a Site Abutting a City Boulevard of a Collector or a Local Road is responsible for Landscaping and maintaining said Boulevard at the Registered Land Owner's expense, excluding anything specified in a Development Agreement or as determined by the Development Officer.**

(16) Should any City Boulevard be disturbed by adjacent development, **including but not limited to the use of the boulevard as temporary construction access**, the City boulevard shall be **restored to the original landscaped state or** landscaped with sod and boulevard trees of an approved species planted at the recommended spacing for that species, as deemed appropriate by the Development Officer. Any

additional or alternative Landscaping on City Boulevards (i.e. shrub and flower beds, Xeriscaping) shall be subject to review and approval by the Development Officer in consultation with the Engineering Department.

15. By adding the following in bold:

#### SECTION 95 SIGN DEFINITIONS

##### FASCIA SIGN

A **permanent** Sign **constructed of rigid and durable material** attached flush to, or marked, painted or inscribed on a vertical surface of a principal Building but does not include a Billboard Sign, Banner or a Mural.

##### FEATHER SIGN

**A wind activated feather, blade or teardrop shaped sign of flexible and durable material attached to a support pole that is normally inserted into a receptacle in the ground. A Feather Sign is a temporary sign.**

##### THIRD PARTY ADVERTISING SIGN

A sign to which Advertising Copy is pasted, glued, painted or otherwise fastened for its periodic replacement, if desired, and includes poster panels and painted bulletins. Such advertising does not apply to the premises or any use on the premises where the Sign is displayed or posted **and does not include Copy that includes sponsorships when sign is associated with a publically owned or operated Building, facility or Development.**

16. By deleting the following in strikethrough and adding the following in bold:

#### SECTION 98 GENERAL REGULATIONS FOR SIGNS

~~(21) Illuminated Signs shall be lit only during business hours.~~

~~(22)~~**(21)** Signs on City owned property, excluding road right-of-way, shall be permitted when the sign copy is used to advertise community events or non-profit groups.

~~(23)~~**(22)** On sites where the M1 – General Industrial District, C2 – Vehicle Oriented Commercial District or C3 – Neighbourhood Retail and Service District are applied and where a Development comprises of more than one Site, any Multi-tenant Signs may provide Off-site advertising for businesses that are located within the Development. This shall also apply to any P1 – Parks and Recreation District

Sites where the land use is a golf course and the sign is located along an arterial road.

17. By adding the following in bold:

**SECTION 113B FEATHER SIGNS**

- (1) Feather Signs are allowed in the M1 – General Industrial District and C2 - Vehicle Oriented Commercial District.**
- (2) The Development Officer may approve a Development Permit for one period not exceeding 30 days in a 12 month period.**
- (3) The maximum Sign Area shall be 3.0 m<sup>2</sup> and the maximum height shall be 3.0 m.**
- (4) Feather Signs must be secured and stabilized so as to withstand wind gusts, or be removed during windy conditions.**
- (5) Feather Signs shall not interfere with either pedestrian or vehicular sight lines or obstruct views to any existing business or existing permanent sign.**

18. By adding the following in bold:

**SECTION 115 R1 – MIXED LOW TO MEDIUM DENSITY RESIDENTIAL DISTRICT**

**(1) GENERAL PURPOSE**

Permitted Uses	Discretionary Uses
	<ul style="list-style-type: none"><li>• <b>Public Utility Buildings</b></li></ul>

19. By adding the following in bold:

**SECTION 116 R2 – MIXED MEDIUM TO HIGH DENSITY RESIDENTIAL DISTRICT**

**(1) GENERAL PURPOSE**

Permitted Uses	Discretionary Uses
	<ul style="list-style-type: none"><li>• <b>Public Utility Buildings</b></li></ul>

20. By adding the following in bold:

**SECTION 117 GPL – GREENBURY PLANNED LOT DISTRICT**



(1) GENERAL PURPOSE

Permitted Uses	Discretionary Uses
	<ul style="list-style-type: none"><li>• <b>Public Utility Buildings</b></li></ul>

21. By adding the following in bold:

SECTION 118 RE1 – ESTABLISHED NEIGHBOURHOOD RESIDENTIAL DISTRICT 1

(1) GENERAL PURPOSE

Permitted Uses	Discretionary Uses
	<ul style="list-style-type: none"><li>• <b>Public Utility Buildings</b></li></ul>

22. By adding the following in bold:

SECTION 119 RE2 – ESTABLISHED NEIGHBOURHOOD RESIDENTIAL DISTRICT 2

(1) GENERAL PURPOSE

Permitted Uses	Discretionary Uses
	<ul style="list-style-type: none"><li>• <b>Public Utility Buildings</b></li></ul>

23. By adding the following in bold:

SECTION 123 C1 – CITY CENTRE COMMERCIAL DISTRICT

(1) GENERAL PURPOSE

Permitted Uses	Discretionary Uses
	<ul style="list-style-type: none"><li>• <b>Public Utility Buildings</b></li></ul>

24. By adding the following in bold:

SECTION 124 C2 – VEHICLE ORIENTED COMMERCIAL DISTRICT

(1) GENERAL PURPOSE

Permitted Uses	Discretionary Uses
	<ul style="list-style-type: none"><li>• <b>Child Care Facilities</b></li><li>• <b>Fleet Services</b></li></ul>

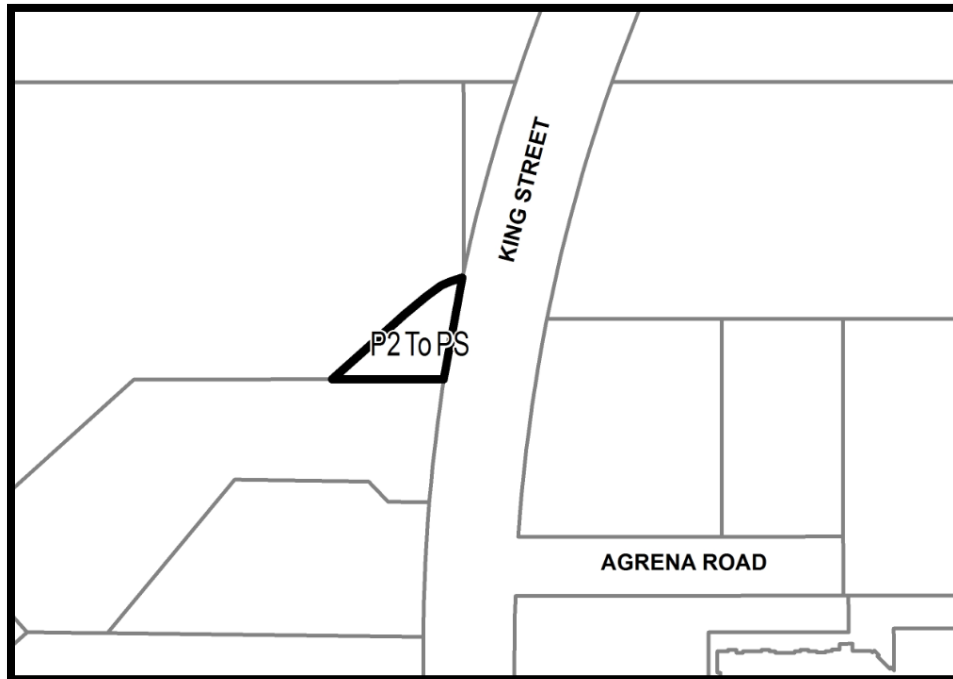
25. By adding the following in bold:

SECTION 127 M1 – GENERAL INDUSTRIAL DISTRICT

(1) GENERAL PURPOSE

Permitted Uses	Discretionary Uses
<ul style="list-style-type: none"><li>• <b>Fleet Services</b></li></ul>	

26. THAT, the Land Use District Map, attached to and being part of the Land Use Bylaw of the City of Spruce Grove, be amended as follows: To redistrict a portion of Lot R1, Plan 632RS from P2 – Natural Areas District to PS – Public Service Institutional District, as shown on the map below.



27. This amending bylaw shall be consolidated into Bylaw C-824-12.

28. This bylaw shall come into force and effect when it receives third reading and is duly signed.

First Reading Carried

Public Hearing Held

Second Reading Carried

Third Reading Carried

Date Signed

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Mayor

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City Clerk