

BYLAW NO. 02-2022
A BYLAW OF THE TOWN OF BRUDERHEIM
TO AMEND THE LAND USE BYLAW 33-2015 OF THE TOWN OF
BRUDERHEIM

WHEREAS the Municipal Government Act, R.S.A. 2000, c. M-26, as amended ("the Act") provides that a Municipal Council may amend its Land Use Bylaw;

AND WHEREAS the Council of the Town of Bruderheim wishes to amend its Land Use Bylaw 33-2015 as it affects certain lands;

NOW THEREFORE the Council of the Town of Bruderheim, duly assembled, enacts as follows;

1. Bylaw #33-2015, the Town of Bruderheim Land Use Bylaw, as amended, is hereby further amended as follows:

(a) The following definitions are inserted in PART 1.3 in alphabetical order:

- i. **“Children’s indoor play facility”** means a commercial indoor recreation and play area not exceeding, 370 m² (3982.65 ft.²), designed for children, which provides supervised indoor play and recreation opportunities and may include: soft play areas, toddler areas, climbing stations, trampoline areas, slides, biking or scootering areas, obstacle courses, crafting areas and/or children's party rooms.
- ii. **“Microbrewery”** means the manufacturing of beer, wine, spirits or other alcoholic beverages. This Use may include the sale of alcoholic beverages to the public for consumption within the premises. Retail sales of alcoholic beverages for consumption off-Site shall be limited to alcoholic beverages that are manufactured on-site. Accessory activities may include the storage, packaging, bottling, canning and shipping of products manufactured within the premises, and may include an Eating and drinking establishment. This use does not include an Entertainment establishment.
- iii. **“Pet grooming facility”** means an establishment where the primary service provided is the cleaning and grooming of domestic pets including bathing, brushing, combing, nail and hair trimming, etc., and where there are no boarding facilities. The facility may also provide services such as obedience classes, training, or behavioural counselling.

(b) Part 7.16 Neighborhood Commercial Development, is amended by deleting Part 7.16(1) and replacing it with:

- i. (1) Neighbourhood commercial developments located entirely within a standalone building or located within a building that also contains residential use may be allowed to locate in the R1, R2, R3, MHS, MHP and C3 Districts

provided the development meets all of the other regulations of this Bylaw and, further, that the development:

- (a) does not include as part of its operation a gas bar or vehicular servicing component, and/or
 - (b) is situated on a corner lot with safe access to a collector road.
- (c) Part 8 Land Use Districts, is amended by adding the following new commercial Land Use District to Part 8.1(1):
- i. Mixed Use District C3
- (d) Part 8 Land Use Districts, is amended by deleting Part 8.1(2) and replacing it with the following:
- i. For the purposes of this Bylaw, the R1, R2, R3, MHP and MHS Districts shall be considered to be Residential Districts, the C1, C2, C3 and BST Districts shall be considered to be Commercial Districts, and the M1 District shall be considered the Industrial District.
- (e) Part 8 Land Use Districts, is amended, by adding the following new commercial Land Use District after Part 8.9:

8.9.1 C3 – Mixed Use District

(1) General Purpose

To provide development that integrates street-orientated commercial and business uses with potential residential uses on upper floors. This district is not intended for large format commercial development.

(2) Permitted Uses

- (a) Alcohol retail sales
- (b) Animal grooming facility
- (c) Children’s indoor play facility (identify max sq ft.)
- (d) Buildings and uses accessory to permitted uses
- (e) Business support services establishment
- (f) Day care facility
- (g) Dwelling, duplex
- (h) Dwelling, row housing
- (i) Eating and drinking establishment
- (j) Government service
- (k) Household repair service
- (l) Library and cultural exhibit
- (m) Major home occupation
- (n) Microbrewery
- (o) Minor home occupation
- (p) Major home occupation
- (q) Mixed use development

- (r) Municipal service facility
- (s) Neighbourhood commercial development
- (t) Office use
- (u) Personal service facility
- (v) Professional, financial, office and business support services
- (w) Public or quasi-public building
- (x) Public or quasi-public use
- (y) Restaurant
- (z) Retail, convenience
- (aa) Solar energy conversion system
- (bb) Suite, in-law
- (cc) Suite, secondary

(3) Discretionary Uses

- (a) Amateur radio communication
- (b) Buildings and uses accessory to discretionary uses
- (c) Cannabis retail sales
- (d) Drive-in food service
- (e) Drive-through vehicle services
- (f) Essential public service
- (g) Health service
- (h) Retail, general
- (i) Show home

(4) Subdivision and Development Regulations:

In addition to the General Provisions contained in **Section 6** and the Special Provisions in **Section 7**, the following standards shall apply:

- (a) Minimum Parcel Size: at the discretion of the approving authority
- (b) Maximum Height: 14.0 m (45.9 ft)
- (c) Minimum Front Yard: 3.0m (9.8 ft)
- (d) Minimum Side Yard: 3.0 m (9.8 ft)
- (e) Minimum Rear Yard: 3.0m (9.8 ft)
- (f) Maximum Site Coverage: 50%

(5) Additional Regulations

- (a) Fences shall be developed in accordance with **Section 6.10** of this Bylaw.
- (b) Landscaping shall be provided in accordance with **Section 6.13** of this Bylaw.
- (c) Grading and drainage of the site shall be provided in accordance with **Section 6.21** of this Bylaw.
- (d) Accessory buildings shall be developed in accordance with **Section 6.1** of this Bylaw.
- (e) Parking and loading shall be developed in accordance with **Section 6.16** of this Bylaw.

- (f) Site circulation, buffering and lighting shall be developed in accordance with **Sections 6.20, 6.21 and 6.22** of this Bylaw.
- (g) Commercial and Residential Uses may occur in the same building.
- (h) Dwellings shall have access to grade which is separate from the access to the Commercial Use.
- (i) Dwellings shall not be located on the same floor as a Commercial Use.
- (j) No outdoor storage is permitted.
- (k) Parking associated with a dwelling shall be located on the same parcel as the dwelling.
- (l) Parking reserved and marked for employees shall be located on the same parcel, to the satisfaction of the Development Officer.
- (m) Onsite parking associated with Commercial uses shall be maximized where possible, to the satisfaction of the Development Officer
- (n) All development must have a strong pedestrian orientation, to provide both site circulation and to provide access to and from the site.

(f) The Land Use Bylaw Map is hereby amended by redistricting a portion of Pt. Lot 1, Block 1, Plan 072-5539 the from R3 – High Density Residential District to C3 – Mixed Use District, as shown on the attached **Schedule A**.

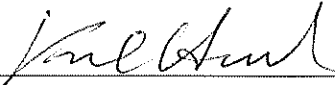
(g) The entire Land Use Bylaw is revised to correct minor formatting, spelling and grammatical errors, where the correction will not impact the interpretation or intent of the regulations therein;

(h) The table of contents and internal references to specific sections throughout the Land Use Bylaw are updated to reflect the insertions and deletions described herein.

READ A FIRST TIME THIS 19th DAY OF JANUARY, A.D. 2022,

READ A SECOND TIME THIS 16th DAY OF FEBRUARY, A.D. 2022,

READ A THIRD TIME THIS 16th DAY OF FEBRUARY, A.D. 2022,



 Mayor



 Chief Administrative Officer

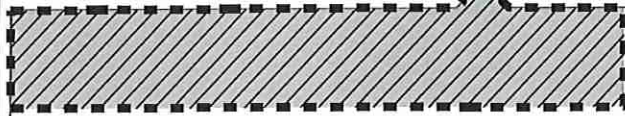
February 16, 2022

 Date Signed

Schedule A - Proposed Land Use Bylaw Amendment

TWP RD 560

52 Avenue



51 Avenue

RNG RD 205

55 Street

54 Street

48 Avenue

The lands identified are to be redistricted:

FROM: R3 - High Density Residential District

TO: C3 - Mixed Use District

LEGAL DESCRIPTION

Pt. Lot 1, Block 1, Plan 072 5539

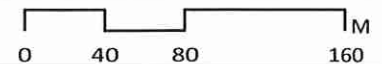


Lands to be Redistricted



Railway

Jan 2022



Digital Information: Geogratis, Geodiscover, Altalis
Projection: UTM NAD 83 12N

BYLAW 02-2022
SCHEDULE A

TOWN OF
BRUDERHEIM

