

BYLAW 50-2024
A BYLAW TO AMEND BYLAW 24-2024 THE LAND USE BYLAW

The *Municipal Government Act*, RSA 2000, c M-26, as amended, provides that a land use bylaw must divide the municipality into districts of the number and area the council considers appropriate, and that a bylaw may be amended; and

The purpose of this bylaw is to amend the text of Land Use Bylaw 24-2024 to create a new MNS – Mixed-use Neighbourhood Services zone which, when utilized, will provide for mixed-use service nodes, centred on parks, schools or other neighbourhood services, with opportunities for compatible supplementary uses.

Council enacts:

Amendments 1 Bylaw 24-2024 is amended as follows:

- (a) in part 1, section 1.14, table 1.14(A), under the heading "Open Space, Service, Institutional & Recreation zones", after the row containing the text "Major Institutional" and before the row containing the text "Conservation", add the following text as a row in the chart:

"

Mixed-use Neighbourhood Services	MNS
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 ";

- (b) in part 1, section 1.16(1), after the definition for "Neighbourhood pub" and before the definition for "Neighbouring", add the following definition for "Neighbourhood Service":

"Neighbourhood service, when used in section 11.2A Mixed-use Neighbourhood Services, means that it serves the general public and is one or more of the following uses: care centre major; private education; public education; emergency service; government service; library and exhibit; community recreation; outdoor recreation; or indoor recreation."; and

(c) in part 11, after section 11.2 and before section 11.3, add as section 11.2A the text attached as Schedule "A" to this bylaw.

FIRST READING: _____

SECOND READING: _____

THIRD READING: _____

SIGNED THIS ____ day of _____, 20____.

MAYOR

DIRECTOR, LEGISLATIVE AND LEGAL
SERVICES

11.2A MNS – Mixed-use Neighbourhood Services

Purpose

- 11.2A(1) To provide for mixed-use service nodes, centered on parks, schools or other neighbourhood services, with opportunities for compatible supplementary uses.

Uses

- 11.2A(2) Subject to any fundamental use criteria for certain uses set out below, the permitted uses for this zone are listed in Table 11.2A(A):

Table 11.2A(A) Permitted Uses

Permitted uses	
Apartment dwelling [^]	Library and exhibit [^]
Care centre intermediate [^]	Office [^]
Care centre major [^]	Outdoor recreation [^]
Community recreation [^]	Personal service establishment [^]
Convenience retail [^]	Private education [^]
Emergency service [^]	Public education [^]
Financial service [^]	Religious assembly minor* [^]
General retail [^]	Restaurant [^]
Government service [^]	Secondhand retail [^]
Health service minor [^]	Specialty food service [^]
Home business minor* [^]	Utility service minor
Indoor recreation [^]	

* Refer to Part 6: Specific Use Regulations for additional regulations pertaining to this use.

[^] Refer to Section 13.2 IHO 1.5 – Heavy Industrial Overlay 0 km to 1.5 km and Section 13.3 IHO 3.0 – Heavy Industrial Overlay 1.5 km to 3.0 km for limitations and/or additional regulations that may apply to this use.

Fundamental Use Criteria

- 11.2A(3) The following uses shall only be considered in this zone if they meet the associated criteria below:

- (a) A non-neighbourhood service use can only be considered if the majority of the combined ground floor area of all buildings on the site are or will be neighbourhood service uses.

Subdivision Regulations

11.2A(4) Subdivision must comply with Table 11.2A(B).

Table 11.2A(B) Subdivision Regulations

Subsection	Regulation	Measurement
(a)	Minimum area for a planned site	0.4 ha

Development Regulations

11.2A(5) Development must comply with Table 11.2A(C).

Table 11.2A(C) Development Regulations: Principal Buildings and Accessory Buildings

Subsection	Regulation	Measurement
Height		
(a)	Maximum height	20.0 m or 6 storeys, whichever is greater
(b)	Despite (a), the maximum height for any portion of a building within 15.0 m of a lot line abutting a lot with residential zoning shall be the maximum height permitted within the abutting residential zone.	
Minimum setbacks		
(c)	From any lot line	6.0 m

Additional Development Regulations

11.2A(6) Where located within the Compact Development Policy Area of the Municipal Development Plan or the Bremner and LEA Area Concept Plan, unless provided for a public education or private education use, new parking spaces shall be in the form of underground parking, stacked parking or surface parking, which complies with the following regulations:

- (a) the combined total area of the site covered by surface parking areas shall not exceed 20%;
- (b) surface parking areas shall not be grouped in areas greater than 0.4 contiguous acres in size;

- (c) surface parking areas having eight or more parking spaces that are visible from a road other than a lane shall have a screen planting. The location, length, thickness and height of such screening shall be to the satisfaction of the development officer; and
- (d) 11.2A(6)(a), (b), and (c) do not apply to surface parking spaces designed as on-street parking on an internal private street.