

CITY OF COLD LAKE
BYLAW #645-LU-19

A BYLAW OF THE CITY OF COLD LAKE IN THE PROVINCE OF ALBERTA, TO AMEND LAND USE BYLAW NO. 382-LU-10 TO ESTABLISH PARKING OVERLAYS IN THE DOWNTOWN COMMERCIAL AND LAKESHORE COMMERCIAL DISTRICTS

PURSUANT to sections 191(1), 639 and 640(2) of the *Municipal Government Act*, RSA 2000, Chapter M-26 as amended, a council must adopt a land use bylaw which divides the municipality into districts which prescribe the use(s) of land and buildings within said districts and where council also has the power to amend such land use bylaw;

WHEREAS section 10.9 of the Land Use Bylaw No. 382-LU-10 provides for exceptions to the parking requirements within the Downtown Commercial (C1) and Lakeshore Commercial (LC) zoning districts;

WHEREAS Council has deemed it necessary to establish Parking Overlays to vary the parking requirements within the Downtown Business District and Lakeshore Business District beyond the limits of the existing C1 and LC zoning districts;

NOW THEREFORE the Council of the City of Cold Lake in the Province of Alberta, in Council duly assembled, hereby enacts as follows:

SECTION 1 – TITLE

1. This Bylaw shall be cited as the “Amend Bylaw No. 382-LU-10, to establish Parking Overlays for the Downtown Business District and Lakeshore Business District”

SECTION 2 – AMENDMENT

2. The City of Cold Lake Land Use Bylaw No. 382-LU-10 is hereby amended by:

2.1 Deleting:

10.9 PARKING EXCEPTIONS IN THE DOWNTOWN COMMERCIAL (C1) AND LAKESHORE COMMERCIAL (LC) DISTRICTS

- (1) In order to promote a pedestrian friendly environment within the Downtown Commercial (C1) and Lakeshore Commercial (LC) Districts and to encourage higher density mixed-use developments, the following shall apply:
 - (a) The Development Authority may give credit for on-street parking providing such on-street parking stalls about the development and provided that the use of said stalls have not been pre-empted by a fire hydrant, yellow-curb line, loading zone, entrance or some obstruction which prevents the use of the said stalls for public parking;
 - (b) If deemed acceptable, the Development Authority may:
 - (i) Accept payment-in-lieu of the number of off-street parking spaces deficient for a new development, expansion of an existing use or change of use of a building, which payment amount shall be based upon the amount of money Council deems reasonable (taking into consideration the current market value of land and the current construction costs) in return for the equivalent parking space to be provided by the City elsewhere in the District in which the development is proposed; or
 - (c) Notwithstanding the provisions of 1(a) and (b) above, the Development Authority may allow a reduction in off-street parking spaces required for a development if, in the opinion of the Development Authority, the proposal would not create an unacceptable demand for on-street parking and would not interfere with highway safety.

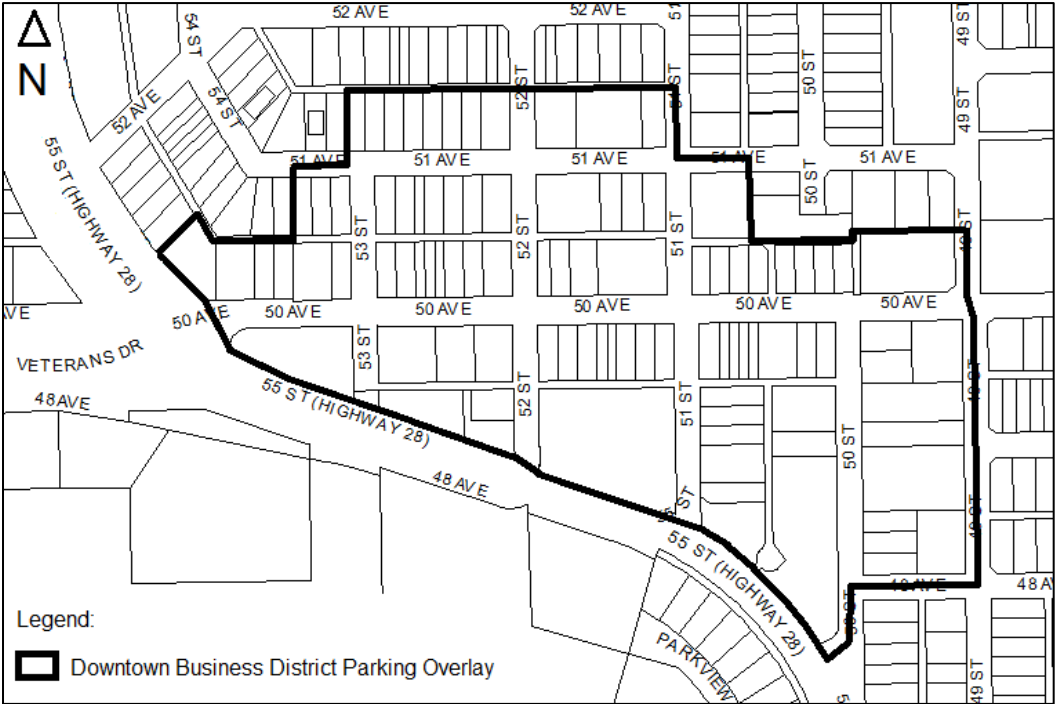
2.2 Inserting:

10.9 PARKING OVERLAYS

- (1) Downtown Business District Parking Overlay
 - (a) The parking requirements specified in Section 10.5 shall not apply within the boundaries of the Downtown Business District Parking Overlay as shown on Figure 10.9-1.

- (b) Notwithstanding the provisions of 1(a) above, residential uses shall provide the number of parking spaces as set out in Table 10.5-6.
- (c) Notwithstanding the provisions of 1(a) above, the following uses shall provide the minimum number of parking spaces as required by section 10.5:
 - (i) Amusement Establishments, Indoor;
 - (ii) Amusement Establishments, Outdoor;
 - (iii) Eating and Drinking Establishments with a seating capacity exceeding 150 persons;
 - (iv) Hotels;
 - (v) Motels;
 - (vi) Participant Recreation, Indoor with a gross floor area exceeding 465m²;
 - (vii) Religious Assembly;
 - (viii) Retail Store with a gross floor area exceeding 1390m²;
 - (ix) Shopping Centre;
 - (x) Spectator Entertainment with a gross floor area exceeding 465m²

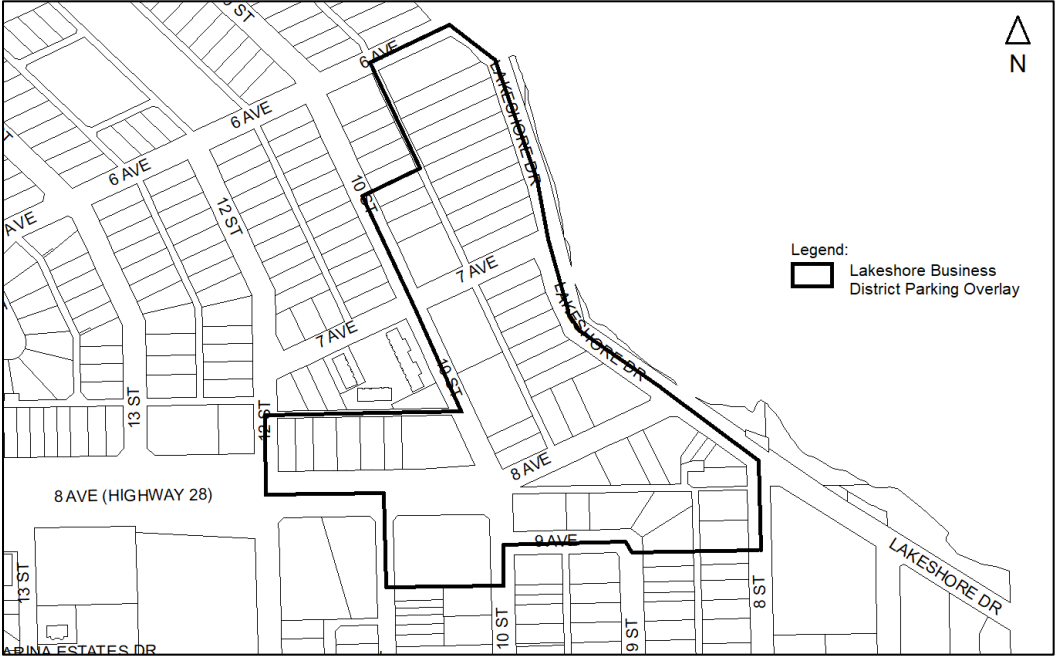
Figure 10.9-1: Downtown Business District Parking Overlay



(2) Lakeshore Business District Parking Overlay

- (a) The parking requirements specified in Section 10.5 shall not apply within the boundaries of the Lakeshore Business District Parking Overlay as shown on Figure 10.9-2:
- (b) Notwithstanding the provisions of 2(a) above, residential uses shall provide the number of parking spaces as set out in Table 10.5-6.
- (c) Notwithstanding the provisions of 2(a) above, the following uses shall provide the minimum number of parking spaces as required by section 10.5:
 - (i) Amusement Establishments, Indoor;
 - (ii) Amusement Establishments, Outdoor;
 - (iii) Eating and Drinking Establishments with a seating capacity exceeding 150 persons;
 - (iv) Hotels;
 - (v) Motels;
 - (vi) Participant Recreation, Indoor with a gross floor area exceeding 465m²;
 - (vii) Religious Assembly;
 - (viii) Retail Store with a gross floor area exceeding 1390m²

Figure 10.9-2 Lakeshore Business District Parking Overlay



SECTION 3 – ENACTMENT

3. This Bylaw shall come into full force and effect at the beginning of the day that it is passed.

FIRST READING passed in open Council duly assembled in the City of Cold Lake, in the Province of Alberta this 23rd day of April, A.D. 2019, on motion by Councillor Vining.

**CARRIED
UNANIMOUSLY**

SECOND READING passed in open Council duly assembled in the City of Cold Lake, in the Province of Alberta this ____day of ____, A.D. 2019 on motion by Councillor_____.

**CARRIED
UNANIMOUSLY**

THIRD AND FINAL READING passed in open Council duly assembled in the City of Cold Lake, in the Province of Alberta this _ day of ____, A.D. 2019, on motion by Councillor_____.

**CARRIED
UNANIMOUSLY**

Executed this_____ day of _____, 2019

CITY OF COLD LAKE

MAYOR

CHIEF ADMINISTRATIVE OFFICER