

# City of Cold Lake Land Use Bylaw Review

Revision Summary  
June 2022



# Project Background

- MGA requires that all municipalities adopt a Land Use Bylaw (LUB)
- LUB regulates the development of land and buildings on a site specific basis (zoning)
- Current LUB adopted in 2010. Reasons for review include
  - Need to meet new (2020) requirements of Municipal Government Act (Bill 48)
  - Consistency with City's new (2021) Municipal Development Plan
  - Reorganization and reformatting to make LUB easier to read and understand
  - Need to better reflect current building practices
  - Eliminate inconsistencies and conflicting regulations

# General Themes

- LUB completely reorganized and restructured
- Increased use of tables and graphics
- Annexed lands (districts and mapping) included
- Updated to reflect new permit notice and circulation processes
- All regulations (e.g. landscaping, parking, signage) updated
- Residential development requirements (e.g. lot size and setbacks) reviewed, simplified and revised as required
- Commercial and industrial districts reviewed and updated
- Definitions clarified and expanded

# Land Use Districts and Overlays

- Some land use districts consolidated or deleted
- Some land use districts renamed to better reflect purpose
- New overlay for residential infill (work in progress)

Current LUB	Proposed LUB
R1B-1 (Single Detached Small Lot) District	Deleted (standards for laned lots added to R1B District)
RMHC (MH Community) and RMHS (MH Subdivision) Districts	Consolidated into single RMH District
C1 (Downtown Commercial) District	Renamed C1 (Central Commercial) District
C3 (Neighbourhood Commercial) District	Deleted (1 site changed to RMX District)
LI (Light Industrial) District	Renamed BI (Business Industrial) District
HI (Heavy Industrial) District	Renamed IG (General Industrial) District
DC-RMHC (MH Community Residential) District	Renamed DC-FV (Fontaine Village) District

# Land Uses

- Numerous land uses changed from discretionary to permitted.
- Some land uses revised for simplification, clarification, and/or to remove redundancies; some new land uses added. Examples:

Land Use	Current LUB	Proposed LUB
Accessory Building or Use	Permitted in all Districts	Permitted if accessory to a Permitted Use Discretionary if accessory to a Discretionary Use
Museum	Not listed	Permitted in PS District
Public Park	Permitted in all Residential Districts	Parks rezoned to PS District
Short Term Rental Accommodation	Not listed	Discretionary in RE, R1A, R1B, R2, R3, R4, RMX, LC Districts
Solar Collector	Not listed	Permitted in all Districts (except BD, CON)
Wind Energy Conversion System	Not listed	Discretionary in RE, C2, BI, GI, PS, UR

# Land Uses

- Some land uses renamed or consolidated. Examples:

Current LUB	Proposed LUB
Auto and RV Sales and Rental / Equipment Rentals / Industrial Vehicle and Equipment / Manufactured Home Sales	Dealership
Body Art Shop	Personal Service Facility
Duplex / Semi-Detached Dwelling	Duplex (Side-Side or Up-Down)
Modular Home	Single Detached Dwelling
Residential Sales Centre / Show Home	Residential Sales Centre
Security Operator Residential Unit	Surveillance Suite
Tourist Campsite	Campground
Tourist Cottage	Short Term Rental Accommodation



# Land Use District Standards

- Some residential land use district standards revised:

Current LUB	Proposed LUB
RE (Residential Estate) District	<ul style="list-style-type: none"><li>• Delete 1:2 lot width-to-depth ratio</li></ul>
RE and R1B (Single Detached Small-Lot) Districts	<ul style="list-style-type: none"><li>• Add 12.2 m width for corner lot to allow for exterior side yard setback and add 7.5 m lot width for Duplex (Side-Side)</li><li>• Retain 11 m lot width for all other cases</li></ul>
R2 (Residential Duplex) District	<ul style="list-style-type: none"><li>• Increase lot width for Duplex (Side-Side) on corner lot from 7.5 m to 9 m to allow for 2 m exterior side yard</li></ul>
R3 (Medium Density) and R4 (High Density) Districts	<ul style="list-style-type: none"><li>• Add “per unit” to lot width for Row Housing for clarity</li><li>• Reduce lot width for Apartment/Multiplex from 24 m to 18 m for interior lot and 28 m to 20 m for corner lot</li></ul>
RMX (Residential Mixed Use) District	<ul style="list-style-type: none"><li>• Add 4.5 m front yard setback for Duplex/Single Detached (was zero)</li></ul>

# General Regulations

- New General and Special Regulations have been added, updated or expanded:
  - Accessory Buildings and Uses
  - Building Height
  - Communication Towers
  - Corner and Through Lots
  - Decks
  - Drive-Through Businesses
  - Easements and Municipal Lands
  - Fences
  - Home Based Business
  - Intermodal Containers
  - Outdoor Storage
  - Permitted Encroachments
  - Principal Buildings
  - Secondary Suites
  - Short Term Rental Accommodation
  - Site Coverage
  - Solar Collectors
  - Wind Energy Conversion Systems
- Special Regulations for Car Washes, Hotels and Motels, Industrial Development, Religious Assembly deleted as addressed in districts
- Landscaping standards clarified and updated



# Short Term Rental Accommodation

- Numerous properties in City rented out to visitors (e.g., Air B&B)
- Majority are single detached dwellings. Addressed through association bylaws in condominiums.
- Draft Short Term Rental Accommodation requirements:
  - Secondary to the principal dwelling/operated by resident who resides in the dwelling for more than 240 days per year,
  - Not permitted in a secondary suite or with bed and breakfast,
  - Maximum of 1 booking at any one time,
  - 1 dedicated parking stall for renters,
  - Valid City business license and written approval of condo board to operate.

# Parking and Signs

Parking Requirements	Sign Regulations
<ul style="list-style-type: none"><li>• Parking stall numbers updated</li></ul>	<ul style="list-style-type: none"><li>• Table identifying signs by district added</li></ul>
<ul style="list-style-type: none"><li>• All land uses have defined stall numbers</li></ul>	<ul style="list-style-type: none"><li>• Billboard separation distance added</li></ul>
<ul style="list-style-type: none"><li>• Parking stall dimensions updated</li></ul>	<ul style="list-style-type: none"><li>• Construction sign requirements added</li></ul>
<ul style="list-style-type: none"><li>• Shared parking between developments</li></ul>	<ul style="list-style-type: none"><li>• Freestanding sign requirements updated</li></ul>
<ul style="list-style-type: none"><li>• Bicycle parking provisions added</li></ul>	<ul style="list-style-type: none"><li>• Menu board requirements added</li></ul>
<ul style="list-style-type: none"><li>• Loading space requirements updated</li></ul>	<ul style="list-style-type: none"><li>• Temporary sign requirements updated</li></ul>

# Administrative Provisions

- “Development Permits Not Required” expanded to include:
  - Accessory buildings in non-residential districts under 58 m<sup>2</sup> in area and 3 m in height
  - Continuation of agricultural uses
  - Roof-mounted solar panels
  - Change in permitted use building occupancy if no increase to parking requirements
  - Site preparation for use that has development permit
- “Subdivision Applications” section added; subdivision and permit applications to be deemed complete within 20 days of submission as required under MGA
- No limit to MPC variance authority; Development Officer variance remains at 33%
- Appeal period for permits increased from 14 to 21 days as required under MGA
- “Notice of Decision” section updated to include electronic notifications
- Occupancy permit vs. deposit for development completion under consideration

# Development Completion

- City requires deposits from builders to cover damages to City infrastructure during construction and assure completion of projects.
- Current process not working:
  - Deposits frequently not addressed until after house is sold
  - Amounts not sufficient to cover damages in many cases
  - Builders will simply forfeit their deposit if the cost of corrective action exceeds the deposit
- Consider replacing deposit with non-monetary enforcement measures
  - Withhold Development Completion Certificate
  - Establish Occupancy Permit and only issue after damages addressed

# Definitions

- All key terms defined; definitions list more comprehensive than the current LUB
- Previous definitions updated for clarity; redundant definitions deleted
- Illustrations have been included to assist with interpretation

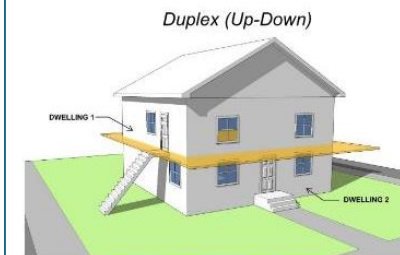
establishments that have an accessory drive-through service.

**Driveway** means a private road that provides vehicle access from a lot of site to a public or private road.

**Dwelling or Dwelling Unit** means a building or a portion of a building containing one (1) or more rooms that constitute a self-contained living accommodation unit having sleeping, cooking, and toilet facilities and intended as a permanent residence.

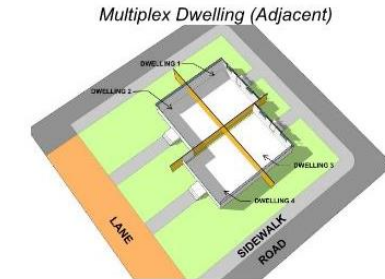
**Dwelling, Duplex** means development consisting of a building containing two (2) dwellings, with individual and separate access to each dwelling, and may take either of the following forms:

- "Side-Side" where the dwellings share a common wall, or
- "Up-Down" where one (1) dwelling unit is located above the other.



**Dwelling, Multiplex** means a building containing three (3) or more dwelling units located immediately adjacent to each other and sharing a common wall or with dwellings placed over the others (up-down) in whole, or in part and each having a separate entrance to grade. This use class does not include row house dwelling.

**Dwelling, Row Housing** means a building designed and built to contain three (3) or more dwelling units in a single row situated side by side. Each dwelling shall be separated from the one adjoining by no more than two common walls. No part of a dwelling unit is placed over another in part or in whole and each dwelling shall have separate, individual, and direct access to grade. For the purposes of this Bylaw, townhouse units are row housing dwellings.

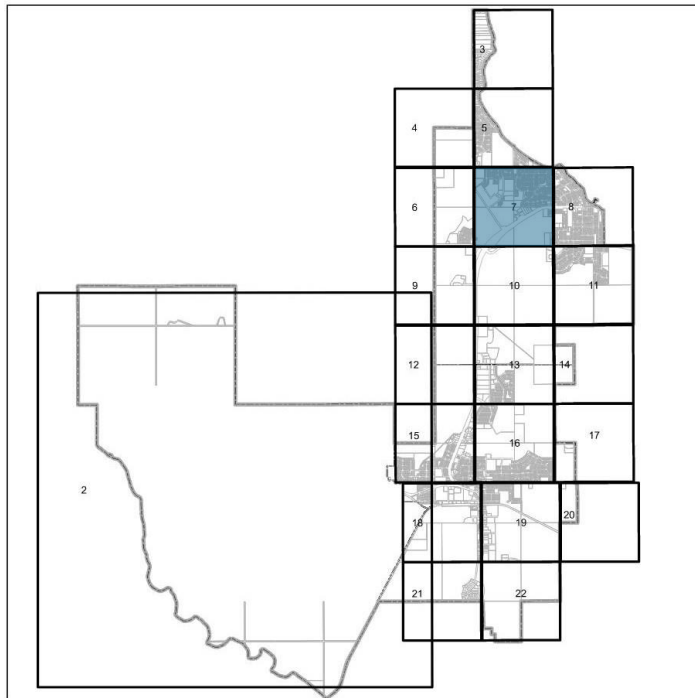


**Dwelling, Single Detached** means a residential building containing one (1) dwelling unit and may include a modular home.



# Land Use District Map

- Transition to GIS-based map book
- Each page corresponds to four quarter sections





# Next Steps

- Public Consultation and Review
  - On-Line Public Review - July – September 2022
  - Stakeholder Meetings – September - October 2022
- Revisions based on Input
- Public Hearing (Council)
  - November 2022
- Adoption