

CITY OF COLD LAKE
BYLAW 813 -LU-23
A BYLAW TO AMEND LAND USE BYLAW NO. 766-LU-23

A BYLAW OF THE CITY OF COLD LAKE IN THE PROVINCE OF ALBERTA, TO AMEND LAND USE BYLAW NO. 766-LU-23 BY ESTABLISHING THE DIRECT CONTROL-CENTRAL COMMERCIAL DISTRICT AND TO REZONE THE LANDS DESCRIBED AS PLAN 872 1702 FROM C1-CENTRAL COMMERCIAL DISTRICT TO DC-CENTRAL COMMERCIAL DISTRICT FOR THE PURPOSE OF DEFVELOPING AN ADULT ENTERTAINMENT ESTABLISHMENT ON SAID LANDS

PURSUANT to sections 640 (1) and 640 (2) of the *Municipal Government Act*, RSA 2000, Chapter M-26, 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 pursuant to section 191 (1) of the *Municipal Government Act*, RSA 2000, Chapter M-26 as amended, Council may pass, amend or repeal a bylaw;

WHEREAS the City of Cold Lake Land Use Bylaw 766-LU-23 was passed by Council on March 3, 2023;

WHEREAS the City of Cold Lake has received a request to develop an Adult Entertainment Establishment on the lands legally described as Plan 872 1702;

WHEREAS the City of Cold Lake Land Use Bylaw 766-LU-23 only allows for Adult Entertainment Establishments to be developed within Direct Control Districts created for the purpose of operating such an establishment;

WHEREAS Council deems it necessary to rezone the lands described as Pla5n 872 1702 from C1-Central Commercial District to DC-CC - Central Commercial Direct Control District for the purposes of developing an Adult Entertainment Establishment on the said lands;

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 “Bylaw to establish the Direct Control – Central Commercial district and rezone Plan 872 1702 from C1-Central Commercial District to DC-CC – Central Commercial Direct Control District”.

SECTION 2 – DIRECT CONTROL DISTRICT ESTABLISHED

- 2. The City of Cold Lake Land Use Bylaw 766-LU-23 is hereby amended by:

2.1 Inserting Section B6.5 DC-CC Central Commercial Direct Control District:

“B6.5 DC-CC Central Commercial Direct Control District

- (1) Purpose
To provide for the development of an Adult Entertainment Establishment on the lands legally described as Plan 872 1702 as well as to establish the Development Officer as the approving authority for other commercial uses in this District.
 - (a) Any application for the development of an Adult Entertainment Establishment in this District shall require the approval of Council.
 - (b) The Development Officer is hereby delegated as the approving authority for the following uses:

Permitted Uses	Discretionary Uses Development Officer
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CITY OF COLD LAKE BYLAW 813 -LU-23 A BYLAW TO AMEND LAND USE BYLAW NO. 766-LU-23	
<ul style="list-style-type: none"> • Accessory Building or Use to a Permitted Use • Amusement Establishment, Indoor • Business Support Service • Child Care Facility • Eating and Drinking Establishment • Health Service Hotel • Mixed-Use Development • Motel • Personal Service Facility • Private Education • Professional or Financial Service • Public Building or Service • Public Utility • Retail Store • Shopping Centre • Solar Collector • Spectator Entertainment 	<ul style="list-style-type: none"> • Accessory Building or Use to a Discretionary Use • Adult Retail Establishment • Amusement Establishment, Outdoor • Automotive and Equipment Repair • Cannabis Micro-Processing • Cannabis Retail Store • Communication Tower • Courier Depot • Dealership • Farmer’s Market • Flea Market • Gas Bar • Night Club • Parking Garage or Lot • Participant Recreation, Indoor • Second-Hand Goods Store • Private Club • Religious Assembly • Service Station • Temporary Building • Temporary or Special Event • Vehicle Washing Facility • Warehouse Sales

- (2) Site Provisions
- In addition to the regulations contained in Part C, the following standards shall apply to every development in this district.

(a) Lot Width (Minimum)		8 m
(b) Lot Depth (Minimum)		30 m
(c) Front Yard Setback (Minimum)		8 m May be reduced to 4 m where off-street parking is provided to the side or rear of the building.
(d) Rear Yard Setback (Minimum)		Development Authority Discretion
(e) Side Yard Setback, Interior (Minimum)		0 / 0.9 m If a zero-side yard setback is permitted on one side of a lot, a 0.9 m side yard shall be provided on the opposite side of the lot.
(f) Side Yard Setback, Exterior (Minimum)		3 m
(g) Building Height (Maximum)	• Principal Building	15 m unless otherwise provided for in Section C6.2 (1)(d) .
(h) Gross Floor Area (Minimum)	• Principal Building	DA discretion
(i) Lot Coverage (Maximum)		80% provided provisions have been made respecting on-site parking, loading, storage, and waste disposal as required by the Development Authority.

- (3) Additional Requirements
- (a) Notwithstanding (e) and (f) above, where a greater setback is required in accordance with the *Alberta Building Code*, or *Alberta Fire Code*, the distances required by the *Alberta Building Code*, or *Alberta Fire Code* shall prevail.

(b) Any Adult Establishment developed in this district shall comply with Section C2.3.”

SECTION 3 – REZONING

**CITY OF COLD LAKE
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3. The lands legally described as Plan 872 1702 are hereby rezoned from C1-Downtown Commercial District to DC-CC Central Commercial Direct Control District.

SECTION 4 – ENACTMENT

4. 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 ____ day of August, A.D. 2023, on motion by Councillor _____.

**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. 2023, 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. 2023, on motion by Councillor _____.

**CARRIED
UNANIMOUSLY**

Executed this_____ day of _____, 2023

CITY OF COLD LAKE

MAYOR

CHIEF ADMINISTRATIVE OFFICER