



**TOWN OF CARDSTON
IN THE PROVINCE OF ALBERTA**

BYLAW 1647B

LAND USE BYLAW AMENDMENT - 2

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BEING a bylaw of the Town of Cardston in the Province of Alberta, to amend Bylaw No. 1647, being the municipal Land Use Bylaw.

WHEREAS the municipal council wishes to amend the Land Use Bylaw so to provide for the ability to develop a “Drive-in/Drive-through Restaurant” in the Central Commercial – C1 land use district by adding the aforementioned use as a “permitted use” in the Central Commercial – C1 land use district;

AND WHEREAS the municipality must prepare an amending bylaw and provide for its consideration at a public hearing;

NOW THEREFORE, under the authority and subject to the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, the Council of the Town of Cardston, in the Province of Alberta, duly assembled does hereby enact the following:

- 1)** Add “Drive-in/Drive-through Restaurant” as a “permitted use” in the Central Commercial – C1 land use district in Schedule 2.
- 2)** Bylaw No. 1647, being the municipal Land Use Bylaw, is hereby amended.
- 3)** This bylaw comes into effect upon third and final reading hereof.

Received First Reading this 10th day of January, 2017

Received Second Reading this 24th day of January, 2017

Received Third & Final Reading this 24th day of January, 2017

Signed by the Mayor and the Chief Administrative Officer this 1st day of February, 2017

TOWN OF CARDSTON

MAYOR – *Maggie Kronen*

CHIEF ADMINISTRATIVE OFFICER – *Jeff Shaw*



CENTRAL COMMERCIAL – C1

Purpose:

To provide an area suited for predominantly pedestrian oriented commercial uses which will both maintain a strong central business district and encourage the development, redevelopment, conservation and rehabilitation of the downtown area.

1. (A) PERMITTED USES

- Accessory building, structure or use to an approved permitted use
- Business Support Service
- Convenience Store
- Drive-in/Drive-through Restaurant
- Eating Establishment
- Financial Institutions
- Home Occupation 1 (*accessory to an approved residential use in conjunction with a commercial use*)
- Hotel/Motel
- Medical/Health Facility
- Office
- Personal Services
- Restaurant
- Retail
- Seasonal Sales
- Shipping Container (*permanent*)
- Shipping Container (*temporary*)
- Sign Types¹: 1A, 2, 3, 4, 6, 10

(B) DISCRETIONARY USES – MPC

- Accessory building, structure or use to an approved discretionary use
- Amusement Facility
- Automotive Sales and Service
- Building Supplies Store
- Club/Fraternal Organization
- Equipment Sales, Rentals, and Service
- Educational Institution
- Funeral Home
- Gas Bar
- Institutional Facilities and Uses
- Natural Resource Extraction (*existing as of the passing of this bylaw*)
- Parking Facility (stand-alone)
- Pet Care Services
- Residential Accommodation in conjunction with an Approved Commercial Use
- Retail – Large Scale
- Service Station (*existing as of the passing of this bylaw*)
- Shopping Centre
- Sign Types¹: 1B, 5, 8, 9, 11, 12
- Single Detached Dwelling (*existing as of the passing of this bylaw*)
- Small Wind Energy System – Type A²
- Utility, Private or Public
- Warehouse, Retail

Notes: 1 – See Schedule 12: Sign Regulations, Section 8 for definitions of sign types.

2 – See Schedule 5, Section 13 for definition of small wind energy system types.

(C) PROHIBITED USES

- *Any use which is not listed as either a permitted or discretionary use, or is not ruled to be a similar use to a permitted or discretionary use in accordance with the Administration Section, subsection 33(2), is a prohibited use*



2. MINIMUM LOT SIZE

Use	Width		Length		Area	
	m	ft.	m	ft.	m ²	ft ²
All uses	4.57	15	As required by the Development Authority		139.35	1,500

The Development Officer may approve a development on an existing registered lot if the minimum dimensions or area are less than those specified above in Section 2.

3. MINIMUM YARD SETBACKS

Use	Front Yard		Secondary Front (Corner Lots)		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.	m	ft.
All uses	As required by the Development Authority							

4. MAXIMUM SITE COVERAGE

Principal Building and Accessory Buildings (all uses) – 80%

The principal and accessory buildings shall not occupy more than 80 percent of the surface area of a lot.

5. MAXIMUM HEIGHT OF BUILDINGS

Use	Maximum Height*
Principal Building (all other uses)	13.72 m (45 ft.)
Accessory Buildings	6.10 m (20 ft.)

*See definition for Building Height.

- (1) The roofline of the principal building shall be compatible with the surrounding buildings to the satisfaction of the Development Authority.
- (2) Roof mounted mechanical units may exceed the maximum building height provided they are concealed by screening (i.e. parapet wall) in a manner compatible with the architectural character of the building.

6. HIGHWAY SETBACK REQUIREMENTS

Notwithstanding other provisions contained within this Bylaw, no permanent development within this land use district shall be allowed within 4.57 m (15 ft.) of a highway right-of-way.

7. OUTDOOR DISPLAY OF GOODS

- (1) Outside display of goods shall be limited to examples of products, merchandise, equipment, and/or items sold by the business or industry on the lot(s) or development site and shall be located in conformance with Schedule 9: Landscaping and Amenity Area Standards and Guidelines.
- (2) The Development Authority may impose conditions related to screening, buffering or landscaping of any outdoor display or sales areas.



8. RESIDENTIAL ACCOMMODATION IN CONJUNCTION WITH AN APPROVED COMMERCIAL USE

A dwelling unit(s) may be approved where in the opinion of the Development Authority the principal use of the property, for commercial purposes, is maintained. A dwelling unit(s) shall only be approved where the main floor façade of the building is maintained as a storefront/commercial premise.

- 9. STANDARDS OF DEVELOPMENT** – Schedule 4
- 10. LANDSCAPING AND SCREENING STANDARDS AND GUIDELINES** – Schedule 9
- 11. OFF-STREET PARKING, LOADING & DRIVEWAY REQUIREMENTS** – Schedule 10
- 12. SIGN REGULATIONS** – Schedule 12