

Bylaw 16224

A Bylaw to amend Bylaw 12800, as amended,
The Edmonton Zoning Bylaw
Amendment No. 1541

WHEREAS City Council at its meeting of February 22, 2001, gave third reading to Bylaw 12800, as amended; and

WHEREAS Council considers it desirable to amend the text of the Edmonton Zoning Bylaw;

NOW THEREFORE after due compliance with the relevant provisions of the Municipal Government Act RSA 2000, ch. M-26, as amended, the Municipal Council of the City of Edmonton duly assembled enacts as follows:

1. Bylaw 12800, as amended, The Edmonton Zoning Bylaw is hereby further amended by:
 - a. deleting subsection 7.3(6) Live Work Unit and replacing it with the following:
 6. **Live Work Unit** means a unit that contains one Dwelling, in addition to dedicated floor space for the purpose of conducting work. The work component may or may not be separate and distinct from the Dwelling. This Use Class does not include a Minor Home Based Business or a Major Home Based Business.
 - b. deleting subsection 7.4(11) Commercial Schools and replacing it with the following:
 11. **Commercial Schools** means development used for training and instruction in a specific trade, skill, service or artistic endeavour. This Use Class does not include schools defined as Public Education Services or Private Education Services. Typical Uses include secretarial, business, hairdressing, beauty culture, dancing or music schools.
 - c. deleting subsection 7.4(14) Custom Manufacturing Establishments and replacing it with the following:
 14. **Creation and Production Establishments** means development used for the custom creation or small-scale fabrication of goods produced in limited quantity, or for the creation, training and rehearsal of performance arts. Accessory Uses may

include the retail sale of goods produced on Site. Typical uses include literary, visual, craft, design, and interdisciplinary and performance arts studios.

d. deleting subsection 7.4(18) Flea Market and replacing it with the following:

18. **Flea Market** means development used for the sale of new or used goods by multiple vendors renting tables or space in an enclosed building. Vendors may vary from day to day, although the general layout of space to be rented remains the same. The goods sold are generally household items, tools, electronic equipment, food products or concessions, plants, clothing and furniture. Such operations are usually conducted on weekends and holidays only. This Use Class does not include Secondhand Stores or Pawn Stores.

e. deleting subsection 7.4(23) General Retail Stores and replacing it with the following:

23. **General Retail Stores** means development used for the retail or consignment sale of new goods or merchandise within an enclosed building, not including the sale of gasoline, heavy agricultural and industrial equipment, alcoholic beverages, or goods sold wholesale. Accessory Uses may include the assembly or repair of products sold on Site, or minor public services such as postal services or pharmacies. This Use Class does not include Aircraft Sales/Rentals, Automotive and Minor Recreation Vehicle Sales/Rentals, Flea Market, Gas Bars, Greenhouses, Plant Nurseries and Market Gardens, Pawn Stores, Major Alcohol Sales, Minor Alcohol Sales, Major Service Stations, Minor Service Stations, Secondhand Stores, and Warehouse Sales.

f. deleting subsection 7.4(7) Broadcasting and Motion Picture Studios;

g. deleting subsection 7.4(31) Major Secondhand Stores;

h. deleting subsection 7.4(35) Minor Secondhand Stores;

i. adding the following to Section 7.4 in accordance with the alphabetical order of the list:

Media Studios means development used for the creation, rehearsal, or production of audio or visual materials that are broadcasted or otherwise communicated through technological means to an off-Site consumer. Typical Uses include internet content providers and radio, television, and motion picture studios.

j. adding the following to Section 7.4 in accordance with the alphabetical order of the list:

Secondhand Stores means development used for the retail or consignment sale of secondhand personal or household goods, including the minor repair of goods sold on-Site. Typical Uses include clothing, jewelry, book and antique stores. This Use Class does not include the sale of used vehicles, recreation craft or construction and industrial equipment, and does not include Flea Markets or Pawn Stores.

- k. adding the following to Section 7.4 in accordance with the alphabetical order of the list:

Pawn Stores means development used to provide secured loans in exchange for goods offered as collateral, including the sale of such goods. This Use Class may also include the minor repair of goods sold on-Site. Typical Uses include the resale of clothing, jewelry, stereos, household goods and musical instruments in pawn. This Use Class does not include the sale of used vehicles, recreation craft or construction and industrial equipment, and does not include Flea Markets or Secondhand Stores.

- l. renumbering Section 7.4 accordingly;

- m. deleting subsection 7.5(2) General Industrial Uses and replacing it with the following:

2. **General Industrial Uses** means development used principally for one or more of the following activities:
- a. the processing of raw materials;
 - b. the making, manufacturing or assembling of semi-finished or finished goods, products or equipment;
 - c. the cleaning, servicing, repairing or testing of materials, goods and equipment normally associated with industrial or commercial businesses or cleaning, servicing and repair operations to goods and equipment associated with personal or household use, where such operations have impacts that would make them incompatible in Non-industrial Zones;
 - d. the storage or transshipping of materials, goods and equipment;
 - e. the distribution and sale of materials, goods and equipment to institutions or industrial and commercial businesses for their direct use or to General Retail Stores or other sales Use Classes defined in this Bylaw for resale to individual customers; or
 - f. the training of personnel in general industrial operations.

This Use Class includes vehicle body repair and paint shops. This Use Class does not include Major Impact Utility Services and Minor Impact Utility Services or the preparation of food and beverages for direct sale to the public.

- n. deleting subsection 7.8(1) Community Recreation Services and replacing it with the following:

1. **Community Recreation Services** means development used for recreational, social, arts, or multi-purpose Use in a building without fixed seats and an occupancy capacity of fewer than 500 persons, primarily intended for local community purposes. Typical Uses include community halls, community centres, and community league buildings operated by a local residents' organization.

- o. deleting subsection 7.8(11) Public Libraries and Cultural Exhibits and replacing it with the following:

11. **Public Libraries and Cultural Exhibits** means development for the collection of literary, artistic, musical and similar reference materials in the form of books, manuscripts, recordings and films for public use; or a development for the collection, preservation and public exhibition of works or objects of historical, scientific or artistic value. Typical Uses include libraries, museums and public, not-for-profit art galleries.

- p. deleting Section 92 and replacing it with the following:

92. Live Work Units

Live Work Units shall comply with the following regulations:

1. The Dwelling and work components of the Live Work Unit shall not be legally separated through a subdivision or condominium conversion.
2. There shall be internal access between the Dwelling and the work components of the Live Work Unit.
3. The Dwelling associated with a Live Work Unit shall not contain a Minor Home Based Business or a Major Home Based Business.
4. For Live Work Units located at Grade, the Live Work Unit shall contribute to the pedestrian-oriented character of the street or immediate area.
5. Neither the Dwelling nor the work component of the Live Work Unit shall be less than 25% of the total floor space of the Live Work Unit.
6. Parking shall be provided based upon the activities to be conducted within the Live Work Unit, to the satisfaction of the Development Officer and in consultation with Transportation Services.
7. The work component of a Live Work Unit shall be limited to:
 - i. Personal Service Shops,
 - ii. Professional, Financial and Office Support Services,
 - iii. Creation and Production Establishments, and
 - iv. Health Services.

- q. adding a new Section 95 as follows:

95. General Industrial Uses

General Industrial Uses shall comply with the following regulations:

1. Any indoor display, office, technical or administrative support areas or any retail sale operations shall be Accessory to the General Industrial Use. The Floor Area devoted to such Accessory activities shall not exceed 33 percent of the total Floor Area of the building(s) devoted to the General Industrial Use, except that this restriction shall not apply where a significant portion of the industrial activity naturally and normally takes place out of doors.
 2. The Development Officer may approve a facility that is intended to provide temporary sleeping accommodation for employees as an Accessory Use to a General Industrial Use. The proposed Accessory Use shall not be larger than necessary to support industrial activities on the Site, and the design and layout of the accommodation shall not be suitable for use as permanent residence. The following regulations shall apply:
 - i. the Applicant shall, in all cases, conduct a Phase 1 Environmental Site Assessment (ESA) in accordance with the Canadian Standards Association Guide Z-768-94, as amended from time to time and submit those results as part of the application;
 - ii. if the Phase 1 ESA indicates potential contamination, further consideration of the application shall be suspended and the applicant shall conduct a Phase 2 ESA and the Development Officer shall share the results of the Phase 2 ESA with Alberta Environment and Sustainable Resource Development (or its successor) and Alberta Health Services (or its successor);
 - iii. taking into account the advice of Alberta Environment and Sustainable Resource Development and Alberta Health Services and all other relevant factors, the Development Officer shall determine whether a Phase 3 ESA is required; and
 - iv. the Development Officer shall not issue a Development Permit for this Accessory Use until the Applicant has demonstrated that the required Phase 3 ESA has been completed.
- r. adding the following to Sections 310.3, 320.3, 350.3, 360.3, 400.2, 410.2, 420.3, 960.5(3) in accordance with the alphabetical order of the lists:

Creation and Production Establishments

- s. adding the following to Sections 310.3, 320.3, 330.3, 340.3, 360.3, 940.6(4) in accordance with the alphabetical order of the lists:

Live Work Units

- t. adding the following to Sections 310.3, 320.3, 330.3, 340.3, 360.3 in accordance with the alphabetical order of the lists:

Major Home Based Business

- u. adding the following to Sections 310.3, 320.3, 330.3, 340.3, 360.3 in accordance with the alphabetical order of the list:

Minor Home Based Business

- v. adding the following to Sections 310.3, 320.3, 330.3, 340.3, 370.2, 910.5(3), 910.6(3), 910.7(3), 910.9(3), 910.10(3), 910.11(3), 910.12(3), 920.10(2)(b), 940.6(4), 960.5(3) in accordance with the alphabetical order of the list:

Secondhand Stores

- w. adding the following to Sections 320.3, 330.3, 340.3, 350.3, 360.3, 370.2, 400.3, 410.2, 552.3, 553.3, 910.5(2), 910.6(3), 910.7(3), 910.9(2), 910.11(2), 910.12(2), 930.4(3), 960.5(3), 960.6(2), 990.4(2) in accordance with the alphabetical order of the lists:

Media Studios

- x. deleting subsections 330.3(8), 340.2(6), 370.2(8), 910.5(3)(f), 910.6(3)(g), 910.7(3)(f), 910.9(3)(g), 910.11(2)(k), 910.12(3)(d), 920.10(2)(b)(vi), 940.6(3)(f), 960.6(2)(k) and replacing them with the following:

Creation and Production Establishments

- y. adding the following to Sections 330.3, 340.3, 370.3, 910.5(3), 910.7(3), 910.9(3), 910.11(3), 910.12(3) in accordance with the alphabetical order of the lists:

Pawn Stores

- z. deleting subsection 310.3(11) and replacing it with the following:

Secondhand Stores with a Floor Area less than 275 m²

- 2. Bylaw 12800, as amended, The Edmonton Zoning Bylaw is hereby further amended by:
 - a. renumbering Section 310.3 accordingly;

- b. deleting subsection 320.3(5), Broadcasting and Motion Picture Studios;
- c. deleting subsection 320.3(13), Minor Secondhand Stores;
- d. renumbering Section 320.3 accordingly;
- e. adding the following to Sections 330.2, 340.2, 360.2, 940.6(3) in accordance with the alphabetical order of the list:

Public Libraries and Cultural Exhibits

- f. renumbering Sections 330.2 and 360.2 accordingly;
- g. deleting subsection 330.3(5), Broadcasting and Motion Picture Studios;
- h. deleting subsection 330.3(17), Major Secondhand Stores;
- i. deleting subsection 330.3(20), Minor Secondhand Stores;
- j. renumbering subsection 330.3 accordingly;
- k. deleting subsection 340.2(18) and replacing it with the following:
 - 18. Major Amusement Establishments
- l. deleting subsection 340.2(9), Funeral, Cremation and Interment Services;
- m. adding the following to Section 340.2 in accordance with the alphabetical order of the list:
 - Minor Amusement Establishments
- n. renumbering Section 340.2 accordingly;
- o. deleting subsection 340.3(7), Broadcasting and Motion Picture Studios;
- p. deleting subsection 340.3(17), Major Secondhand Stores;
- q. deleting subsection 340.3(20), Minor Secondhand Stores;
- r. renumbering Section 340.3 accordingly;
- s. deleting subsection 340.4(4) and replacing it with the following:
 - 4. A minimum Setback of 6.0 m shall be required where the Rear or Side Lot line of the Site abuts the Lot line of a residential Zone.
- t. deleting subsection 350.3(5), Broadcasting and Motion Picture Studios;

- u. adding the following to Sections 350.3, 360.3 in accordance with the alphabetical order of the lists:

Spectator Entertainment Establishments

- v. renumbering Section 350.3 accordingly;
- w. deleting subsection 360.3(5), Broadcasting and Motion Picture Studios;
- x. renumbering Section 360.3 accordingly;
- y. deleting subsection 370.2(16), Minor Secondhand Stores;
- z. renumbering Section 370.2 accordingly.

3. Bylaw 12800, as amended, The Edmonton Zoning Bylaw is hereby further amended by:

- a. deleting subsection 370.3(2), Broadcasting and Motion Pictures Studios;
- b. deleting subsection 370.3(10), Major Secondhand Stores;
- c. renumbering Section 370.3 accordingly;
- d. deleting subsection 370.4(8);
- e. renumbering Section 370.4 accordingly;
- f. deleting subsection 400.2(7) and replacing it with the following:

7. Minor Service Stations

- g. adding the following to Section 400.2 in accordance with the alphabetical order of the list:

Major Service Stations

- h. renumbering Section 400.2 accordingly;
- i. deleting subsection 400.3(6), Broadcasting and Motion Picture Studios;
- j. renumbering Section 400.3 accordingly;
- k. deleting subsection 410.2(2), Broadcasting and Motion Picture Studios;
- l. renumbering Section 410.2 accordingly;

- m. adding the following to Section 410.3 in accordance with the alphabetical order of the list:
Flea Market
- n. renumbering Section 410.3 accordingly;
- o. deleting 410.4(6)(b) and 410.4(6)(c) and replacing them with the following:
 - b. no outdoor parking, trash collection or outdoor storage areas shall be developed within 3.0 m of any property line that abuts a residential Zone;
 - c. a solid screen fence, 1.83 m in Height, shall be installed along all property lines that abut a residential Zone, except for common flanking Front Yard boundaries; and
- p. renumbering Section 420.3;
- q. deleting subsection 552.3(5), Broadcasting and Motion Picture Studios;
- r. renumbering Section 552.3 accordingly;
- s. deleting subsection 553.3(4), Broadcasting and Motion Picture Studios;
- t. renumbering Section 553.3 accordingly;
- u. deleting Section 818 and replacing it with the following:

818 Secondhand Stores and Pawn Stores Overlay

818.1 General Purpose

The purpose of this Overlay is to supplement the regulations of Commercial Zones regarding Secondhand Stores and Pawn Stores in order to require parties interested in developing such Uses to consult with surrounding property owners, prior to applying for a Development Permit.

818.2 Application

1. This Overlay applies additional regulations to Secondhand Stores and Pawn Stores when contained in the underlying Commercial Zones of those lands identified in the Appendices to this Overlay.
2. Notwithstanding that a Secondhand Store or Pawn Store does not conform to this Overlay, where a Development Permit was issued for the development prior to the adoption of this Overlay, such development shall be deemed to conform to the regulations contained within this Overlay.

818.3 Development Regulations

When there is a Development Application for Secondhand Stores or Pawn Stores:

1. the applicant shall contact the affected parties, being each assessed owner of land wholly or partly located within a distance of 60.0 m of the Site of the proposed development and the President of each affected Community League and the President of each Business Revitalization Zone Association operating within the distance described above, at least 21 days prior to submission of a Development Application;
 2. the applicant shall outline, to the affected parties, the details of the application and solicit their comments on the application;
 3. the applicant shall document any opinions or concerns, expressed by the affected parties, and what modifications were made to address their concerns; and
 4. the applicant shall submit this documentation as part of the Development Application.
- v. deleting subsection 821.3(5);
 - w. renumbering Section 821.3 accordingly;
 - x. deleting subsection 910.5(2)(e), Broadcasting and Motion Picture Studios;
 - y. renumbering Section 910.5(2) accordingly;
 - z. deleting subsection 910.5(3)(m), Major Secondhand Stores.
4. Bylaw 12800, as amended, The Edmonton Zoning Bylaw is hereby further amended by:
 - a. deleting subsection 910.5(3)(o), Minor Secondhand Stores;
 - b. renumbering Section 910.5(3) accordingly;
 - c. deleting subsection 910.5(6)(b);
 - d. renumbering subsection 910.5(6) accordingly;
 - e. deleting subsection 910.6(3)(d), Broadcasting and Motion Picture Studios;
 - f. deleting subsection 910.6(3)(n), Minor Secondhand Stores;
 - g. renumbering Section 910.6(3) accordingly;
 - h. deleting subsection 910.6(6)(d);

- i. renumbering subsection 910.6(6) accordingly;
 - j. deleting subsection 910.7(3)(c), Broadcasting and Motion Picture Studios;
 - k. deleting subsection 910.7(3)(m), Major Secondhand Stores;
 - l. deleting subsection 910.7(3)(o), Minor Secondhand Stores;
 - m. renumbering Section 910.7(3) accordingly;
 - n. deleting subsection 910.7(6)(c);
 - o. renumbering Section 910.7(6) accordingly;
 - p. deleting subsection 910.8(6)(b);
 - q. renumbering Section 910.8(6) accordingly;
 - r. deleting subsection 910.9(2)(d), Broadcasting and Motion Picture Studios;
 - s. renumbering Section 910.9(2) accordingly;
 - t. deleting subsection 910.9(3)(k), Major Secondhand Stores;
 - u. deleting subsection 910.9(3)(m), Minor Secondhand Stores;
 - v. renumbering Section 910.9(3) accordingly;
 - w. deleting subsection 910.10(3)(m), Minor Secondhand Stores;
 - x. renumbering Section 910.10(3) accordingly;
 - y. deleting subsection 910.10(6)(b);
 - z. deleting subsection 910.11(2)(e), Broadcasting and Motion Picture Studios.
5. Bylaw 12800, as amended, The Edmonton Zoning Bylaw is hereby further amended by:
- a. renumbering Section 910.11(2) accordingly;
 - b. deleting subsection 910.11(3)(n), Major Secondhand Stores;
 - c. deleting subsection 910.11(3)(p), Minor Secondhand Stores;
 - d. renumbering Section 910.11(3) accordingly;

- e. deleting subsection 910.11(6);
- f. deleting subsection 910.12(2)(e), Broadcasting and Motion Picture Studios;
- g. renumbering Section 910.12(2) accordingly;
- h. deleting subsection 910.12(3)(h), Minor Secondhand Stores;
- i. deleting subsection 910.12(3)(i), Major Secondhand Stores;
- j. renumbering Section 910.12(3) accordingly;
- k. deleting subsection 910.12(6)(b);
- l. renumbering subsection 910.12(6) accordingly;
- m. deleting subsection 920.10(2)(b)(xiv), Minor Secondhand Stores;
- n. renumbering subsection 920.10(2)(b) accordingly;
- o. deleting 930.4(2)(5) and replacing it with the following:
 - 5. Minor Service Stations
- p. adding the following to subsection 930.4(2) in accordance with the alphabetical order of the list:
 - Major Service Stations
- q. renumbering Section 930.4(2) accordingly;
- r. deleting subsection 930.4(3)(4), Broadcasting and Motion Picture Studios;
- s. renumbering Section 930.4(3) accordingly;
- t. deleting subsection 940.6(3)(l) and replacing it with the following:
 - l. Major Amusement Establishments
- u. adding the following in accordance with the alphabetical order of the list:
 - Minor Amusement Establishments
- v. renumbering Section 940.6(3) accordingly;
- w. deleting subsection 940.6(4)(l), Minor Secondhand Stores;

- x. renumbering Section 940.6(4) accordingly;
 - y. deleting subsection 960.5(3)(e), Broadcasting and Motion Picture Studios;
 - z. deleting subsection 960.5(3)(j), Minor Secondhand Stores.
6. Bylaw 12800, as amended, The Edmonton Zoning Bylaw is hereby further amended by:
- a. renumbering Section 960.5(3) accordingly;
 - b. deleting subsection 960.6(2)(n), Broadcasting and Motion Picture Studios;
 - c. renumbering Section 960.6(2) accordingly;
 - d. deleting subsection 990.4(2)(c), Broadcasting and Motion Picture Studios;
 - e. renumbering Section 990.4(2) accordingly.

READ a first time this	day of	, A. D. 2012;
READ a second time this	day of	, A. D. 2012;
READ a third time this	day of	, A. D. 2012;
SIGNED and PASSED this	day of	, A. D. 2012.

THE CITY OF EDMONTON

MAYOR

CITY CLERK

Mark-up Showing Proposed Changes

Black Font = existing text

Underlined Font = proposed addition to Zoning Bylaw

~~Strikethrough~~ = proposed deletion from Zoning Bylaw

Commercial Use Classes

7.4(x) ~~Broadcasting and Motion Picture~~ Media Studios means development used for the creation, rehearsal, or production, or broadcasting of audio or and visual materials or computer-generated programming that are broadcasted or otherwise communicated through technological means to an off-Site consumer. typically associated with Typical Uses include internet content providers and radio, television, and motion picture studios.

7.4(11) Commercial Schools means development used for training and instruction in a specific trade, skill, ~~or service~~ or artistic endeavour. ~~for the financial gain of the individual or company owning the school.~~ This Use Class does not include schools defined as Public Education Services or Private Education Services. Typical Uses include secretarial, business, hairdressing, beauty culture, dancing or music schools.

~~**7.4(14) Custom Manufacturing Establishments** means development used for small scale on-site production of goods by hand manufacturing, primarily involving the use of hand tools and provided such developments have fewer than five production employees. Typical Uses include jewelry, toy and musical instrument manufacturing, gunsmiths, and pottery and sculpture studios.~~

7.4(14) Creation and Production Establishments means development used for the custom creation or small-scale fabrication of goods produced in limited quantity, or for the creation, training and rehearsal of performance arts. Accessory Uses may include the retail sale of goods produced on Site. Typical uses include literary, visual, craft, design, and interdisciplinary and performance arts studios.

7.4(18) Flea Market means development used for the sale of new or used goods by multiple vendors renting tables or space in an enclosed building. Vendors may vary from day to day, although the general layout of space to be rented remains the same. The goods sold are generally household items, tools, electronic equipment, food products or concessions, plants, clothing and furniture. Such operations are usually conducted on weekends and holidays only. This Use Class does not include ~~Major or Minor~~ Secondhand Stores or Pawn Stores.

~~**7.4(23) General Retail Stores** means development used for the retail sale of groceries, beverages, household goods, furniture and appliances, hardware, printed matter, confectionery, tobacco, pharmaceutical and personal care items, automotive parts and accessories, video sales and rentals, office equipment, stationery and similar goods from within an enclosed building. Minor public services, such as postal services and film processing depots,~~

are permitted within General Retail Stores. This Use Class includes Convenience Retail Stores, and excludes Warehouse Sales. General Retail Stores does not include developments used for the sale of gasoline, heavy agricultural and industrial equipment, alcoholic beverages, or secondhand goods.

7.4(23) General Retail Stores means development used for the retail or consignment sale of new goods or merchandise within an enclosed building, not including the sale of gasoline, heavy agricultural and industrial equipment, alcoholic beverages, or goods sold wholesale. Accessory Uses may include the assembly or repair of products sold on Site, or minor public services such as postal services or pharmacies. This Use Class does not include Aircraft Sales / Rentals, Automotive and Minor Recreation Vehicle Sales / Rentals, Flea Market, Gas Bars, Greenhouses, Plant Nurseries and Market Gardens, Pawn Stores, Major Alcohol Sales, Minor Alcohol Sales, Major Service Stations, Minor Service Stations, Secondhand Stores, and Warehouse Sales.

~~**7.4(31) Major Secondhand Stores** means development used for the retail sale of secondhand or used major and minor household goods, including the refurbishing and repair of the goods being sold. Such establishments generally require a larger display, storage and loading space. This Use Class includes Minor Secondhand Stores. Typical Uses include the resale of relatively bulky items such as antique or used furniture and major appliances. This Use Class does not include the sale of used vehicles, recreation craft or construction and industrial equipment. This Use Class does not include Flea Markets or any Use Class involving the sale of used vehicles, recreation craft or construction and industrial equipment.~~

~~**7.4(35) Minor Secondhand Stores** means development used for the retail sale of secondhand or used personal and minor household goods, including the minor repair of such goods. Goods sold in such establishments are characterized by their relatively small demand for storage, display and loading space. Typical Uses include the resale of clothing, jewelry, stereos and musical instruments. This Use Class does not include Flea Markets.~~

7.4(x) Secondhand Stores means development used for the retail or consignment sale of secondhand personal or household goods, including the minor repair of goods sold on-Site. Typical Uses include clothing, jewelry, book and antique stores. This Use Class does not include the sale of used vehicles, recreation craft or construction and industrial equipment, and does not include Flea Markets or Pawn Stores.

7.4(x) Pawn Stores means development used to provide secured loans in exchange for goods offered as collateral, including the sale of such goods. This Use Class may also include the minor repair of goods sold on-Site. Typical Uses include the resale of clothing, jewelry, stereos, household goods and musical instruments in pawn. This Use Class does not include the sale of used vehicles, recreation craft or construction and industrial equipment, and does not include Flea Markets or Secondhand Stores.

Industrial Use Classes

7.5(2) General Industrial Uses means development used principally for one or more of the following activities:

- a. the processing of raw materials;
- b. the making, manufacturing or assembling of semi-finished or finished goods, products or equipment;
- c. the cleaning, servicing, repairing or testing of materials, goods and equipment normally associated with industrial or commercial businesses or cleaning, servicing and repair operations to goods and equipment associated with personal or household use, where such operations have impacts that would make them incompatible in Non-industrial Zones;
- d. businesses or cleaning, servicing and repair operations to goods and equipment associated with personal or household use, where such operations have impacts that would make them incompatible in Non-industrial Zones;
- d. the storage or transshipping of materials, goods and equipment;
- e. the distribution and sale of materials, goods and equipment to institutions or industrial and commercial businesses for their direct use or to General Retail Stores or other sales Use Classes defined in this Bylaw for resale to individual customers; or
- f. the training of personnel in general industrial operations.

~~Any indoor display, office, technical or administrative support areas or any retail sale operations shall be Accessory to the General Industrial Use activities identified above. The Floor Area devoted to such Accessory activities shall not exceed 33 percent of the total Floor Area of the building(s) devoted to the General Industrial Use, except that this restriction shall not apply where a significant portion of the industrial activity naturally and normally takes place out of doors.~~

~~The Development Officer may approve as an Accessory Use in this Zone, a facility that is intended to provide temporary sleeping accommodation for employees and if so the following shall apply:~~

- ~~i. the Applicant shall, in all cases, conduct a Phase 1 Environmental Site Assessment in accordance with the Canadian Standards Association Guide Z-768-94, as amended from time to time (ESA) and submit those results as part of the application;~~
- ~~ii. if the Phase 1 ESA indicates potential contamination, further consideration of the application shall be suspended and the applicant shall conduct a Phase 2 ESA and the Development Officer shall share the results of the Phase 2 ESA with Alberta Environment (or its successor) and the Capital Health Authority (or its successor);~~

- iii. ~~—taking into account the advice of Alberta Environment and the Capital Health Authority and all other relevant factors, the Development Officer shall determine whether a Phase 3 ESA is required; and~~
- iv. ~~—the Development Officer shall not issue a Development Permit for this Accessory Use until the Applicant has demonstrated that the required Phase 3 ESA has been completed.~~

~~The Applicant must demonstrate that the proposed Accessory Use is not larger than is necessary to support industrial activities on the Site and that the design and layout are not suitable for use as permanent accommodation. The Development Officer shall not approve as an Accessory Use in a facility that is suitable for use as a permanent residence.~~

This Use Class includes vehicle body repair and paint shops. This Use Class does not include Major Impact Utility Services and Minor Impact Utility Services or the preparation of food and beverages for direct sale to the public.

Special Land Use Provisions

(95) General Industrial Uses

General Industrial Uses shall comply with the following regulations:

1. Any indoor display, office, technical or administrative support areas or any retail sale operations shall be Accessory to the General Industrial Use. The Floor Area devoted to such Accessory activities shall not exceed 33 percent of the total Floor Area of the building(s) devoted to the General Industrial Use, except that this restriction shall not apply where a significant portion of the industrial activity naturally and normally takes place out of doors.
2. The Development Officer may approve a facility that is intended to provide temporary sleeping accommodation for employees as an Accessory Use to a General Industrial Use. The proposed Accessory Use shall not be larger than necessary to support industrial activities on the Site, and the design and layout of the accommodation shall not be suitable for use as permanent residence. The following regulations shall apply:
 - i. the Applicant shall, in all cases, conduct a Phase 1 Environmental Site Assessment (ESA) in accordance with the Canadian Standards Association Guide Z-768-94, as amended from time to time and submit those results as part of the application;
 - ii. if the Phase 1 ESA indicates potential contamination, further consideration of the application shall be suspended and the applicant shall conduct a Phase 2 ESA and the Development Officer shall share the results of the Phase 2 ESA with Alberta Environment and Sustainable Resource Development (or its successor) and Alberta Health Services (or its successor);
 - iii. taking into account the advice of Alberta Environment and Sustainable Resource Development and Alberta Health Services and all other

relevant factors, the Development Officer shall determine whether a Phase 3 ESA is required; and

- iv. the Development Officer shall not issue a Development Permit for this Accessory Use until the Applicant has demonstrated that the required Phase 3 ESA has been completed.

Residential-Related Use Classes

~~7.3(6) **Live Work Unit** means a business operated from a Dwelling by the principal resident of the Dwelling, where:~~

- ~~a. the business does not exceed 50 per cent of the gross floor area of the Dwelling;~~
- ~~b. the business is limited to:

 - ~~i. Personal Service Shops~~
 - ~~ii. Professional, Financial and Office Support Services~~
 - ~~iii. Custom Manufacturing Establishments~~
 - ~~iv. Health Services~~
 - ~~v. Private Education Services; and~~~~
- ~~c. the associated Dwelling does not contain a Minor Home Based Business or a Major Home Based Business.~~

7.3(6) Live Work Unit means a unit that contains one Dwelling, in addition to dedicated floor space for the purpose of conducting work. The work component may or may not be separate and distinct from the Dwelling. This Use Class does not include a Minor Home Based Business or a Major Home Based Business.

Special Land Use Provisions

92. *Live Work Units*

- ~~1. Live Work Units shall comply with the following regulations:

 - ~~a. each unit shall have individual access at grade;~~
 - ~~b. there shall be no exterior display or advertisement other than an identification plaque or Sign a maximum of 20 cm x 30.5 cm in size located on the Dwelling;~~
 - ~~c. the number of non-resident employees or business partners working on-site shall not exceed two per unit at any one time;~~
 - ~~d. there shall be no outdoor business activity, or outdoor storage of material or equipment associated with the Business. Indoor storage~~~~

~~related to the business activity shall be allowed in either the Dwelling or Accessory buildings;~~

~~e.—there shall be no nuisance created by the business by way of electronic interference, dust, noise, odor, smoke, bright light or anything of an offensive or objectionable nature which is detectable to normal sensory perception outside the Live Work unit; and~~

~~f.—each application for a Development Permit for the Use Class Live Work Unit shall include a description of the business to be undertaken at the premises, an indication of the number of business visits per week, provision for vehicular and bicycle parking for visitors and employees, and where any materials or equipment associated with the business use are to be stored.~~

Live Work Units shall comply with the following regulations:

1. The Dwelling and work components of the Live Work Unit shall not be legally separated through a subdivision or condominium conversion.
2. There shall be internal access between the Dwelling and the work components of the Live Work Unit.
3. The Dwelling associated with a Live Work Unit shall not contain a Minor Home Based Business or a Major Home Based Business.
4. For Live Work Units located at Grade, the Live Work Unit shall contribute to the pedestrian-oriented character of the street or immediate area;
5. Neither the Dwelling nor the work component of the Live Work Unit shall be less than 25% of the total floor space of the Live Work Unit.
6. Parking shall be provided based upon the activities to be conducted within the Live Work Unit, to the satisfaction of the Development Officer and in consultation with Transportation Services.
7. The work component of a Live Work Unit shall be limited to:
 - i. Personal Service Shops,
 - ii. Professional, Financial and Office Support Services,
 - iii. Creation and Production Establishments, and
 - iv. Health Services.

Community, Educational, Recreational and Cultural Services Use Classes

7.8(1) Community Recreation Services means development used for recreational, social, arts, or multi-purpose Use in a building without fixed seats and an occupancy capacity of less fewer than 500 persons, primarily intended for local community purposes. Typical Uses include community halls, community centres, and community league buildings operated by a local residents' organization.

7.8(11) Public Libraries and Cultural Exhibits means development for the collection of literary, artistic, musical and similar reference materials in the form of books, manuscripts, recordings and films for public use; or a

development for the collection, preservation and public exhibition of works or objects of historical, scientific or artistic value. Typical Uses include libraries, museums and public, not-for-profit art galleries.

818 ~~Major And Minor~~ Secondhand Stores and Pawn Stores Overlay

818.1 General Purpose

The purpose of this Overlay is to supplement the regulations of Commercial Zones regarding ~~Major and Minor~~ Secondhand Stores and Pawn Stores in order to require parties interested in developing such Uses to consult with surrounding property owners, prior to applying for a Development Permit.

818.2 Application

1. This Overlay applies additional regulations to ~~Major and Minor~~ Secondhand Stores and Pawn Stores Use Classes when contained in the underlying Commercial Zones of those lands identified in the Appendices to this Overlay.
2. Notwithstanding that a ~~Major or Minor~~ Secondhand Store or Pawn Store development does not conform to this Overlay, where a Development Permit was issued for the development prior to the adoption of this Overlay, such development shall be deemed to conform to the regulations contained within this Overlay.

818.3 Development Regulations

When there is a Development Application for ~~Major and Minor~~ Secondhand Stores or Pawn Stores:

1. the applicant shall contact the affected parties, being each assessed owner of land wholly or partly located within a distance of 60.0 m of the Site of the proposed development and the President of each affected Community League and the President of each Business Revitalization Zone Association operating within the distance described above, at least 21 days prior to submission of a Development Application;
2. the applicant shall outline, to the affected parties, the details of the application and solicit their comments on the application;
3. the applicant shall document any opinions or concerns, expressed by the affected parties, and what modifications were made to address their concerns; and
4. the applicant shall submit this documentation as part of the Development Application.

821 Alberta Avenue Pedestrian Commercial Shopping Street Overlay

[etc...]

821.3 Development Regulations

[etc...]

5. ~~Residential units may be located at grade provided they are developed at the rear of the building adjacent to a lane, in conjunction with an artist's studio or similar "custom manufacturing" type use.~~

Section of Bylaw	Proposed Change
Neighbourhood Convenience Commercial Zone (CNC) (Section 310)	<ul style="list-style-type: none"> Add Creation and Production Establishments (formerly Custom Manufacturing Establishments), Live Work Units, Major Home Based Businesses, and Minor Home Based Businesses as Discretionary Uses
Shopping Centre Zone (CSC) (Section 320)	<ul style="list-style-type: none"> Add Creation and Production Establishments, Live Work Units, Major Home Based Businesses, and Minor Home Based Businesses as Discretionary Uses
Low Intensity Business Zone (CB1) (Section 330)	<ul style="list-style-type: none"> Add Public Libraries and Cultural Exhibits as Permitted Uses Add Live Work Units, Major Home Based Businesses, and Minor Home Based Businesses as Discretionary Uses
General Business Zone (CB2) (Section 340)	<ul style="list-style-type: none"> Add Public Libraries and Cultural Exhibits as Permitted Uses Add Live Work Units, Major Home Based Businesses, and Minor Home Based Businesses as Discretionary Uses
Highway Corridor Zone (CHY) (Section 350)	<ul style="list-style-type: none"> Add Creation and Production Establishments, Spectator Entertainment Establishments as Discretionary Uses
Commercial Office Zone (CO) (Section 360)	<ul style="list-style-type: none"> Add Public Libraries and Cultural Exhibits as Permitted Uses Add Creation and Production Establishments, Live Work Units, Major Home Based Businesses, Minor Home Based Businesses, Spectator Entertainment Establishments as Discretionary Uses

Section of Bylaw	Proposed Change
Commercial Mixed Business Zone (CB3) (Section 370)	<ul style="list-style-type: none"> • Move Media Studio (formerly Broadcasting and Motion Picture Studio) from Discretionary Use to Permitted Use
Industrial Business Zone (IB) (Section 400)	<ul style="list-style-type: none"> • Add Creation and Production Establishments as Permitted Use
Light Industrial Zone (IL) (Section 410)	<ul style="list-style-type: none"> • Add Creation and Production Establishments as Permitted Use • Add Flea Market as Discretionary Use
Medium Industrial Zone (IM) (Section 420)	<ul style="list-style-type: none"> • Add Creation and Production Establishments as Discretionary Use
Griesbach Village Centre Zone (GVC) (Section 940.6)	<ul style="list-style-type: none"> • Add Public Libraries and Cultural Exhibits as a Permitted Use • Add Live Work Units as a Discretionary Use
Ambleside Shopping Centre Zone (CSCa) (Section 960.5)	<ul style="list-style-type: none"> • Add Creation and Production Establishments as a Discretionary Use
All zones	<ul style="list-style-type: none"> • Deleted regulations that are now redundant for Live Work Units
Throughout Zoning Bylaw	<ul style="list-style-type: none"> • References to Minor Secondhand Stores changed to Secondhand Stores • References to Major Secondhand Stores changed to Pawn Stores • References to Broadcasting and Motion Picture Studios changed to Media Studios • References to Custom Manufacturing Establishments changed to Creation and Production Establishments