

TOWN OF GRIMSHAW

Bylaw No. 1193

A BYLAW OF THE TOWN OF GRIMSHAW IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE OF AMENDING THE TOWN OF GRIMSHAW LAND USE BYLAW No. 1146.

WHEREAS Pursuant to the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, Council may amend a Land Use Bylaw, and;

WHEREAS The Council of the Town of Grimshaw, in the Province of Alberta, has adopted the Town of Grimshaw Land Use Bylaw No. 1146, as amended, and;

WHEREAS The Council of the Town of Grimshaw, in the Province of Alberta, deems it necessary to amend the Town of Grimshaw Land Use Bylaw to regulate Mixed Commercial-Residential Buildings in the Primary Commercial District (C-1);

NOW
THEREFORE Pursuant to Sections 230, 606 and 692 of the Province of Alberta Municipal Government Act, the Town of Grimshaw Council, duly assembled, hereby enacts as follows:

- 1. Add the following definition for "Mixed Use Building" and "Mixed Commercial-Residential Building" to Section 4 "Definitions"**

Mixed Use Building means a development that comprises a mixture of two or more land uses located within a single building, either configured vertically (separate storeys) or horizontally (same storey).

Mixed Commercial-Residential Building means a single building comprised of a mixture of commercial and residential uses, either vertically (separate storeys) or horizontally (same storey).

- 2. Replace "Mixed Commercial/Residential Building" with "Mixed Commercial-Residential Building" in Section 70 (2)(b) Discretionary Uses**

- 3. Remove "Residential space above C-1 uses" from Section 70 (2)(b) Discretionary Uses**

- 4. Replace Section 70(4)(e) "Additional Requirements" with the following:**

(e) Mixed Commercial-Residential Buildings:

- i. Where the residential and commercial uses are located on separate storeys:
 - a. the commercial component shall be located on the ground or first storey;
 - b. the residential component may contain one or more dwelling units;
 - c. the commercial and residential units shall have separate entrances, either directly from outside or through a common vestibule or hallway;

- d. parking requirements shall be:
 - 1 space per dwelling unit for the residential component.
 - the applicable number of spaces per the type of commercial use indicated in section 34 (1) for the commercial component.
 - provided on or offsite depending on existing conditions.
- ii. Where the residential and commercial uses are located on the same storey:
 - a. the residential component shall be located at the rear of the commercial component;
 - b. the commercial component shall occupy at least 51% of the total floor area;
 - c. the commercial component shall be a Permitted Use in the C-1 district;
 - d. there shall be only one dwelling unit per building;
 - e. there shall be a permanent fire wall separation between the residential and commercial units;
 - f. the residential unit shall meet the Alberta Building and Fire Code requirements;
 - g. the commercial and residential units shall have separate entrances, either directly from outside or through a common vestibule or hallway;
 - h. the residential and commercial units shall not be separated through a condominium conversion or subdivision;
 - i. parking requirements shall be:
 - 1 space per dwelling unit for the residential component.
 - the applicable number of spaces per the type of commercial use indicated in section 34 (1) for the commercial component.
 - provided on or offsite depending on existing conditions.
- iii. notwithstanding 70(4)(e), the above requirements do not apply to an apartment building or home-based business.

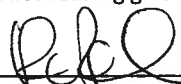
Severability

- 1. If any portion of this Bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion shall be severed.

Effective Date

- 1. This Bylaw shall come into full force and effect upon the date of its final passing thereof.

First reading given on the 24 day of October, 2018.



Bob Regal, Mayor



Brian Allen, Chief Administrative Officer

Public hearing held on this 28 day of November, 2018.

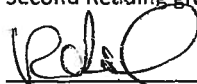


Bob Regal, Mayor

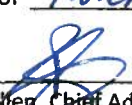


Brian Allen, Chief Administrative Officer

Second Reading given on the 28 day of November, 2018.

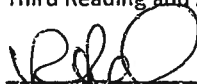


Bob Regal, Mayor



Brian Allen, Chief Administrative Officer

Third Reading and Assent given on the 28 day of November, 2018.



Bob Regal, Mayor



Brian Allen, Chief Administrative Officer