

BYLAW NO. 02-2021

A BYLAW OF THE CITY OF LLOYDMINSTER IN THE PROVINCES OF ALBERTA AND SASKATCHEWAN TO AMEND BYLAW NO. 5-2016, BEING THE "LAND USE BYLAW OF THE CITY OF LLOYDMINSTER"

WHEREAS the *Lloydminster Charter* provides authority to City Council to amend bylaws;
NOW THEREFORE the Council of the City of Lloydminster deems it necessary to amend Bylaw NO. 5-2016, BEING THE "LAND USE BYLAW OF THE CITY OF LLOYDMINSTER"; and
NOW THEREFORE, the Council of the City of Lloydminster, pursuant to the authority granted in the *Lloydminster Charter*, enacts as follows:

1. This Bylaw shall be cited as the Land Use Bylaw Amending Bylaw.
2. Bylaw No. 5-2016 is hereby amended in the following manner:

That Section 2.7.1 be deleted in its entirety and replaced with the following:

- 2.7.1 An application for a Development Permit for a new development, for a Permitted or Discretionary Use, shall be made to the Development Officer in writing on the appropriate form as prescribed by the Development Officer. The application shall also include, but is not limited to:
- i. The Certificate of Title (valid within thirty (30) days);
 - ii. Detailed description of proposed development and/or use;
 - iii. Payment of the application fee as set out in Fee Schedule Bylaw;
 - iv. A letter of authorization from the property Owner(s) where the applicant is not the registered Owner of the property;
 - v. A scaled detailed Site plan, which shall be prepared by a registered professional and showing maximum Building footprint and ground level development (existing and proposed, including Accessory buildings), adjoining Roads, properties, Abutting land uses, Buildings, north arrow and containing the following information:
 - a. All Setbacks/Yards dimensioned in metres (m);
 - b. Lot Area in square metres (m²);
 - c. Lot Coverage as a percentage (%);
 - d. Gross Floor Area in square metres (m²);



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- e. Number of parking stalls, bike parking stalls, Loading Spaces, accesses, layout dimensions, pedestrian Walkways, Screening, curbing and surface treatment;
 - f. Underground utilities, and refuse and recycling bins;
 - g. Off-site information as may be relevant to the design; Abutting Buildings or proposed Buildings, sidewalks, overhead and underground utilities; and
 - h. Any other information required by the Development Officer.
- vi. Elevations to a minimum 1:100 scale including all of the following information:
- a. Site grading plans and/or Site drainage plans, to the satisfaction of the Development Officer, showing the proposed Development and Landscaping including the existing and proposed design geodetic Site Grades, Road Grades and Foundation Grades;
 - b. Height in metres of all Buildings;
 - c. Number of Storeys;
 - d. Exterior treatment on all elevations identifying materials and colours;
 - e. Road elevations at a minimum 1:200 scale;
 - f. Sign detail; and
 - g. Any other information required by the Development Officer.
- vii. Landscape plan(s) including the following information:
- a. Clearly delineate the form of the landscape by defining the extent of lawns, planted areas, fencing, and Hard Surfacing;
 - b. Show the location and general description of species, including size and Height;
 - c. Show the location, size, and general elements included in the Amenity Areas, such as seating areas or patios;
 - d. Provide information regarding the Abutting neighbourhood and Site context, impact on views, scale, and relationship to development; and
- viii. Any other information required by the Development Officer.
- o That Section 2.12 Decisions on Development Permit Application be amended to include the following:



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- 2.12.3 In reviewing a Development Permit application for a Discretionary Use, the Development Authority shall have regard for the evaluation considerations outlined in Section 2.13 of this Bylaw.
- That a new Section be inserted after 2.12.7 as follows:
 - 2.13 Discretionary Use Evaluation Considerations
 - 2.13.1 Discretionary uses, discretionary forms of development, and associated accessory uses shall conform to the development standards and applicable provisions of the land use district in which they are located. In addition to any other submission requirements, applications for a Development Permit for a Discretionary Use must be accompanied by a proposal outlining the Applicant's justifications for the Discretionary Use.
 - 2.13.2 For the review of Discretionary Use applications, the evaluation considerations include, but are not limited to:
 - i. The proposal must be in conformance with all relevant sections of the Municipal Development Plan as well as with any recommendations contained in detailed planning reports and studies;
 - ii. The proposal must demonstrate that, in the general area, there is a lack of a more appropriate site for the proposed use and a limited supply of land currently available capable of accommodating the proposed use as a permitted use;
 - iii. The proposal must be capable of being economically serviced by community infrastructure including roadways and public transit systems, water and sewer services, solid waste disposal, parks, schools, and other utilities and community facilities, where such services etc. are available;
 - iv. The proposal must not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity or injurious to property, improvements or previously approved development in the vicinity;
 - v. The proposal must provide sufficient, to the Development Officer's opinion, landscaping and screening, and, wherever possible, shall preserve existing vegetation;
 - vi. The proposed building sizes, shapes and layouts reflect the character of the adjacent land uses and structures;
 - vii. The proposal must demonstrate that any additional traffic generated by the use, can be adequately provided for in the existing parking and access arrangements. Where this is not possible further appropriate provisions shall be made so as to ensure no adverse parking or access effects occur;
 - viii. The proposal takes into consideration the uses on site and the area, the impacts on other uses, and the cumulative effects in the area.



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- ix. The proposed use sufficiently addresses the amenity needs of individuals utilizing the development (recreation, aesthetics, services, etc);
 - x. The proposal gives consideration to addressing pedestrian safety and convenience both within the site, and in terms of the relationship to the road network in and around the adjoining area; and
 - xi. All proposed operations and uses shall comply with all applicable provincial or federal requirements which govern their operation and development.
- o That Section 2.14.5 be removed and replaced with:
 - 2.15.5 In approving a Discretionary Use, the Development Officer may prescribe such conditions as they deem appropriate, having regard to the regulations of this Bylaw and the provisions of any statutory plan including, but not limited to the following:
 - i. The nature of the proposed Site, including its size and shape and the proposed size, shape and arrangement of Buildings;
 - ii. The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic and the adequacy of proposed Off-street Parking and loading;
 - iii. The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odour;
 - iv. Treatment given to aspects such as Landscaping, Screening, open spaces, parking and loading areas, lighting and Signs, and the colour, materials and architectural detail;
 - v. The hours of operation;
 - vi. A limit to the number of patrons;
 - vii. The grading of a site;
 - viii. Establishing a period of time during which a development may continue;
 - ix. Ensuring the development is compatible with surrounding development; and
 - x. Ensuring the development complies and is compatible with the general development regulations or the land use district regulations of this Bylaw.

This Bylaw shall come into force and effect upon the final passing thereof.



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INTRODUCED AND READ a first time this 16 day of March, 2021, A.D.

PUBLIC HEARING held this 22 day of March, 2021, A.D.

READ a second time this 22 day of March, 2021, A.D.

READ a third time this 22 day of March, 2021, A.D.

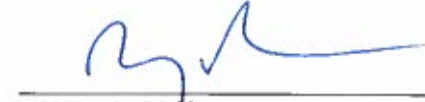
MAR 3 1 2021

Date Signed


MAYOR

MAR 3 1 2021

Date Signed


CITY CLERK