

THE CITY OF SPRUCE GROVE

BYLAW C-1249-23 – RED LINE

LAND USE BYLAW TEXT AMENDMENT - FOOD TRUCKS

The following pages show the text to be removed from the Land Use Bylaw as proposed in the above noted bylaw, as follows:

1. Bylaw C-824-12 is amended as follows:
 - 1.1 By deleting FOOD TRUCKS from Page v of the index.
 - 1.2 By deleting from SECTION 7 DEFINITIONS the term and definition for FOOD TRUCK.
 - 1.3 By deleting SECTION 65A FOOD TRUCKS in its entirety.
 - 1.4 By deleting the Food Trucks discretionary use within the C1, C2, SE, M1, PS, and P1 districts.

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FAMILY DAY HOME

A Use accessory to a Principal Dwelling used to provide care and supervision, but not overnight accommodation, for four to six children or adults. This number shall include any children under the age of five who are otherwise permanent residents of the Dwelling.

(Bylaw C-900-15, Feb. 23, 2015 and Bylaw C-942-15, Jan. 29, 2016)

FENCE

A vertical physical barrier constructed for the purpose of marking a boundary, limiting visual intrusion, sound abatement or preventing unauthorized access.

FLEET SERVICES

A Development using a fleet of vehicles for the delivery of people, goods or services, where such vehicles are not available for sale or long term lease. This Use Class includes ambulance services, taxi services, bus lines, messenger and courier services, or similar type services.

(Bylaw C-1057-18, March 18, 2019)

FLOOR AREA

The greatest horizontal area of a Building above Grade within the outside surface of exterior walls or within the glass line of exterior walls and the centreline of fire walls, but not including the Floor Areas of elements of a Building such as basements, elevator shafts, attached Garages, Parking Structures, Accessory Buildings or garbage storage areas.

(Bylaw C-942-15, Jan. 29, 2016)

FLOOR AREA, GROSS

The total horizontal area of a Building contained within the outside surface of the exterior and basement walls, provided that in the case of a wall containing windows, the glazing line of windows may be used.

FOOD TRUCK

~~A motor vehicle, set up on a temporary basis, from which prepared food and beverages are offered for sale to the public for consumption. This shall not include catering services delivering food.~~

~~(Bylaw C-891-14, May 25, 2015)~~

FOUNDATION

The lower portion of a Building, usually concrete or masonry, including the footings which transfer the weight of a Building to the ground.

the order window (first window to serve customers). For all other Drive Through Businesses, the minimum number of On Site queuing spaces required is nine.

- (4) Queuing spaces shall be a minimum of 6.0 m long and 2.8 m wide.
- (5) The queuing space must not overlap with any Parking Stalls or drive aisles.
- (6) Drive lanes shall have a sufficient turning radius to accommodate vehicle entrance to the drive through aisle.
- (7) No pedestrian access into the premises shall cross the drive through aisle.
- (9) Where the drive aisle is Adjacent to a residential District, screening shall be provided in accordance to Part 9 of this Bylaw.

SECTION 65A — FOOD TRUCKS

- ~~(1) Pursuant to Section 11, subsection (1)(p), a Food Truck participating in a City sanctioned special event held on municipal property does not require a Development Permit.~~
- ~~(2) A Development Permit application for a Food Truck must be for a specified site. The addition or substitution of a site, or location within a site, shall require a new Development Permit.~~
- ~~(3) A Development Permit application shall include:
 - ~~(a) A valid food handling permit issued by Alberta Health Services;~~
 - ~~(b) Fire inspection approval;~~
 - ~~(c) A waste disposal plan for disposal of garbage, grease, grey water and recycling; and~~
 - ~~(d) Provision for water and power, if applicable; if a generator is required for power, it shall be quiet and not cause a disturbance.~~~~
- ~~(4) A Food Truck shall not be left unattended unless the unit is closed and secured.~~
- ~~(5) The area around the Food Truck shall be kept clean with a temporary garbage receptacle and a temporary recycling bin provided within 0.5 m of the Food Truck.~~
- ~~(6) A Food Truck shall not:
 - ~~(a) Take up required on-site parking stalls; or~~
 - ~~(b) Damage or interfere with any required landscaping.~~~~

~~(7) A Food Truck may be allowed one A-Board sign, in addition to any signs already approved for the site. The sign shall be in place only during hours of operation.~~

~~(Bylaw C-891-14, May 26, 2015)~~

SECTION 66 FAMILY DAY HOMES

(1) A Family Day Home:

- (a) Shall not be located in a Dwelling containing a Home Occupation;
- (b) May require privacy screening that prevents visual intrusion into any outdoor play areas;
- (c) May require Provincial or Family Day Home Agency approval.
- (d) Shall not employ any person on site other than a resident of the Dwelling.

(Bylaw C-942-15, Jan. 29, 2016)

(Bylaw C-1226-22, December 05, 2022)

SECTION 67 GARAGE AND GARDEN SUITES

- (1) A Garage Suite shall be developed as an integral part of a detached Garage which faces an Alley where the Principal Dwelling is a Single Detached Dwelling.
- (2) Only one of a Secondary Suite, Garage Suite or Garden Suite may be developed in conjunction with a Principal Dwelling on a Site.
- (3) A Garage Suite shall have an entrance separate from the vehicle entrance to the detached Garage, either from a common indoor landing or directly from the exterior of the structure.
- (4) The minimum Site width for a Site with a Garage Suite or a Garden Suite shall be 12.0 m.
- (5) The maximum Height of a Garage Suite shall be 6.5 m, or the Height of the Principal Dwelling, whichever is the lesser.
- (6) The maximum Height of a Garden Suite shall be 4.5 m.
- (7) The maximum Floor Area for Garage and Garden Suites shall be 60.0 m².
- (8) The minimum Floor Area of a Garage Suite or Garden Suite shall be 30.0 m².
- (9) The minimum Side Yard Setback shall be:
 - (a) For that portion of a detached Garage that contains a Garage Suite, the same as that for the Principal Dwelling in the applicable District.
 - (b) For a Garden Suite, the same as that for the Principal Dwelling in the applicable District.

SECTION 123 C1 – CITY CENTRE COMMERCIAL DISTRICT

(1) GENERAL PURPOSE

This District is to provide continuous storefront retail development on the ground floor frontage, to encourage pedestrian activity, and to provide opportunity for residential development above the ground floor in the City Centre. Other civic, cultural and institutional uses are encouraged in this District.

| Permitted Uses | Discretionary Uses |
|--|--|
| <ul style="list-style-type: none">• Eating and Drinking Establishment• Government Service• Health Service• Mixed Use Development• Personal Service Establishment• Professional and Office Service• Public Libraries and Cultural Exhibits• Retail Sales• Theatre | <ul style="list-style-type: none">• Accessory Building• Accessory Use• Alcohol Sales, Major• Alcohol Sales, Minor• Bus Depot• Cannabis Sales (Bylaw C-1027-17, June 13, 2018)• Child Care Facility• Commercial School, non-industrial• Food Truck (Bylaw C-891-14, May 25, 2015)• Hotel• Motel• Parking Facility• Private Club• Public Utility Building• Recreation Establishment, Indoor• Religious Assembly, on Plan 2387 AR, Block 7, Lot 3-4• Special Care Facility |

(Bylaw C-865-13, Feb. 10, 2014)
(Bylaw C-942-15, Jan. 29, 2016)
(Bylaw C-1057-18, March 18, 2019)
(Bylaw C-1104-19, May 29, 2020)

Notwithstanding the list of Discretionary Uses for this District, Cannabis Sales is a prohibited use on all Sites in the District between Queen Street and King Street, as shown in Figure 1.

SECTION 124 C2 – VEHICLE ORIENTED COMMERCIAL DISTRICT

(1) GENERAL PURPOSE

This District is intended to provide for the development of commercial uses serving vehicle traffic on Sites adjacent to Arterial roads and Highway 16A and Highway 16.

| Permitted Uses | Discretionary Uses |
|--|---|
| <ul style="list-style-type: none">• Alcohol Sales, Minor• Animal Service Facility, Minor• Automobile Sales and Rental• Bus Depot• Eating and Drinking Establishments• Gas Bar• Health Service• Hotel• Motel• Personal Service Establishment• Professional and Office Service• Recreational Establishment, Commercial• Recreational Establishment, Indoor (Bylaw C-839-13, Feb. 25, 2013)• Retail, Major• Retail Sales• Service Station• Theatre <p>(Bylaw C-942-15, Jan. 29, 2016)</p> | <ul style="list-style-type: none">• Accessory Building• Alcohol Sales, Major• Animal Service Facility, Major (Bylaw C-942-15, Jan. 29, 2016)• Automobile Service Centre• Cannabis Sales (Bylaw C-1027-17, June 13, 2018)• Car Wash• Child Care Facility (Bylaw C-1011-17, Sept. 21, 2017, Bylaw C-1042-18 and Bylaw C-1057-18, March 18, 2019)• Commercial School, Non-Industrial (Bylaw C-981-16, Jan. 25, 2017)• Drive Through Business• Equipment Sales, Services and Rental• Fleet Services (Bylaw C-1057-18, March 18, 2019)• Food Truck (Bylaw C-891-14, May 25, 2015)• Funeral Homes• Greenhouse• Parking Facility• Private Club• Public Utility Building• Recycling Transfer Depot• Repair Service• Wholesale Establishment |

(Bylaw C-1104-19, May 29, 2020)
(Bylaw C-1226-22, December 05, 2022)

(2) DEVELOPMENT REGULATIONS

In addition to the Regulations contained in Part 6 General Regulations, Part 7 Special Regulations, Part 8 Parking Regulations, Part 9 Landscaping Regulations, and Part 10 Sign Regulations, the following regulations shall apply to all Development in this District.

SECTION 126A SE – SPORTS AND ENTERTAINMENT DISTRICT

(Bylaw C-1167-21, Oct. 12, 2021)

(1) GENERAL PURPOSE

This District is intended for Development of public and private recreational and sports entertainment facilities that provide for both the active and passive recreational needs of residents. The intended mixed use developments may include a range of supportive accessory commercial and other uses that support the principal use and reinforce its vibrancy within a neighbourhood and as a community gathering place.

| Permitted Uses | Discretionary Uses |
|--|---|
| <ul style="list-style-type: none">• Parks• Public Libraries and Cultural Exhibits• Recreation Establishment, Commercial• Recreational Establishment, Indoor• Recreational Establishment, Outdoor• Stadiums• Theatres• Transit Transfer Stations | <ul style="list-style-type: none">• Accessory Building• Accessory Uses• Child Care Facility• Food Trucks• Government Services• Multi-Unit Dwellings as accessory to Stadiums• Park and Ride Facility• Public Utility Buildings• Religious Assembly• Sales Centre• Temporary Building or Use• Indoor Self Storage, as accessory to Stadium on Lot A, Plan 752 0163 |

(Bylaw C-1187-22, July 18, 2022)

(2) DEVELOPMENT REGULATIONS

In addition to the Regulations contained in Part 6 General Regulations, Part 7 Special Regulations, Part 8 Parking Regulations, Part 9 Landscaping Regulations, and Part 10 Sign Regulations, the following regulations shall apply to all Development in this District.

| | Site Standard |
|-------------------------------|--|
| Front Yard Setback (Minimum): | <ul style="list-style-type: none">• 6.0 m• A minimum 3.0 m of the Setback shall be landscaped, with remaining areas being either landscaping or parking |
| Side Yard Setback (Minimum): | <ul style="list-style-type: none">• 4.0 m or 10% of the site Width, whichever is less |
| Rear Yard Setback (Minimum): | <ul style="list-style-type: none">• 7.5 m• For Sites Adjacent to a Residential District, the closest 3.0 m shall be landscaped |

SECTION 127 M1 – GENERAL INDUSTRIAL DISTRICT

(1) GENERAL PURPOSE

This District is to provide for industrial Uses which do not cause any objectionable or dangerous conditions beyond the boundary of the Site upon which they are located.

| Permitted Uses | Discretionary Uses |
|--|--|
| <ul style="list-style-type: none">• Animal Service Facilities, Major• Automobile Sales and Rental (Bylaw C-900-15 – Feb. 23, 2015)• Automobile Sales and Rental, Industrial• Automobile Service Centre• Car Washes• Eating and Drinking Establishments• Equipment Sales, Service and Rentals• Fleet Services (Bylaw C-1057-18, March 18, 2019)• Gas Bar• General Industrial Use• Greenhouse• Professional and Office Services• Public Utility Buildings• Recycling Transfer Depots• Repair Services• Retail Sales, Industrial• Wholesale Establishment | <ul style="list-style-type: none">• Accessory Building• Adult Entertainment Facility• Auctioneering Establishments• Bulk Fuel Sales• Cannabis Production Facility (Bylaw C-1027-17, June 13, 2018)• Cannabis Sales (Bylaw C-1027-17, June 13, 2018)• Commercial School• Crematorium• Food Truck (Bylaw C-891-14, May 25, 2015)• Medical Marihuana Production Facility (Bylaw C-999-17, Aug. 14, 2017)• Private Club• Post Secondary Institution (Bylaw C-900-15 – Feb. 23, 2015)• Recreational Establishment, Commercial• Recreational Establishment, Indoor• Recreational Establishment, Outdoor• Recreational Vehicle Sales and Rental• Retail Sales• Surveillance Suite |

(Bylaw C-864-13, Jan 27, 2014)
(Bylaw C-1104-19, May 29, 2020)
(Bylaw C-1226-22, December 05, 2022)

- (a) Any permitted use where, in the opinion of the Development Officer, there is significant risk of interfering with the safety and amenity of the adjacent and nearby sites because of the nature of the site, materials, or process that may create significant nuisance, shall be considered a discretionary use.

(Bylaw C-942-15, Jan. 29, 2016)

(2) DEVELOPMENT REGULATIONS

In addition to the Regulations contained in Part 6 General Regulations, Part 7 Special Regulations, Part 8 Parking Regulations, Part 9 Landscaping Regulations, and Part 10 Sign Regulations, the following regulations shall apply to all Development in this District.

SECTION 128 PS – PUBLIC SERVICE INSTITUTIONAL DISTRICT

(1) GENERAL PURPOSE

This District is intended for the Development of public and private services which contribute to governance, culture, safety and health in the community.

| Permitted Uses | Discretionary Uses |
|---|---|
| <ul style="list-style-type: none">• Accessory Building• Government Service• Hospital• Post Secondary Institution (Bylaw C-900-15 – Feb. 23, 2015)• Public Libraries and Cultural Exhibits• Religious Assembly• School | <ul style="list-style-type: none">• Cemetery• Child Care Facility• Food Trucks (Bylaw C-891-14, May 25, 2015)• Group Care Facility• Health Service• Private Club• Public Utility Building• Recreational Establishments, Indoor (Bylaw C-942-15, Jan. 29, 2016)• Special Care Facility• Theatre• Transit Transfer Station |

(Bylaw C-1104-19, May 29, 2020)

(2) DEVELOPMENT REGULATIONS

In addition to the Regulations contained in Part 6 General Regulations, Part 7 Special Regulations, Part 8 Parking Regulations, Part 9 Landscaping Regulations, and Part 10 Sign Regulations, the following regulations shall apply to all Development in this District.

| | Site Standard |
|-------------------------------|-------------------------------------|
| Front Yard Setback (Minimum): | • 5.0 m |
| Side Yard Setback (Minimum): | • 5.0 m |
| Rear Yard Setback (Minimum): | • 5.0 m |
| Site Coverage (Maximum): | • 50% |
| Building Height (Maximum): | • Four Storeys not exceeding 14.0 m |

(3) ADDITIONAL REGULATIONS

- (a) Notwithstanding Subsection (2), the Development Officer may require:
- (i) Greater Setbacks where a Development is located adjacent to a Residential District; or
 - (ii) Lesser setbacks where a Development is in a Pedestrian Oriented area or the Development is intended to be an integral part of the streetscape.

SECTION 129 P1- PARKS AND RECREATION DISTRICT

(1) GENERAL PURPOSE

This District is intended for the Development of public parks and recreational facilities to provide for the needs of residents for both active and passive recreational pursuits.

| Permitted Uses | Discretionary Uses |
|--|---|
| <ul style="list-style-type: none">• Accessory Building• Golf Course• Park• Recreational Establishment, Indoor• Recreational Establishment, Outdoor• Stadium | <ul style="list-style-type: none">• Campground• Child Care Facility• Food Truck (Bylaw C-891-14; May 25, 2015)• Government Service• Professional and Office Services on Lot 6R, Block 3, Plan 782 1382 (Bylaw C-927-15; Sept. 14, 2015)• Public Utility Building (Bylaw C-885-14; April 28, 2014) |

(Bylaw C-1104-19, May 29, 2020)

(2) DEVELOPMENT REGULATIONS

In addition to the Regulations contained in Part 6 General Regulations, Part 7 Special Regulations, Part 8 Parking Regulations, Part 9 Landscaping Regulations, and Part 10 Sign Regulations, the following regulations shall apply to all Development in this District.

| | Site Standard |
|-------------------------------|---------------|
| Front Yard Setback (Minimum): | • 5.0 m |
| Side Yard Setback (Minimum): | • 5.0 m |
| Rear Yard Setback (Minimum): | • 5.0 m |
| Site Coverage (Maximum): | • 50% |
| Building Height (Maximum): | • 14.0 m |

(3) ADDITIONAL REGULATIONS

- (a) Parking for parks and Outdoor Recreational Establishments shall maximize opportunities for on-Street parking where possible.
- (b) The Setback area for Outdoor Recreational Establishments and Stadiums may be buffered from Residential Districts through the use of berms and/or Landscaping, at the discretion of the Development Officer.