

CITY OF SPRUCE GROVE

BYLAW C-824-12

LAND USE BYLAW

WHEREAS, pursuant to the Municipal Government Act, R.S.A. 2000, c. M-26, including amendments, a municipality shall pass a land use bylaw;

AND WHEREAS, the City of Spruce Grove adopted Bylaw No. C-711-09, the Municipal Development Plan, in July 2010, which set a long term vision for the City;

AND WHEREAS, the City of Spruce Grove wishes to adopt a new Land Use Bylaw to implement the vision, goals and policies of the Municipal Development Plan;

NOW THEREFORE, the Council for the City of Spruce Grove, duly assembled, hereby enacts as follows:

THAT, this bylaw shall be known as the “Land Use Bylaw.”

THAT, the Land Use Bylaw, attached hereto as Schedule ‘A’ to this bylaw, be adopted.

And

THAT, Bylaw C-721-09, the Land Use Bylaw, and all its amendments, are hereby repealed.

This bylaw comes into force and effect on January 1, 2013.

First Reading Carried 04 May 2012

Public Hearing Held 11 June 2012 and 24, 25 September 2012

Second Reading Carried 22 October 2012

Third Reading Carried 13 November 2012

Date Signed

Mayor

City Clerk

Schedule A – Land Use Bylaw



City of Spruce Grove

Land Use Bylaw

Effective Date: January 1, 2013

Last Update: March 13, 2024

SECTION 6 INTERPRETATION

- (1) Notwithstanding the definitions in Part 2, the *Municipal Government Act* as amended, takes precedence in the case of a dispute on the meaning of any words or clauses herein.
- (2) The words “shall” and “must” require mandatory compliance except where a variance has been granted pursuant to the Act or this Bylaw.
- (3) Words, phrases, and terms not defined in this part may be given their definition in the Act or the Alberta Building Code. Other words shall be given their usual and customary meaning.
- (4) All units of measure contained within this Bylaw are metric (SI) standards.
- (5) The terms “municipality” or “City” in this Bylaw shall refer to the municipal corporation of the City of Spruce Grove in the Province of Alberta, unless otherwise noted.
- (6) The term “Council” in this Bylaw shall refer to the Council of the municipal corporation of the City of Spruce Grove in the Province of Alberta, unless otherwise noted.
- (7) **Setback measurements shall be in metric and rounded off to the tenth decimal point.**

SECTION 26 VIOLATION TICKETS

- (1) If a municipal ticket has been issued for first and/or subsequent offences and the specified penalty has not been paid or corrective measures have not been taken, the Peace Officer is authorized to issue a violation ticket pursuant to the *Provincial Offences Procedures Act*.
- (2) Notwithstanding Section 26(1), the Peace Officer may issue a violation ticket without previously issuing a municipal ticket if, in the opinion of the Peace Officer, the situation deems it necessary.
- (3) The violation ticket must state:
 - (a) The name of the person contravening the Bylaw:
 - (b) The offence;

- (c) The specified penalty established in ~~the Development Fees and Fines Bylaw~~ **Schedule B: Penalties and Fines - Development Permit and Land Use Bylaw Violations;**
- (d) Due date of payment; and
- (e) The date of the summons to appear in court.

(C-973-16, November 16, 2016)

SECTION 83 ON SITE PARKING REQUIREMENTS

- (1) Parking Stalls and Loading Spaces shall be clearly marked on the Site and within the Parking Facility. Such marking shall be regularly maintained to ensure legibility to users and shall be to the satisfaction of the Development Officer.
- (2) Loading Spaces and Parking Facilities shall be separated from the property line or Street by a landscaped area at least 1.0 m in width.
- (3) All On Site Car Share stalls must be signed as Car Share Parking Stalls and be located closer to the Building entrance doors than most non-car share Parking Stalls.
- (4) All Park and Ride Parking Stalls must be clearly signed as Park and Ride Parking Stalls and must be available on ordinary working days from 6:00 AM to 6:00 PM.
- (5) Parking Stalls, Loading Spaces and Parking Facilities shall be constructed so that:
 - (a) Necessary curb cuts are located and flared to the satisfaction of the Development Officer;
 - (b) Every On Site Parking Stall provided and the access thereto shall be Hard Surfaced if the access is from a Street or Alley which is Hard Surfaced; and
 - (c) Parking Facilities used at night shall have adequate lighting for the entire Parking Facility. Such lighting shall be directed away from Adjacent Sites where, in the opinion of the Development Officer, the lighting would have adverse effects;
(Bylaw C-865-13, Feb 10, 2014)
 - (d) Grades and drainage shall dispose of surface water. In no case shall Grades be established that would permit surface drainage to cross any

(Bylaw C-981-16, Jan. 25, 2017)

Sidewalk or Site boundary without the approval of the Development Officer;

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

- (e) In all Districts except residential with four or less Dwellings, the number of Parking Stalls designated for persons with physical disabilities shall conform to the Barrier Free Design Guidelines of the Alberta Building Code, but in no case shall be less than one Parking Stall. The Barrier Free Design Guidelines shall also be used to determine the size and location of these Parking Stalls.

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

(f) All vehicle parking spaces in residential districts shall be hard surfaced and accessible by a permanent vehicle access. Permeable pavers or materials can be considered for parking stalls at the discretion of the Development Officer.

SECTION 97 DEVELOPMENT PERMIT REQUIREMENTS

- (1) An application for a Development Permit for a Sign shall be made to the Development Officer by the owner of the Sign, as defined in Section 12 of this Bylaw, or its authorized agent on the appropriate form supplied by the City;
- (2) Notwithstanding Section 12 of this Bylaw, an application for a Development Permit for Signs shall be accompanied by the following:
 - (a) A completed Development Permit application form;
 - (b) Application fee as prescribed by the ~~Schedule of~~ **Development Fees and Fines** Bylaw;
 - (c) A letter of authorization from the Registered Owner of the property or the Registered Owner's authorized agent;

SECTION 108 FREESTANDING SIGNS

- (1) Except as otherwise provided, Freestanding Signs are permitted in Commercial, Industrial Districts, and the R2 – Mixed Medium to High Density Residential District, **R2CC- City Centre High Density Residential District**, RMHC – Residential Manufactured Home Court District, PS – Public Service Institutional District, P1 – Parks and Recreation District and SE- Sports and Entertainment District.

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

- (2) Freestanding Signs are permitted in the C1 – City Centre District, and the C4 – Integrated Mixed Use District where the building is not street oriented and where a Fascia Sign is not possible. (Bylaw C-1226-22, December 05, 2022)
- (3) In Commercial and Industrial Districts and the PS – Public Service Institutional District and SE – Sports and Entertainment District, the total Copy area of a Freestanding Sign shall not exceed 0.3 m² in area for each metre of Street Frontage of the Site, to a maximum of 17.0 m². The Copy area of a Freestanding Sign face may be increased by a variance of no more than ten percent of the maximum allowable area for the Site only for the purposes of providing an area for changeable Copy or Digital Copy. In all other districts cited above, the maximum sign area is 3 m². (Bylaw C-900-15, Feb. 23, 2015) (Bylaw C-1226-22, December 05, 2022)
- (4) The minimum setback to any portion of a Freestanding Sign shall be 0.75 m from the property line.
- (5) The maximum Sign Height of Freestanding Signs shall be:
- (a) 9.1 m in the C2 – Vehicle Oriented Commercial District, C4 – Integrated Mixed Use District, SE – Sports and Entertainment District and M1 – General Industrial District; (Bylaw C-1226-22, December 05, 2022)
 - (b) 4.5 m in the C3 Neighbourhood Retail and Service District; and
 - (c) 2.5 m in the R2 – Mixed Medium to High Density Residential District, **R2CC- City Centre High Density Residential District**, RMHC – Residential Manufactured Home Court District, PS – Public Service Institutional District, P1 – Parks and Recreation District and C1 – City Centre Commercial District. (Bylaw C-1104-19, May 29, 2020)

SECTION 115 R1 – MIXED LOW TO MEDIUM DENSITY RESIDENTIAL DISTRICT

(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		
Site Width (Minimum):	<ul style="list-style-type: none"> • Semi-Detached Dwelling 	<ul style="list-style-type: none"> • 7.5 m
	<ul style="list-style-type: none"> • <u>Duplex (Side by Side)</u> 	<ul style="list-style-type: none"> • <u>15.0 m</u>
	<ul style="list-style-type: none"> • Street Oriented Row Housing 	<ul style="list-style-type: none"> • 5.5 m
	<ul style="list-style-type: none"> • Street Oriented Row Housing, End Units 	<ul style="list-style-type: none"> • 6.7 m
	<ul style="list-style-type: none"> • All Other Uses without Alley access 	<ul style="list-style-type: none"> • 9.0 m
	<ul style="list-style-type: none"> • All Other Uses with Alley access 	<ul style="list-style-type: none"> • 8.5 m
Site Depth (Minimum):	<ul style="list-style-type: none"> • Street Oriented Row Housing • All Other Uses 	<ul style="list-style-type: none"> • 25.0 m • 30.0 m
Front Yard Setback (Minimum):	<ul style="list-style-type: none"> • Principal Building • Attached Garage 	<ul style="list-style-type: none"> • 3.0 m • 6.0 m
Side Yard Setback (Minimum):	<ul style="list-style-type: none"> • Street Side Yard • All Other Uses 	<ul style="list-style-type: none"> • 3.0 m • 1.2 m
Rear Yard Setback (Minimum):	<ul style="list-style-type: none"> • Principal Building, Corner Site 	<ul style="list-style-type: none"> • 4.5 m
	<ul style="list-style-type: none"> • Attached Garage accessed from an Alley, Corner Site 	<ul style="list-style-type: none"> • 3.0 m
	<ul style="list-style-type: none"> • Attached Garage accessed from an Alley, all Other Sites 	<ul style="list-style-type: none"> • 6.0 m
	<ul style="list-style-type: none"> • All Other Principal Buildings 	<ul style="list-style-type: none"> • 7.0 m
Height (Maximum):	<ul style="list-style-type: none"> • Three Storeys not to exceed 12.0 m • A maximum differential of one Storey allowed between Adjacent Sites 	
Density:	<ul style="list-style-type: none"> • 25 units per net hectare (minimum) • An application that proposes a Density lower than the minimum may be permitted if the neighbourhood's average Density remains 25 units per net hectare or higher. 	
Site Coverage (Maximum):	<ul style="list-style-type: none"> • 50% • 57% for Street Oriented Row Housing; this shall only apply to internal Dwelling units with no Side Yard. In cases where the garage is not an integral part of the principal dwelling, the Dwelling shall not exceed 40% coverage at 57%. <p style="text-align: right; font-size: small;">(Bylaw C-865-13, Feb. 10, 2014)</p>	

Site Standard	
Amenity Area (Minimum):	<ul style="list-style-type: none"> 7.5 m² per Dwelling for Duplexes and Row Housing for private outdoor Amenity Area

(Bylaw C-1025-17, March 5, 2018)
(Bylaw C-1060-18, March 18, 2019)

SECTION 116 R2 – MIXED MEDIUM TO HIGH DENSITY RESIDENTIAL DISTRICT

(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		
Site Area (Minimum):	<ul style="list-style-type: none"> Multi-Unit Dwellings Row Housing Developments 	<ul style="list-style-type: none"> 800 m² 800 m²
Site Width (Minimum)	<ul style="list-style-type: none"> Row Housing, Street Oriented with rear attached Garage Row Housing, Street Oriented with rear attached Garage (End Unit) 	<ul style="list-style-type: none"> 4.2 m 5.5 m
Site Depth (Minimum)	<ul style="list-style-type: none"> Row Housing, Street Oriented with rear attached Garage 	<ul style="list-style-type: none"> 25.0 m
Front Yard Setback (Minimum):	<ul style="list-style-type: none"> Principal Building Attached Garage For any Development in excess of three Storeys. May be used for outdoor Amenity Area Row Housing, Street Oriented with rear attached Garage 	<ul style="list-style-type: none"> 3.0 m 6.0 m 6.0 m 4.5 m
Side Yard Setback (Minimum):	<ul style="list-style-type: none"> Principal Buildings three Storeys or less Principal Buildings three Storeys or less Abutting a Street Principal Buildings four Storeys or more Row Housing, Street Oriented with rear attached Garage Row Housing, Street Oriented with rear attached Garage Abutting a Street 	<ul style="list-style-type: none"> 2.0 m 3.0 m 4.5 m 1.2 m 3.0 m

		Site Standard		
Rear Yard Setback (Minimum):	<ul style="list-style-type: none"> • Principal Building, Corner Site • Attached Garage accessed from an Alley, Corner Site • Attached Garage accessed from an Alley, all other Sites • All other Principal Buildings 	<ul style="list-style-type: none"> • 4.5 m • 3.0 m • 6.0 m • 7.0 m 		
Height (Maximum):	<ul style="list-style-type: none"> • Four Storeys not exceeding 15.0 m for Developments Abutting a Residential District that allows Single Detached Dwelling as a Permitted Use. • Four Storeys not exceeding 15.0 m for all other areas. Developments may exceed Four Storeys or 15.0 m in height at the discretion of the Development Officer. 			
Density:	<ul style="list-style-type: none"> • 40 units per net hectare (minimum) • 150 units per net hectare (maximum) 			
Site Coverage (Maximum):	<ul style="list-style-type: none"> • Row Housing Developments • Street Oriented Row Housing (all types) • All other developments 	<ul style="list-style-type: none"> • 65% • 50% for end units; 57% for internal Dwelling units with no Side Yard. In cases where the garage is not an integral part of the principal dwelling, the Dwelling shall not exceed 40% coverage with the total site coverage at 57% <p style="text-align: center;">(Bylaw C-865-13, Feb. 10, 2014)</p> <ul style="list-style-type: none"> • 50% 		
Amenity Area (Minimum):	<ul style="list-style-type: none"> • 7.5 m² per Dwelling for Row Housing for private outdoor Amenity Area • 7.5 m² per Dwelling for Multi-Unit Dwellings for common Amenity Area 			

(Bylaw C-1096-19, May 29, 2020)

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

- (a) Notwithstanding Section 116 (2), the Height (Maximum) Development Regulation for Special Care Facilities is Four Storeys not exceeding 14.0 m, excepting that a building with a walk out basement, where the walk out basement portion is not adjacent a residential district, may be Five Storeys not exceeding a 14.0 m Height above the design Grade, on Lot 98, Block 13, Plan 132 4328.

(Bylaw C-1089-19, Oct. 21, 2019)

(b) Duplexes and Semi-Detached Dwellings shall use the development regulations in the R1 – Mixed Low to Medium Density Residential District.