

# TOWN OF WAINWRIGHT LAND USE BYLAW 2009-02

## C3 – HIGHWAY COMMERCIAL DISTRICT

### **PERMITTED USES**

EATING AND DRINKING ESTABLISHMENT – means land or a *building* where prepared foods and beverages are offered for sale to the public for consumption on or off the *site*.

HIGHWAY SHOPPING CENTER – means

- (1) a *building* or *development* of 2 or more of the following uses: *eating and drinking establishment, financial institution, gas bar, laundromat, retail, liquor store, office, personal service shop, retail, theatre, or*
- (2) a *retail building* with a minimum main *floor area* of 929m<sup>2</sup> (10,000ft<sup>2</sup>).

GAS BAR – means a *development* used for the sale of gasoline, liquefied petroleum gas, lubrication oils and associated automotive fluids with underground and/or above ground storage tanks but the total above ground storage capacity cannot exceed 10,000 litres.

HOTEL – means a *building* containing either sleeping or *dwelling units*, or a combination of both, occupied and equipped to be occupied as a *temporary* abode for tourists or transients.

MOTEL – means a *building* or group of *buildings* containing sleeping units with sanitary facilities designed to be used temporarily by tourists or transients with parking spaces convenient to each unit.

### **DISCRETIONARY USES** (may be permitted based on individual merits)

ACCESSORY BUILDING– means any *building* which is separate from the *principal building* on the *lot* on which both are located, and the use of which is subordinate and incidental to that of the *principal building* in the opinion of the *Development Authority*.

AUTOMOTIVE SALES AND SERVICE – means a *building* or land that is used for the sale, rental and service of automobiles, recreational vehicles and farm equipment and parts, painting, bodywork, repair and washing for the aforementioned uses.

EQUIPMENT RENTAL AND SALES – means the sale, rental, maintenance and repair of equipment and parts for the aforementioned uses.

MANUFACTURED DWELLING SALES – means the use of land to temporarily display *manufactured dwellings* intended for sale and relocation to the *sites* to where they are to be occupied.

OFFICE on Lots 1-3 Block 72 Plan 5721 AD only

PARK – means land developed for recreational activities that do not include major *buildings* or facilities, and includes green space, picnic areas, playgrounds, pedestrian and bicycle paths, landscaped areas and associated public washrooms. This may include private land, not open to the public.

PARKING FACILITY – means the area or structure set aside for the storage and parking of 5 or more vehicles and includes parking stalls, loading spaces, aisles, entrances and exits to the area and traffic islands where they are part of the *parking facility*.

PUBLIC UTILITY BUILDING – means a *building* used for a public utility as defined in the *Municipal Government Act* in which equipment required to operate the public utility is housed.

SHIPPING CONTAINER – means any container that was used or intended to be used to transport goods by means of rail, truck, or by sea and includes trailers. These are considered to be *accessory buildings*.

THEATRE – means a facility intended for the showing of motion pictures or live performances.

TOWER – means a structure greater than 3.05m (10ft) in height used to support a device that requires height to operate effectively, but does not include a structure that is regulated by Industry Canada.

## **MINIMUM YARD DIMENSIONS**

| PRINCIPLE USE       | Front Yard |    | Side Yard |    | Rear Yard |    |
|---------------------|------------|----|-----------|----|-----------|----|
|                     | m          | ft | m         | ft | m         | ft |
| All commercial uses | 9.14       | 30 | 3.05      | 10 | 3.05      | 10 |

\*except that a lesser frontage may be allowed if the *Municipal Planning Commission* deems it appropriate for a specific application

## **ACCESSORY BUILDINGS**

- (1) Location must be approved by the *development officer*.
- (2) The exterior finish must be approved by the *development officer*.
- (3) The height must be approved by the *development officer*.
- (2) Maximum number per *site*: 2
- (4) Minimum side and rear *setback*: 3.05m (10ft).
- (5) If an opening for a door or doors in an *accessory building* is 2.44m (8ft) or wider, the wall with the opening shall be *setback* a minimum of 6.10m (20ft) from any property line.
- (6) Minimum distance from *principle building*: 3.05m (10ft).

## **FENCES**

- (1) MAXIMUM HEIGHT

|                   | m    | ft |
|-------------------|------|----|
| <i>Front Yard</i> | 0.91 | 3  |
| <i>Side Yard</i>  | 2.44 | 8  |
| <i>Rear Yard</i>  | 2.44 | 8  |

- (2) CONSTRUCTION

- (a) *Front yard fences* are to be decorative in nature and approved by the *Development Authority*.
- (b) *Side and rear yard fences* are to be constructed out of chainlink or an equivalent as approved by the *Development Authority*.