

## TOWN OF WAINWRIGHT LAND USE BYLAW 2009-02 C2 – SECONDARY COMMERCIAL DISTRICT

### PERMITTED USES

ANIMAL SERVICE – means the establishment for the onsite treatment of agricultural or domestic animals where accommodations are not normally provided and where all care and confinement facilities are enclosed within a *building*.

BOWLING ALLEY – means a *building* or room containing lanes for bowling.

COMMUNITY HALL – means a *building* used by groups for cultural or community activities. Typical uses include public and private clubs.

CURLING RINK - means a *building* or room containing sheets for curling.

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*. **(Specific Requirement applies - See 4.5.2)**

EMERGENCY SERVICE – means a *building* or land used for fire, police, or ambulance services.

FINANCIAL INSTITUTION – means a building or use for providing the service of banking or lending money, such as a bank, savings and loan institution or credit union.

FUNERAL HOME – means a *development* used for the arrangement of funerals, the preparation of the deceased for burial or cremation, and/or the holding of funeral services.

HOME OFFICE – means any occupation, trade, profession, or craft carried on by a family occupant of a *dwelling unit* as a use secondary to the residential use of the *building* which does not involve any employees or customers coming to the *dwelling unit*, on-site storage or display of materials, or the creation of any *nuisance* whatsoever. **(Specific Requirement applies - See 4.5.4)**

INDOOR RECREATION – means *development* providing facilities within an enclosed *building* for sports and recreation where patrons are predominately participants and spectators. Typical uses include but are not limited to arenas, health and fitness clubs, *bowling alleys*, pool halls, *curling rinks*, swimming pools, racquet clubs, and facilities providing table games and/or electronic games.

LAUNDROMAT – means a facility for the cleaning of clothing or other fabric goods on a self-serve basis or pay-for service, including dry cleaning service.

LIBRARY - means a collection of information, sources, resources, and services, and the structure in which it is housed. It is organized for use, and maintained, by a public body, an institution, or a private individual.

LIQUOR STORE – means an establishment, licensed by the provincial government, in which alcoholic beverages are sold to the public and intended to be consumed off the premises. *Retail liquor stores* may include the sale of ancillary complementary products, such as soft drinks and juices (mixes), pre-packaged snack foods (potato chips, pretzels), bar utensils (corkscrews, glasses) and de-alcoholized beer and wine. **(Specific Requirement applies - See 4.5.5)**

MUSEUM – means a *building* or *site* used for the preservation, collection, restoration, display, and/or demonstration of articles of historical significance and may include interpretive sessions and archival records of a geographic area or time period.

OFFICE – means a *building* or use providing for the administration of business or government, or the provision of professional services. This includes but is not limited to accountants, financial advising, insurance providers, medical services, and realtors.

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*.

PERSONAL SERVICE SHOP – means the use of land or a *building* for the provision of personal services to an individual related to care or appearance of the body or the cleaning or repair of personal effects. This includes but is not limited to barbershops, estheticians, hairdressers, massage services, tailors, tanning studios, tattoo studios, and shoe repair shops.

RETAIL – means land or a *building* where goods, merchandise, substances, articles, and other materials, are offered for sale at *retail* to the general public but excludes *adult entertainment establishments, automotive sales and service, building supplies, bulk fuel storage and sales, equipment rental and sales, gas bars and liquor stores.*

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

WAREHOUSE – means a *building* for the storage of materials, products, goods or merchandise.

#### **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*.

ADULT MATERIAL SALES AND RENTAL – means an establishment which sells, rents, or lends adult electronic media and/or adult print media, but excluding a store where:  
(1) the majority of the *floor area* of the *building* used to display items is devoted to items other than adult electronic media and/or adult print media,  
(2) a majority of the items for sale, rental or loan are not adult electronic media or adult print media, and  
(3) all the adult electronic media are physically segregated from other items for sale, rental, or loan.  
**(Specific Requirement applies - See 4.5.1)**

APARTMENT – means a *dwelling unit* contained within a *building* containing three or more *dwelling units* on more than one floor and includes a *dwelling unit* contained within or above a commercial *building*.

AUCTION MARKET – means a *building* or land that is used for the auctioning of goods and equipment, including the *temporary* storage of such goods and equipment. Auction markets involving *livestock* are subject to the land use district provisions for *livestock*.

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.

BUILDING SUPPLIES – means a use where lumber, *building* materials, hardware and household accessories and other related goods are stored, offered, or kept for sale and may include outdoor storage.

BUS DEPOT – means a facility providing for the departure and arrival of passengers and freight carried by bus.

CHILD CARE FACILITY – means the use of a *building* or portion thereof for the provision of care, maintenance and supervision of four or more children under the age of 18 years by persons other than one related by blood or marriage for periods not exceeding 24 consecutive hours and includes all day-care centers, nurseries and *after-school* or baby-sitting programs which meet this definition.

CONTRACTOR SERVICE – means the provision of *building* construction, *landscaping*, concrete, electrical, environmental, excavation, drilling, heating, plumbing, paving, oilfield related industries, road construction, workshops, sewer or similar services of a construction nature which require on-site storage space for materials, construction equipment or vehicles normally associated with the *contractor service*.

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

FABRICATING – means the assembling of products that do not impact negatively on surrounding land uses by emitting odors, dust, smoke, noise or vibration. Typical uses may include millwork, welding, machining, and manufactured *buildings*.

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. **(Specific Requirement applies - See 4.5.3)**

GREENHOUSE – means a *building* specially designed and used for the commercial growing of vegetables, flowers or other plants for transplanting or sale. The use may include accessory *retail* uses on the premises.

HOME OCCUPATION – means any occupation, trade, profession, or craft carried on by a family occupant of a *dwelling unit* as a use secondary to the residential use of the *building*. **(Specific Requirement applies - See 4.5.4)**

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.

RECREATIONAL FACILITY – means a *building* and/or grounds for community recreation, entertainment, relaxation, social activity, and other leisure activities.

RECYCLING FACILITY – means a *building* or *site* used for the collection, packaging and/or *temporary* storage of recycled materials.

SCHOOL – means a place of instruction offering courses of study. Included in the category are public, private, separate and post-secondary institutions. **(Specific Requirement applies - See 4.5.6)**

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*. **(Specific Requirement applies - See 4.1.15)**

STORAGE YARD - means a use for the outdoor storage of materials, products, goods, merchandise, vehicles, or equipment.

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. **(Specific Requirement applies - See 4.1.14)**

TRUCK STORAGE AND MAINTENANCE – means a facility for the purpose of storing and dispatching trucks and tractor-trailers for transporting goods and may include the maintenance and servicing of these vehicles.

**YARD DIMENSIONS**

PRINCIPLE USE	Minimum Front Yard		Specified Side Yard		Minimum Rear Yard	
	m	ft	m	ft	m	ft
Interior	0	0	0*	0*	1.82	6
abutting residential	0	0	min 1.52	min 5	1.82	6
Corner	0	0	**	**	1.82	6
Apartment	0	0	0 or min 4.57	0 or min 15	9.14	30

\* no side yards shall normally be allowed except that the *Development Authority* may allow *side yards* if they have a practical use, are landscaped to the satisfaction of the *Development Authority*, and do not detract from the streetscape.

\*\* as determined by the *development officer*

**ACCESSORY BUILDINGS**

- (1) Cannot be located in *front* or *side yards*.
- (2) Maximum number per *site*: 1
- (3) Maximum site coverage: 10%.
- (4) Minimum side and rear *setback*: 0.61m (2ft).
- (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*: 0.91m (3ft).
- (7) Maximum height: 4.87m (16ft).
- (8) The exterior finish must be approved by the *development officer*.

**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*.

**CANOPIES**

- (1) Canopies may project into an adjacent road allowance by up to 1.83m (6ft).
- (2) Minimum clearance from the ground: 2.44m (8ft).