

PART 10 – OVERLAYS

10.1 Downtown Parking Overlay

10.1.1 Purpose

The purpose of this Overlay is to provide for reduced parking requirements in the Downtown Area.

10.1.2 Applicability

This Overlay shall apply to those areas identified on the Land Use Map (**Appendix A: Land Use Map**).

10.1.3 Downtown Parking Overlay Regulations

- (a) The minimum number of parking spaces required shall be determined by multiplying the minimum number of parking spaces required by this Bylaw by 20%;
- (b) Parking requirements under this section shall apply only to new development, redevelopment, additions or enlargements to existing buildings and not to the existing floor area of developments; and
- (c) The Development Authority may consider a complete relaxation of the parking requirements if it can be demonstrated that the lack of parking will not present a source of inconvenience to the surrounding area. This may require the provision of a parking study prepared by an accredited professional to demonstrate how the availability of parking in the area of the Development is adequate to support the activities of the existing developments in the area, as well as the proposed new development.

10.2 “The Drives” Overlay

10.2.1 Purpose

The purpose of this Overlay is to recognize the unique design of The Drives neighbourhood.

10.2.2 Applicability

This Overlay shall apply to those areas identified on the Land Use Map (**Appendix A: Land Use Map**).

10.2.3 “The Drives” Overlay Regulations

- (a) For properties that traditionally provide vehicular access from a lane or from the side of the property facing the rear of the dwelling, the yard adjacent to the lane will be considered the rear yard, and the yard adjacent to the public open space will be considered the front yard;
- (b) In the case of redevelopment, alteration, replacement or upgrading of existing single detached dwellings or vacant single detached dwelling properties, the proposed new development shall be oriented in accordance with the traditional orientation of development in “The Drives” area (i.e. the rear of the dwelling shall orient to the lane or primary access to the Site, and the front of the dwelling shall orient to the public open space or front yard of the site); and
- (c) All redevelopment, alteration, replacement or upgrading of existing single detached dwellings shall be consistent with and sensitive to the form and character of the dwellings in the area surrounding the subject site.

10.3 Highway 15 Vicinity Overlay

¹10.3.1 Purpose

The purpose of this Overlay is to provide for limited highway commercial uses adjacent to Highway 15 as identified on Land Use Map (**Appendix A: Land Use Map**).

²10.3.2 Applicability

This Overlay shall apply to lands districted as IM – Medium Industrial and within the areas identified on the Land Use Map (**Appendix A: Land Use Map**).

³10.3.3 Highway 15 Vicinity Overlay Regulations

*Any vehicle oriented use that may result in overnight stays or accommodation and drive through services will not be permitted within the Hwy 15 Vicinity Overlay area.

- (a) ⁴All proposed developments within this Overlay may be subject to a Risk Assessment ensuring that they are compatible with adjacent uses. Such assessments shall be carried out in accordance with Major Industrial Accidents Council of Canada (MIACC);
- (b) ⁵At the discretion of the Development Authority or based on the recommendations of a Risk Assessment, additional safety measures may be required by the Development Authority in order to consider a proposed development;
- (c) ⁶All site and building designs, except for renovations or additions of less than 10% of the existing gross floor area, shall be designed for ease of evacuation, access by emergency services, and mechanical systems to provide protection to occupants in the case of a significant industrial accident; and
- (d) ⁷All sites and buildings shall be designed in accordance with the principles of Shelter-in-Place.

¹ C19-14

² C19-15

³ C19-15

⁴ C19-14

⁵ C19-14

⁶ C19-14

⁷ C19-14

10.4 IL Limited Use Overlay

10.4.1 Purpose

The purpose of this Overlay is to protect the existing residential land uses adjacent to the industrial land uses in this area.

¹10.4.2 Applicability

This Overlay shall apply to those uses specific in Section 7.8 IL – Light Industrial District where they occur on those lands shown on the Land Use Map (**Appendix A: Land Use Map**) as being within the IL Limited Use Overlay, and when they involve new structures, the expansion of the size of existing structures beyond the present exterior walls or roof line, or addition/expanded uses on the site.

10.4.3 Uses Prohibited within the IL Limited Use Overlay

- (a) ²The following uses are prohibited on lands located within the IL Limited Use Overlay:
- i. General industrial use;
 - ii. Kennel; and
 - iii. Service station or bulk fuel depot.
- (b) In addition to the requirements of Section 4.8 General Landscaping Requirements and 7.7 Landscaping Requirements for Industrial Land Uses, a 3.05 m (10.0 ft) wide landscaping Buffer shall be provided on-site along the entire length of any rear property boundary adjacent to park lands, public utility lots, or reserve parcels. The landscaped Buffer area shall be a grassed or mulched area, containing coniferous tree plantings at a rate of one tree per 3.0 linear meters (9.8 linear feet) of the landscaped buffer length, spaced at equal intervals.

¹ C19-14

² C19-14