

**VILLAGE OF WARNER
IN THE PROVINCE OF ALBERTA**

BYLAW NO. 635-24

BEING a bylaw of the Village of Warner in the Province of Alberta, to amend Bylaw No. 538-12, being the municipal Land Use Bylaw.

WHEREAS the Village of Warner Council is considering amending the Land Use Bylaw to add discretionary uses within the Commercial - C land use district and the Public and Institutional – PI land use district.

AND WHEREAS THE PURPOSE of proposed Bylaw No. 635-24 is to (a) add a “Mixed-use commercial/residential building” as a use type within the Land Use Bylaw, including accompanying use specific standards and a definition, and classify the use as a discretionary use in the Commercial - C land use district, and (b) classify “Office” and “Financial institution” as discretionary uses in the Public and Institutional – PI land use district.

NOW THEREFORE, under the authority and subject to the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended, the Council of the Village of Warner in the Province of Alberta duly assembled does hereby enact the following:

1. Section 2, Table 3.1: Use Table, Part 3 – Use Regulation is amended to add “Other” to the Use column under the “Commercial” category and add “Mixed-use commercial/residential building” as a Use Type therein.
2. Section 2, Table 3.1: Use Table, Part 3 – Use Regulation is amended to classify “Mixed-use commercial/residential building” as a discretionary use (D) in the Commercial – C land use district.
3. Part 3 – Use Regulation is amended to add Section 20, as follows:

SECTION 20 MIXED-USE COMMERCIAL/RESIDENTIAL BUILDING

- 20.1 The mixed-use commercial/residential building use allows for a combination of one or more of the uses listed in the Commercial - C land use district within a building, including allowance for a residential dwelling unit(s) within a portion of the building independent of the commercial use of the building. Each use within a mixed-use commercial/residential building shall be considered as a separate use and issued under a separate development permit(s).
- 20.2 The maximum number of residential dwelling units allowed within a mixed-use commercial/residential building shall be at the discretion of the Municipal Planning Commission.
- 20.3 A residential dwelling unit within a mixed-use commercial/residential building shall have at-grade access that is separate from the access for the commercial premises, either from a common indoor landing or directly from the exterior of the structure.
- 20.4 A residential dwelling unit within a mixed-use commercial/residential building shall have a minimum floor area of not less than 30.2 m² (325 sq ft).



- 20.5 A residential dwelling unit within a mixed-use commercial/residential building shall have sanitary facilities separate from those of the commercial use of the premises.
- 20.6 Residential dwelling units on the main floor (at-grade) of a mixed-use commercial/residential building shall not exceed 50% of gross floor area of the main floor.
- 20.7 Off-street parking and loading requirements for a mixed-use commercial/residential building shall be provided in Section 14 Off-Street Parking and Loading Requirements, Part 6 General Standards of Development based on the applicable residential and non-residential use category.
4. Part 9 - Definitions is amended to add a definition for "Mixed-use commercial/residential building" as follows:
- MIXED-USE COMMERCIAL/RESIDENTIAL BUILDING** means a development which allows for one or more of the uses listed in the Commercial – C land use district within a building, including allowance for residential units within a portion of the building independent of the commercial use of the building.
5. Section 2, Table 3.1: Use Table, Part 3 – Use Regulation is amended to classify "Office" as a discretionary use (D) in the Public and Institutional – PI land use district.
6. Section 2, Table 3.1: Use Table, Part 3 – Use Regulation is amended to classify "Financial institution" as a discretionary use (D) in the Public and Institutional – PI land use district.
7. Bylaw No. 538-12, being the Village of Warner Land Use Bylaw, is hereby amended.
8. Bylaw No. 538-12, being the Village of Warner Land Use Bylaw shall be consolidated to reflect this amendment, including formatting, page numbering, table of contents, and any necessary section numbering throughout.
9. This bylaw comes into effect upon third and final reading hereof.

READ a **first** time this 20th day of November 2024.

READ a **second** time this 18th day of December 2024.

READ a **third** time and finally PASSED this 18th day of December 2024.



Tyler Lindsay
Mayor



Kelly Lloyd
Chief Administrative Officer

SIGNED by the Chief Elected Official and the Chief Administrative Officer this 18th day of December 2024.