

PART 5C

IH – INDUSTRIAL HEAVY ZONE

5C.1 INTENT

This zone is intended to:

- (a) protect land suitable for the highest intensity of industrial development;
- (b) allow for limited consumer-oriented non-industrial land uses, such as retailing and wholesaling in conjunction with products that are produced on-site; and
- (c) allow for small scale commercial activities which support industrial uses and their employees.

5C.2 APPLICATION

- (1) The regulations, standards, and requirements prescribed in Part 5C apply to all land uses and developments in the Industrial Heavy zone.
- (2) The requirements of Chapter 1 apply to all land uses, proposed land uses, developments and proposed developments in the Industrial Heavy zone.
- (3) The Industrial Heavy zone shall apply to lands that:
 - (a) are suitable for the highest intensity of industry;
 - (b) are suitable for hazardous material and dangerous goods and can accommodate adequate separations, infrastructure and safeguards to respond to hazards and conditions involving hazardous materials and dangerous goods;
 - (c) have access to suitable roadways to safely transport hazardous materials and dangerous goods; and
 - (d) are suitably separated from any sensitive lots.

5C.3 BUILDING AND LAND USE REQUIREMENTS

3.1 PERMITTED AND DISCRETIONARY BUILDING TYPES

- (1) Table 5C.T1 lists building types that are permitted or discretionary in the Industrial Heavy zone.
- (2) Any building types other than those listed in Table 5C.T1 are prohibited in the Industrial Heavy zone.
- (3) A lot can contain multiple buildings that are permitted or discretionary in the Industrial Heavy zone.

TABLE 5C.T1: INDUSTRIAL HEAVY ZONE BUILDING TYPES				
Sec.	Building Type	Permitted	Discretionary	Building Specific Regulations
T1.1	Building, Accessory	Permitted	---	---
T1.2	Building, Detached	Permitted	---	---
T1.3	Building, Row	<p>Permitted where the:</p> <p>(1) building does not contain a use in the dwelling land use class and meets the following conditions:</p> <p>(a) maximum building height is 15 metres or less;</p> <p>(b) the building does not adjoin a lot zoned residential or a lot containing a use in the dwelling land use class; and</p> <p>(c) the building is not on the same lot as a building containing a use in the dwelling land use class; or</p> <p>(2) building contains a use in the dwelling land use class and the maximum building height is 11 metres or less.</p>	<p>Discretionary where the:</p> <p>(1) building is between 11 metres and 15 metres in height does not contain a use in the dwelling land use class and;</p> <p>(a) adjoins a lot zoned residential or a lot containing a use in the dwelling land use class; or</p> <p>(b) is on the same lot as a building containing a use in the dwelling land use class; or</p> <p>(2) building contains a use in the dwelling land use class and the maximum building height is between 11 metres and 15 metres.</p>	---

TABLE 5C.T1: INDUSTRIAL HEAVY ZONE BUILDING TYPES				
Sec.	Building Type	Permitted	Discretionary	Building Specific Regulations
T1.4	Building, Stacked	<p>Permitted where the:</p> <p>(1) building does not contain a use in the dwelling land use class and meets the following conditions:</p> <p>(a) maximum building height is 15 metres or less;</p> <p>(b) the building does not adjoin a lot zoned residential or a lot containing a use in the dwelling land use class; and</p> <p>(c) the building is not on the same lot as a building containing a use in the dwelling land use class; or</p> <p>(2) building contains a use in the dwelling land use class and the maximum building height is 11 metres or less.</p>	<p>Discretionary where the:</p> <p>(1) building is between 11 metres and 15 metres in height does not contain a use in the dwelling land use class and;</p> <p>(a) adjoins a lot zoned residential or a lot containing a use in the dwelling land use class; or</p> <p>(b) is on the same lot as a building containing a use in the dwelling land use class; or</p> <p>(2) building contains a use in the dwelling land use class and the maximum building height is between 11 metres and 15 metres.</p>	---

3.2 LAND USE REQUIREMENTS

- (1) Table 5C.T2 lists land uses and land use intensities that are permitted or discretionary in the Industrial Heavy zone, subject to compliance with:
 - (a) the land-use-specific regulations in Table 5C.T2;
 - (b) the development standards in Subpart 5C.4;
 - (c) the parking and loading requirements in Subpart 5C.6;
 - (d) the landscaping and aesthetic screening requirements of Subpart 5C.7; and
 - (e) the other regulations of this Bylaw.
- (2) In addition to the review criteria for discretionary uses prescribed in Subpart 1E.3 of Chapter 1, every discretionary use application for lands in the Industrial Heavy zone which proposes a land use that is not an Industry land use class shall be evaluated for suitability based on the following criteria:
 - (a) whether the features such as scale, site layout and development orientation of the proposal, in the opinion of the City, can be reasonably expected to specifically support nearby industrial uses and their staff rather than clients from the general public; and

- (b) whether the zone with the proposed uses would, in the opinion of the City, continue to be predominantly industrial in nature.
- (3) The following land uses are prohibited in the Industrial Heavy zone:
- (a) any land use that is not listed in Table 5C.T2;
- (b) any land use that is above the maximum intensity listed as permitted or discretionary in Table 5C.T2; and
- (c) any land use that fails to meet any of the applicable requirements laid out in this Bylaw.

TABLE 5C.T2: INDUSTRIAL HEAVY ZONE LAND USES				
Sec.	Land Use	Permitted	Discretionary	Land Use Specific Regulations
T2.1	<ul style="list-style-type: none"> Food & Beverage, Outdoor 	Permitted if dedicated outdoor area is: <ul style="list-style-type: none"> (a) less than 100 square metres per lot; and (b) is operating entirely between the building containing the principal use and the front or side lot lines abutting a public sidewalk, public plaza, public park, or a non-dwelling land use. 	Discretionary if dedicated outdoor area is: <ul style="list-style-type: none"> (a) 100 square metres per lot, or more; or (b) operating entirely or partially between the building containing the principal use and the rear lot line, or the side lot line abutting a lot zoned Residential. 	---
T2.2	<ul style="list-style-type: none"> Retail Trade, Shop Wholesale Trade, Indoor 	Permitted if gross floor area is less than 500 square metres per lot.	Discretionary if gross floor area is between 500 and 1,000 square metres per lot.	(1) "Retail Trade, Shop" and "Wholesale Trade, Indoor" land use activities are limited to the sale of articles or commodities which are serviced, altered or produced on the lot.
T2.3	<ul style="list-style-type: none"> Institution, Health Care Institution, Training Office, Industry 	Permitted if gross floor area is 1,000 square metres per lot, or less.	---	(1) The total gross floor area of all land uses in the "Office, Industry" land use class may not exceed 1,000 square metres per lot.
T2.4	<ul style="list-style-type: none"> Agriculture, Indoor Agriculture, Outdoor Industry, Laboratory 	Permitted if entirely indoors.	Discretionary if entirely or partially outdoors.	(1) The requirements of Subpart 1F.3 of Chapter 1 apply to any land use that includes the storage, processing, or use of Hazardous substances.

TABLE 5C.T2: INDUSTRIAL HEAVY ZONE LAND USES

Sec.	Land Use	Permitted	Discretionary	Land Use Specific Regulations
T2.5	<ul style="list-style-type: none"> • Agriculture, Animal Support • Food & Beverage, Catering • Industry, Artistic • Industry, Food & Beverage • Industry, Light • Industry, Salvaging – Light • Open Space, Active • Public Use, General • Service Trade, Heavy • Service Trade, Motor Vehicle – Heavy • Service Trade, Motor Vehicle – Light • Service Trade, Wash – Heavy • Service Trade, Wash – Light • Storage, Outdoor • Storage, Warehousing • Transportation, Parking Structure • Transportation, Terminal • Utility, General 	Permitted	---	<p>(1) “Service Trade, Wash – Heavy” and “Service Trade, Wash – Light” land uses are restricted as follows:</p> <p>(a) all washing equipment shall be contained in a fully enclosed building, except for any entrance or exit; and</p> <p>(b) where the use is proposed on a lot that abuts a Sensitive Lot or Major Roadway, all entrances and exits shall be positioned to avoid facing the Sensitive Lot or Major Roadway.</p> <p>(2) The following additional regulations apply to any proposed land use that includes any fuel pumps, fuel tanks and liquefied petroleum storage tanks</p> <p>(a) all fuel pumps, fuel tanks and liquefied petroleum storage tanks, including associated dispensing equipment, shall be located at least:</p> <p>(i) 610 metres from a public water supply well; and</p> <p>(ii) 100 metres away from a public water supply reservoir; and</p> <p>(b) every underground storage tank shall meet the Saskatchewan Ministry of Environment’s design and operational requirements.</p> <p>(3) An “Open Space, Active” land use may not be established or enlarged on a lot that is closer than 182.88 metres from:</p> <p>(a) another lot containing an “Assembly, Adult” or Retail Trade, Adult” land use; or</p> <p>(b) a Sensitive Lot.</p>

TABLE 5C.T2: INDUSTRIAL HEAVY ZONE LAND USES				
Sec.	Land Use	Permitted	Discretionary	Land Use Specific Regulations
T2.6	<ul style="list-style-type: none"> • Industry, Heavy • Industry, Salvaging – Heavy • Storage, Hazardous Material 	---	Discretionary	(1) The requirements of Subpart 1F.3 of Chapter 1 apply to any land use that includes the storage, processing, or use of Hazardous substances.
T2.7	<ul style="list-style-type: none"> • Assembly, Range • Drive-Through, Accessory • Institution, Day Care • Retail Trade, Outdoor Lot • Wholesale Trade, Outdoor 	---	Discretionary	<p>(1) A “Retail Trade, Outdoor Lot” or a “Wholesale Trade, Outdoor” land use may not be established or enlarged that is closer than 100 metres from a lot zoned Residential, Mixed-Use or IL-Industrial Light, provided that this regulation shall not apply where the only retail articles or commodities sold are serviced, altered or produced on the lot.</p> <p>(2) An “Assembly, Range” land use is prohibited on any lot that is within 50 metres of a Sensitive Lot or a Major Roadway.</p> <p>(3) No land use where any kind of firearm will be used outdoors may be established within 3.1 kilometres of a Sensitive Lot or a Major Roadway.</p> <p>(4) The “Institution, Day Care” land use may not be established where it will be closer than 182.88 metres to a “Retail Trade, Cannabis” land use.</p> <p>(5) The measurement required in subsection (4) shall:</p> <p>(a) be a straight line, measured from the nearest point of the portion of the building used or proposed to be used as a “Retail Trade, Cannabis” land use to the nearest portion of the lot currently developed with any of the land uses mentioned in subsection (4).</p> <p>(b) be assessed as of the date of receipt of a complete application as determined by the Development Officer.</p>

TABLE 5C.T2: INDUSTRIAL HEAVY ZONE LAND USES				
Sec.	Land Use	Permitted	Discretionary	Land Use Specific Regulations
T2.8	<ul style="list-style-type: none"> Assembly, Adult Retail Trade, Adult Service Trade, Adult 	---	Discretionary	<p>(1) An “Assembly, Adult” or “Retail, Trade, Adult or “Service Trade, Adult” land use may not be established or enlarged on a lot that is closer than 182.88 metres from:</p> <p>(a) another lot containing an “Assembly, Adult,” “Retail Trade, Adult” or “Service Trade, Adult” land use; or</p> <p>(b) a Sensitive Lot.</p>

5C.4 DEVELOPMENT STANDARDS IN THE IH-INDUSTRIAL HEAVY ZONE

4.1 DEVELOPMENT STANDARDS

The standards prescribed in Table 5C.T3 apply to all buildings and Land Uses in the Industrial Heavy zone.

TABLE 5C.T3: INDUSTRIAL HEAVY ZONE DEVELOPMENT STANDARDS		
Sec.	Development Criteria	Standards (Per Lot)
T3.1	Minimum Lot Area	500 square metres
T3.2	Minimum Lot Frontage	
	(a) if the lot area is 2,000 square metres or more	60 metres
	(b) if the lot area is 750 square metres or more but less than 2,000 square metres	25 metres
	(c) if the lot area is less than 750 square metres	15 metres
T3.3	Maximum Front Yard Setback	7.5 metres
T3.4	Minimum Rear Yard Setback	
	(1) Where the rear yard does not adjoin a public lane or utility easement	
	(a) portions of any building or structure higher than 8 metres	3.0 metres
	(b) portions of any building or structure 4 to 8 metres in height	1.5 metres
	(c) portions of any building or structure under 4 metres in height	450 millimetres
	(2) Where the rear yard adjoins a public lane or utility easement	450 millimetres
T3.5	Minimum Side Yard Setbacks	
	(1) Minimum single side yard setback	
	(a) where butting a Sensitive Lot or Major Roadway	3.0 metres
	(b) where not abutting a Sensitive Lot or Major Roadway	Nil
	(2) Minimum total side yard setback	
	(a) if the lot frontage is 60 metres or more	7.5 metres
T3.6	Maximum Lot Coverage	
	(1) if the lot area is below 2,000 square metres	75%
	(2) if the lot area is 2,000 square metres or more	65%
T3.7	Maximum Building Height	15 metres

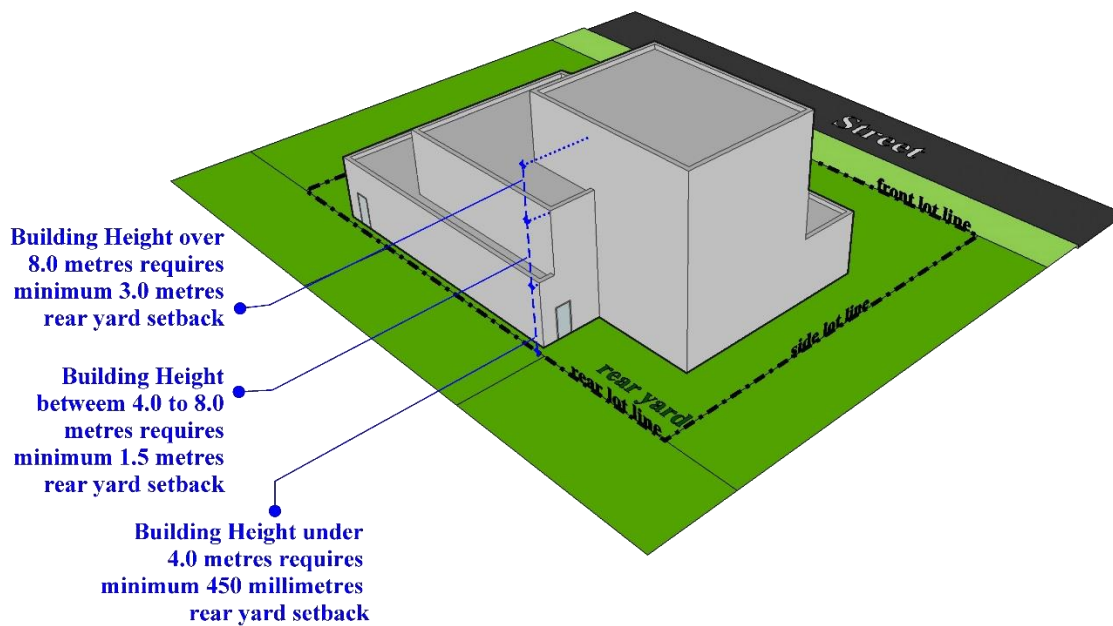


Figure 5C.F1: Minimum Rear Yard Setback Requirements

4.2 LOT FRONTAGE

- (1) Where a lot's front lot line is curved, the lot frontage shall be measured as follows, as shown in Figure 5C.F2:
 - (a) the midpoint of the front lot line, relative to the side lot lines, shall be determined;
 - (b) a distance line perpendicular to the tangent and six metres in length shall be measured from the midpoint determined in clause 5C.4.2(2)(a); and
 - (c) the lot frontage shall be measured as a line perpendicular to the six metre distance line prescribed in clause 5C.4.2(1)(b).
- (2) On a corner lot, the lot frontage shall be measured as follows, as shown in Figure 5C.F3:
 - (a) a distance line perpendicular to the front lot line and six metres in length shall be measured from the front lot line; and
 - (a) the lot frontage shall be measured as a line perpendicular to the six-metre distance line prescribed in clause 5C.4.2(2)(a).

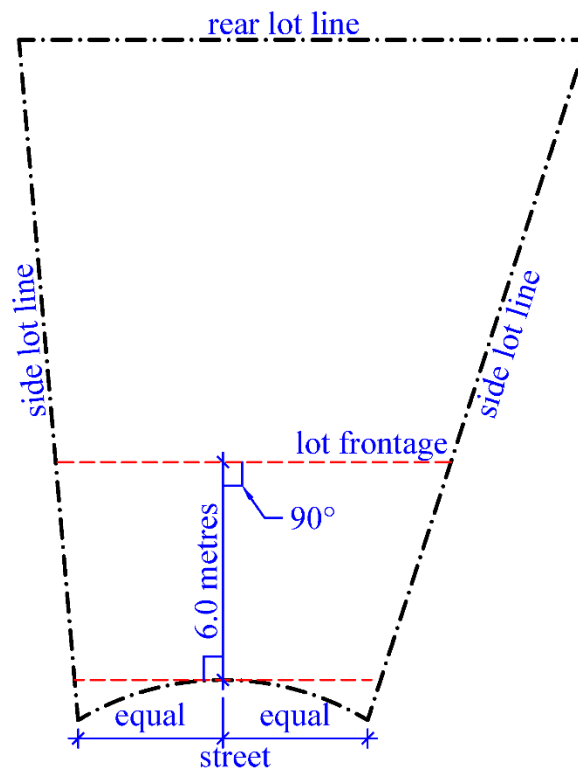


Figure 5C.F2: Minimum Frontage for a Curved Front Lot

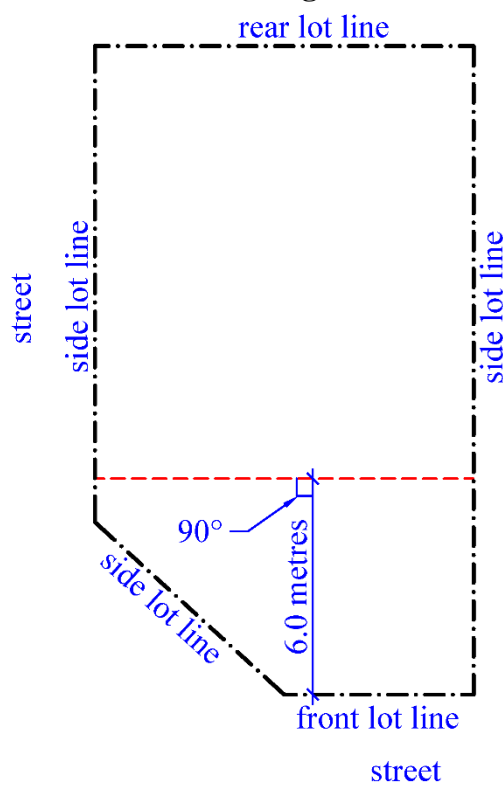


Figure 5C.F3: Minimum Frontage for a Corner Lot

4.3 PERMITTED YARD ENCROACHMENTS

- (1) The minimum front yard, flankage side yard, interior side yard and rear yard specified by this bylaw shall remain free from any encroachment whatsoever, except in accordance with Table 5C.T4.
- (2) Permitted yard encroachments are subject to section 1E.1.9 in Chapter 1.
- (3) Minimum setback from lot line to a permitted encroachment shall be the lesser of the setback standards prescribed in Tables 5C.T3 and 5C.T4.

TABLE 5C.T4:INDUSTRIAL HEAVY ZONE PERMITTED ENCROACHMENTS				
Sec.	Structure	Permitted Yard	Maximum Projection into Permitted Yard	Minimum Setback from Lot Line
T4.1	Fire escape	<ul style="list-style-type: none"> • Front Yard • Interior Side Yards • Flankage Yard • Rear Yard 	1.5 metres into any yard abutting a lot zoned Residential or Mixed-Use, otherwise unrestricted.	150 millimetres from any abutting a lot zoned Residential or Mixed-Use, otherwise, unrestricted.
T4.2	Uncovered Balcony, Deck or Platform			
	(1) Portion that is 600 millimetres or more in height above grade.	<ul style="list-style-type: none"> • Front Yard • Interior Side Yards • Flankage Yard • Rear Yard 	1.5 metres into any yard abutting a lot zoned Residential or Mixed-Use, otherwise unrestricted.	150 mm from any abutting lot zoned Residential or Mixed-Use, otherwise unrestricted.
	(2) Portion that is less than 600 millimetres in height above grade.	<ul style="list-style-type: none"> • Front Yard • Interior Side Yards • Flankage Yard • Rear Yard 	Unrestricted	Unrestricted
T4.3	Any balcony, porch, deck, or platform that is covered, Includes “Food & Beverage, Outdoor” land use subject to the land use requirements	<ul style="list-style-type: none"> • Front Yard • Interior Side Yards • Flankage Yard • Rear Yard 	1.5 metres	Nil from front lot line and 450 millimetres from each of the side and rear lot lines.
T4.4	Steps above or below grade, landings and wheelchair ramps	<ul style="list-style-type: none"> • Front Yard • Interior Side Yards • Flankage Yard • Rear Yard 	Unrestricted	Unrestricted

4.4 HEIGHT EXCEPTIONS

- (1) Subject to subsection 5C.4.4(2), the maximum building height listed in Table 5C.T3 shall not apply to the following:
 - (a) a spire;
 - (b) a belfry;
 - (c) a cupola;
 - (d) a dome;

- (e) a chimney;
 - (f) a ventilator;
 - (g) a skylight;
 - (h) a water tank;
 - (i) a bulkhead;
 - (j) a communication antenna; or
 - (k) a feature or mechanical appurtenance, usually situated above the roof level, that is, in the opinion of the Development Officer, similar to the above list.
- (2) The features mentioned in subsection 5C.4.4(1):
- (a) may not include an elevator or staircase enclosure, or a mechanical penthouse;
 - (b) may not be used for human habitation; and
 - (c) shall be erected only to such height or area as is necessary to accomplish the purpose they are to serve.

5C.5 ACCESSORY USES, BUILDINGS AND STRUCTURES

- (1) Unless specified otherwise, the minimum setback requirements and the maximum height of an accessory structure or building shall be the same as those of the principal building, as prescribed in Table 5C.T3.
- (2) Notwithstanding subsection 5C.5(1), an accessory structure or building may be located within a rear or side yard setback where it is:
 - (a) 10 square metres or less in area; and
 - (b) 4 metres or less in height.
- (3) All accessory structures or buildings shall be included in the calculation of the total site coverage calculation.

5C.6 PARKING AND LOADING

6.1 NO OBSTRUCTION

Parking stalls required by this Bylaw shall not be obstructed in any way by garbage receptacles, structures, equipment or materials which interfere with the ability of the parking stall to serve its function.

6.2 ACCESSIBLE PARKING STALLS

- (1) Notwithstanding any other provision in this bylaw, a minimum of two per cent of the required number of parking stalls shall be provided in the form of accessible parking stalls in the Industrial Heavy zone.
- (2) Accessible parking stalls shall be clearly designated with signs above ground indicating their purpose.
- (3) Relative to the placement of non-accessible parking stalls, accessible parking stalls shall be located closest to the:
 - (a) the accessible building entrance, if it exists; or
 - (b) the building entrance with the shortest path of travel from the accessible parking stalls.

6.3 MOTOR VEHICLE REGULATIONS

- (1) All motor vehicle parking stalls, loading stalls and manoeuvring areas shall be located entirely on the same lot as the principal land use they serve except as provided by caveated parking, shared parking or shared maneuvering area as prescribed in Subpart 1F.3 of Chapter 1.
- (2) No motor vehicle parking stall, manoeuvring area, garage door, loading stall or loading bay shall be located in:
 - (a) any area provided to meet the total site landscaping area; or
 - (b) the front yard

6.4 MINIMUM MOTOR VEHICLE PARKING REQUIREMENTS

- (1) The minimum motor vehicle parking requirements in Table 5C.T5 apply to development in the Industrial Heavy zone.

- (2) If, in determining the number of required parking stalls, a fractional stall is calculated:
 - (a) any fraction up to and including one-half shall be disregarded; and
 - (b) any fraction over one-half shall be deemed to be equivalent to one full stall.
- (3) Unless otherwise specified in this Bylaw, tandem parking stalls shall not be used to meet minimum parking requirements.
- (4) Up to 30 per cent of the required parking stalls in any parking area may be designed as compact stalls.
- (5) All compact parking stalls shall be clearly designated with signs indicating their purpose.

TABLE 5C.T5: INDUSTRIAL HEAVY ZONE PARKING REQUIREMENTS

Sec.	Land Use	Motor Vehicle	
T5.1	Institution, Day Care	(1) One stall is required per land use; and (2) Passenger drop-off stalls are required in accordance with the following:	
		Individual Under Care	Minimum Number of Passenger Drop-off Stalls
		1-10	1 stall
		10-15	2 stalls
		16-30	3 stalls
		31-45	4 stalls
		46-60	5 stalls
		More than 60	Two additional stalls for each increment of 15 individuals in excess of 60
		(3) Notwithstanding subsection (2), where the applicant demonstrates to the satisfaction of the Development Officer, that on-street parking capacity can adequately serve as a passenger drop-off stall without impeding traffic flow, the Development Officer may reduce the minimum passenger drop-off stall requirements accordingly. (4) Parking stalls required pursuant to subsection (1) shall not be used to satisfy the off-site passenger drop-off stall requirements of subsection (2). (5) All on-site passenger drop-off stalls shall be reserved and clearly marked for passenger drop-off purposes.	
T5.2	All other land uses	One stall is required per 175 square metres of total floor area.	

6.5 MINIMUM LOADING REQUIREMENTS

- (1) On any lot containing buildings with a combined gross floor area of 1,401 10,000 square metres, one loading stall shall be required.
- (2) On any lot containing buildings with a combined gross floor area of 10,001 square metres or more, one loading stall shall be required in addition to the requirement mentioned in subsection 5C.6.5(1).

- (3) All loading stalls shall be clearly marked to indicate their purpose.
- (4) Notwithstanding subsections 5C.6.5(1) and (2), the Development Officer may decrease the number of required loading stalls.

6.6 BICYCLE PARKING REQUIREMENTS

- (1) For every 10 required motor vehicle parking stalls, whether to meet the parking requirement in Table 5C.T5 or not, there shall be either:
 - (a) One short-term bicycle parking stall;
 - (b) 0.5 long-term bicycle parking stalls; or
 - (c) an equivalent combination of clauses 5C.6.6(1)(a) and (b).
- (2) If, in determining the number of required parking stalls, a fractional bicycle parking stall is calculated, any fraction will be rounded up to the next whole number.
- (3) Required short-term bicycle stalls shall be located closer to the building entrance than the motor vehicle parking stalls.
- (4) Required long-term bicycle stalls shall be located either:
 - (a) on the ground floor of the principal building(s) on the lot; or
 - (b) within a secure area close to the building entrance.
- (5) If the motor vehicle parking stalls are covered or located within a structure, then the bicycle parking stalls must also be covered or located within a structure.

5C.7 LANDSCAPING AND AESTHETIC SCREENING

7.1 MINIMUM TOTAL SITE LANDSCAPING REQUIREMENTS

- (1) Any lot in the Industrial Heavy zone requires a minimum total site landscaping area of five per cent.
- (2) Where a parking or loading area abuts a public street, a minimum 3.0 metre landscaped strip measured from the inside of the curb or the sidewalk shall be provided. The requirement of this subsection can be credited toward the fulfillment of the total site landscaping requirement prescribed in subsection 5C.7(1).

- (3) The landscaping requirements are for a principle use only.
- (4) All landscaping requirements shall be completed in accordance with the approved landscape plan by the end of the growing season in which the use of the building or site has taken place. When the use of a building has occurred after the end of the growing season, all required and approved landscaping features shall be completed by June 1 of the following growing season.

7.2 PLANTING RATIOS

The following planting ratios shall apply to all developments in the Industrial Heavy zone to meet the total site landscaping area as required by subsection 5C.7.1:

- (a) a minimum of one tree per 40 square metres of required site landscaping is required per lot;
- (b) for every ten metres along a registered road right of way, a minimum of one deciduous tree is required; and
- (c) a minimum of one shrub per 20 square metres of required site landscaping is required per lot.

7.3 INCLUDED LANDSCAPED AREAS

- (1) Exposed soil will only be considered toward the total site landscaping area in Open Space, Active used to grow plants or shrub beds.
- (2) The total site landscaping area, as required by subsection 5C.7.1, may include, but is not restricted to:
 - (a) parking area landscaping;
 - (b) major roadways landscaped design areas (see Figure 5C.F4);
 - (c) boulevard areas;
 - (d) curbing; and
 - (e) any portion of required aesthetic screening.
- (3) Developments within the major roadways landscape design areas in Figure 5C.F4 may be subject to additional landscaping requirements.
- (4) Boulevard areas may only be used to fulfil the total site landscaping requirement, upon the approval of the Development Officer.

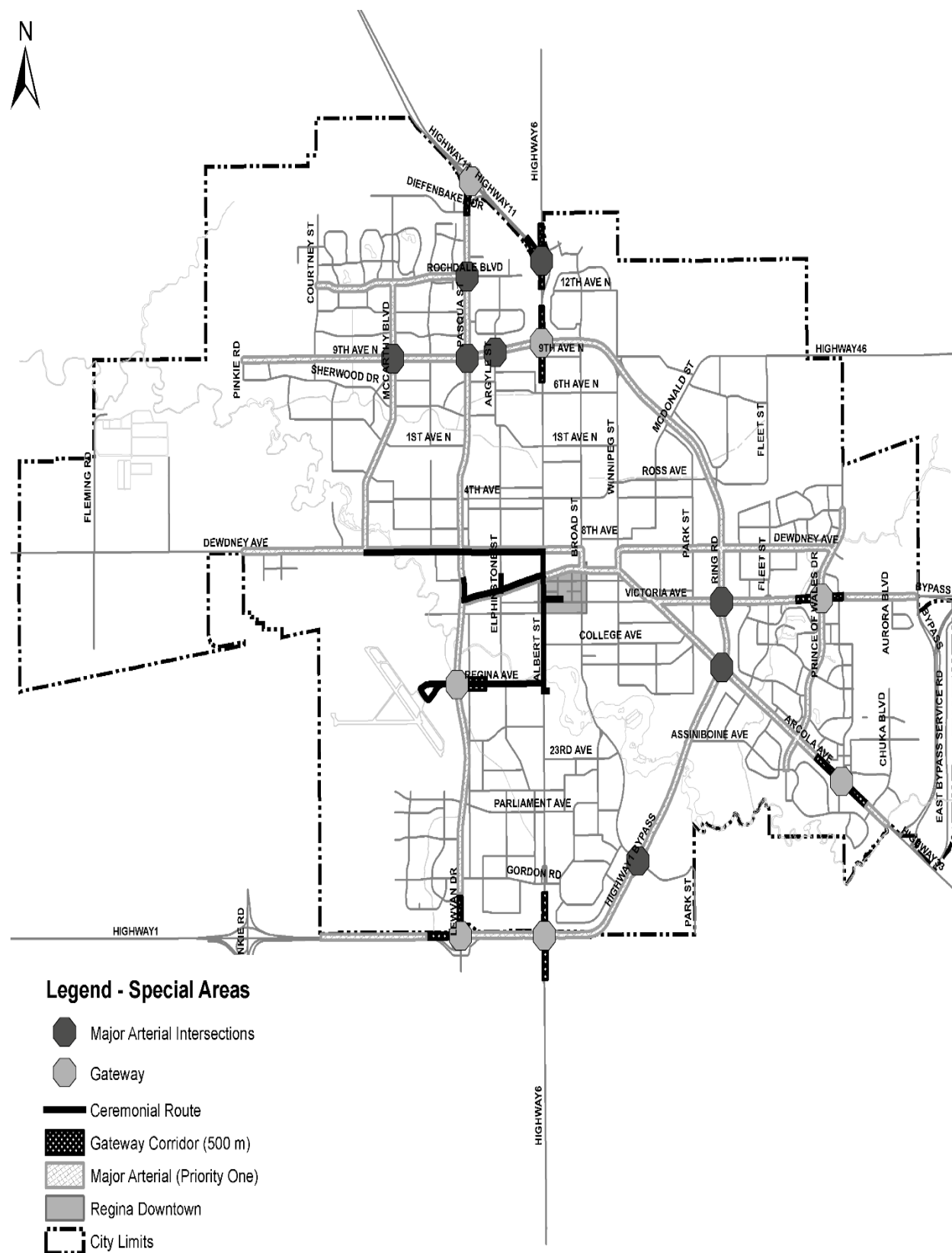


Figure 5C.F4: Major Roadways Landscape Design Map

7.4 PRESERVATION OF EXISTING PLANT MATERIAL

Where existing plant material is retained, it may be credited toward the fulfillment of the total site landscaping requirement.

7.5 AESTHETIC SCREENING OF INCOMPATIBLE LAND USES

- (1) A proposed new development or substantial addition to an existing development on a lot in the Industrial Heavy zone shall include aesthetic screening to a height of 1.83 metres along its abutting lot lines where the proposed development abuts a lot in a Residential or a Mixed-Use zone.
- (2) In addition to other requirements of this Bylaw, the following activities and/or areas shall be aesthetically screened to a height of 1.83 metres and to the satisfaction of the Development Officer:
 - (a) any collection area for garbage, refuse or recycling;
 - (b) any storage area that is outdoors or partially outdoors; and
 - (e) any industrial activity that is outdoors or partially outdoors.
- (3) Notwithstanding the requirements of subsections 5C.7.5(1) and (2):
 - (a) perimeter shrubs and aesthetic screening are not required for the front lot of Retail Trade, Outdoor Lot land use;
 - (b) requirements not explicitly excluded in clause 4B.7.3(3)(a), such as minimum tree requirements, are still required for Retail Trade, Outdoor Lot; and
 - (c) no aesthetic screening or setback shall be required between a “Food & Beverage, Outdoor” land use and a public street, public sidewalk or public park.