8.22   Exceptions Respecting Land Use

1. [1]General Regulations

(a) An exception to the uses and/or regulations of a District or this Bylaw may be approved by Council on a site specific basis when a proposed Development, because of its unique characteristics or innovative ideas or because of unusual site constraints, can only proceed if an exception to the provisions of this Bylaw is approved.

(b) Exceptions to the uses and/or regulations of a District shall not be sought:
   (i) if a redistricting to another District could achieve the same result either with or without relaxations of this Bylaw; or
   (ii) to regulate matters that are typically addressed by conditions imposed by the Subdivision or Development Authorities.

(c) An applicant for an exception to the uses and/or regulations of a District shall, as part of the application for the exception, submit a written statement indicating why, in the applicant's opinion, an exception is necessary and why the proposed Development cannot proceed without an exception.

2. Areas Specifically Designated for a Particular Use

(d) In addition to the list of discretionary uses set out in the applicable land use district, those sites shall have the following additional discretionary uses and the Commission shall determine the floor area, yard requirements, building height, parking and loading requirements:

   (i) 40 Avenue and Ross Street (south side only) motor vehicle service and repair (no sales), car wash and drive-in,

   (ii) Lot 33, Block 1, Plan 772 2593 food establishment,

   (iii) 41 Avenue and Ross Street (southeast corner only) motor vehicle service and repair (no sales), car wash and drive-in,

   (iv) [2] Drinking Establishment at Lot 1-6, Block 21, Plan 7604S (6017 54 Avenue)

   Notwithstanding the foregoing, no outside storage of vehicles may be permitted for longer than one week and sales of vehicles from the above sites is not permitted.

(e) [3]On those sites listed below the following uses are discretionary:

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[1] 3357/D-2021
[2] 3357/N-2021
[3] 3357/BB-2018