





<b>Request for Decision</b>	
Meeting Date: November 19, 2019	
<b>Subject: Land Use Bylaw Amendment - Draft Bylaw No. 2239</b>	
<b>Recommendation:</b>	That Council give first reading to Bylaw No. 2239, which amends Land Use Bylaw 2070 by adding “Medical Clinic” as a discretionary use to the C-3 Highway Commercial District, and set a Public Hearing for Tuesday, January 7, 2020 at the regularly scheduled Council meeting for the Town of Edson.
<b>Background:</b>	<p>Krahn Group of Companies has applied for an amendment to Land Use Bylaw No. 2070 to add “Medical Clinic” to the C-3 Highway Commercial District to facilitate a dental clinic tenant in the new development on the corner of 4 Ave. and 55 St.</p> <p>Under the definitions in the Land Use Bylaw (section 6), a “Medical Clinic” means a development used for the provision of publicly or privately owned physical and mental health services on an outpatient basis.”</p> <p>Currently, “Medical Clinic” is listed as a permitted use in the following districts:</p> <ul style="list-style-type: none"> <li>• C-1 Retail Commercial</li> <li>• C-2 Service Commercial</li> </ul> <p>“Medical Clinic” is not listed as a discretionary use in any district.</p> <p>The proposal was circulated to internal stakeholders on October 4, 2019 and had not received any concerns or objections at the time of writing this report.</p>
<b>Legislation/Authority:</b>	Municipal Government Act Section 640
<b>Strategic Plan Alignment :</b>	Diverse and Strong Economic Opportunity – This bylaw contributes towards ensuring our processes, communication, and expectations are clear. This bylaw will align with existing development approvals in the C-3 District along 4 Ave and remove barriers for new Medical Clinic establishments within the highway corridor.
<b>Financial Implication:</b>	n/a
<b>Service Level/Staff Resource Implication:</b>	n/a
<b>Consultation:</b>	Medical Clinics and regulations associated with the use are flagged for further review in the future revised Land Use Bylaw.
<b>Alternative(s):</b>	<ol style="list-style-type: none"> <li>1. Defeat first reading of Bylaw 2239 and have the Land Use Bylaw remain as it currently is.</li> <li>2. Council could provide other direction to Administration.</li> </ol>

Attachment(s)	Application letter from the Applicant (Krahn Group of Companies) Portions of Section 6 Definitions of Land Use Bylaw 2070 Section 128 C-3 Highway Commercial of Land Use Bylaw 2070
APPROVALS:	
Originated By: (name and title)	Kari Florizone, Planning Manager
Submitted By: (name and title)	Martino Verhaeghe, General Manager of Infrastructure and Planning
Chief Administrative Office or Designate:	Mike Derricott, CAO  



## TOWN OF EDSON BYLAW NO. 2239

A Bylaw of the Town of Edson in the Province of Alberta, pursuant to the provisions of the *Municipal Government Act*, being Chapter M-26 of the Statutes of Alberta 2000 and amendments thereto, to amend the Town of Edson Land Use Bylaw No. 2070.

**WHEREAS** it is expedient to amend the Land Use Bylaw of the Town of Edson;

**NOW THEREFORE** the Municipal Council of the Town of Edson, in the Province of Alberta, duly assembled, enacts as follows:

1. That Land Use Bylaw No. 2070, being the Land Use Bylaw of the Town of Edson is amended as follows:
  - a) By adding “Medical Clinic” as a discretionary use to the C-3 Highway Commercial Land Use District by adding the words “Medical Clinic” to Section 128(2) [Discretionary Uses].
2. This Bylaw shall take effect on third and final reading.

**READ** a first time this \_\_\_\_ day of \_\_\_\_, 20\_\_.

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Mayor Kevin Zahara

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Michael Derricott, CAO

TOWN OF EDSON BYLAW NO. 2239

**Public Hearing** held on the \_\_\_\_ day of \_\_\_\_, 20\_\_.

**READ** a second time this \_\_\_\_ day of \_\_\_\_, 20\_\_.

**READ** a third time and finally passed this \_\_\_\_ day of \_\_\_\_, 20\_\_.

\_\_\_\_\_  
Mayor Kevin Zahara

\_\_\_\_\_  
Michael Derricott, CAO



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September 24, 2019

Attention: Kari Florizone  
Planning Manager  
Town of Edson  
605 - 50th Street  
Edson, Alberta T7E 1T7

**RE: Proposed C-3 Zoning Bylaw Amendment for 5508-5504 4<sup>th</sup> Ave**

An amendment to the Land Use Bylaw is requested for the Edson Mixed Use Development, located at 5508-5504 4<sup>th</sup> Ave, currently zoned as C-3 Highway Commercial. This zone does not include *Medical Clinic* as a permitted or discretionary use. It is our position that a Dental Clinic in this area would provide an important service to the rapidly growing residential neighborhoods nearby. The families residing within the subdivisions of Westhaven, Tiffin, Glenwood, and Sunset Mobile Estates would benefit from this use as there are no existing dental services within reasonable distance. For Glenwood in particular, the nearest *Medical Clinic* is on the opposite side of town. In addition, the strategic location of the project site at the intersection of 55<sup>th</sup> Street and the Yellowhead Highway allows residents direct access from the neighbourhoods to the North and West.

Thank you for your time and consideration in reviewing our request to amend the C-3 Highway Commercial zoning.

Leah Mantyka

*Development Coordinator*  
Krahn Group of Companies

**“LOT”** - means

- (a) a quarter section,
- (b) a river lot or settlement lot shown on an official plan, as defined in the Surveys Act, that is filed or lodged in a Land Titles Office,
- (c) a part of a parcel described in a certificate of title if the boundaries of the part are described in the certificate of title other than by reference to a legal subdivision, or
- (d) a part of a parcel described in a certificate of title if the boundaries of the part are described in a certificate of title by reference to a plan of subdivision;

**“MAIN BUILDING”** - see PRINCIPAL BUILDING;

**“MAJOR EATING OR DRINKING ESTABLISHMENT”** - means development where prepared food and beverages are offered for sale to the public from establishments which are characterized by one or more of the following features: the provision of theatre, dancing or cabaret entertainment; facilities primarily intended for the on-premise catering of food to large groups; and, facilities primarily intended for the provision and consumption of alcoholic beverages which have a seating capacity for 100 or more persons. Typical uses include beverage rooms, cocktail lounges, cabarets, nightclubs, theatre restaurants and banquet facilities;

**“MEDICAL CLINIC”** - means a development used for the provision of publicly owned or privately owned physical and mental health services on an outpatient basis;

**“MINOR”** - means where added as a prefix to a permitted or discretionary use, a use which due to its nature or relatively small size will, at the discretion of the Development Authority, have a limited impact on surrounding uses, or which is intended to serve a small or local rather than a major or municipal area;

**“MINOR EATING OR DRINKING ESTABLISHMENT”** - means development where prepared food and beverages are offered for sale to the public, for consumption within the premises or off the parcel. This use class includes neighborhood pubs, licensed restaurants, cafes, delicatessens, tea rooms, lunch rooms, refreshment stands, take-out restaurants and catering services. This use class does not include drive-in food services or major eating and drinking establishments;

**128. C-3 Highway Commercial**

(1) General Purpose of the District

This land use district is generally intended to provide for a range of commercial uses to serve the traveling and local public using Highway 16.

(2) Permitted Uses

**C**ar wash establishment.  
**C**onvenience retail store.  
**G**as bar and service station.  
**H**otel and motel.  
**L**aundromat  
**M**ajor eating or drinking establishment.  
**M**inor eating or drinking establishment.  
**P**ersonal service establishment forming part of a hotel or motel.  
**S**ign, except billboard.  
**S**ouvenir shop.  
**T**ravel information centre.

*(Bylaw 2225)*

*(Bylaw 2225)*

Discretionary Uses

**A**ccessory use or building.  
**B**illboard.  
**B**ulk fuel storage and distribution.  
**B**us depot.  
**C**annabis Counselling Business  
**C**annabis Store  
**D**rive-through business.  
**E**quipment sales, service, and rental.  
**M**aintenance yard existing at the time this Bylaw came into effect.  
**M**obile home sales and service.  
**M**otor vehicle and recreational equipment sales, service, and rentals.  
**P**ublic or quasi-public use.  
**P**ublic utility building.  
**P**ublic utility.  
**R**ecreational establishment.  
**R**egional Business Office  
**R**etail establishment with retail floor space, (public access, sales and display area), not exceeding 190.0m<sup>2</sup> in accordance with the Municipal Development Plan and Section 128(1) of this Bylaw.

*continued on next page ...*

**Single family dwelling or Modular home, in existence at the time of the passage of this Bylaw.**

**Surveillance suite.**

**Those uses which in the opinion of the Development Officer are similar to the permitted or discretionary uses, and which conform to the general purpose and intent of this district.**

*(Bylaw 2170)*

(3) Minimum Parcel Dimensions

Unless otherwise prescribed in Parts VI and VII of this Bylaw:

(a) Width:

Shall be no less than 15.0m.

(b) Depth:

Shall be no less than 30.0m.

(c) Area:

Shall be the product of the minimum parcel width and depth. The minimum parcel area may be reduced at the discretion of the Development Authority who shall take into account the general purpose and intent of this land use district, the location and setbacks of adjacent land uses and buildings, the safe and efficient movement of pedestrians and motor vehicles and the landscaping, parking and loading requirements of this Bylaw.



(4) Parcel Coverage

Unless specifically prescribed or otherwise affected by provisions in Parts VI and VII of this Bylaw, all developments shall not exceed 0.5 times the parcel area provided that provision has been made for off-street parking, loading, storage and waste disposal to the satisfaction of the Development Authority.

(5) Minimum Setback Requirements

Unless otherwise prescribed in Parts VI and VII of this Bylaw:

(a) Front Yard:

*(Bylaw 2170)*

i) The minimum front yard setback shall be no less than 6.0m. These standards may be varied by the Development Officer with respect to corner parcels, where the Development Officer shall take into account the location and setbacks of existing adjacent buildings.

ii) There shall be no parking, loading, storage, or any other similar use permitted within 1.5m of the front yard parcel boundary.

(b) Side Yard:

The minimum side yard shall be no less than 3.0m.

(c) Rear Yard:

The minimum rear yard shall be 6.0m, or as required by the Development Authority in order to provide adequate off-street parking, storage, internal traffic circulation and landscaping.

(6) Building Height

No building shall exceed three (3) storeys above average grade. This requirement does not apply to building facade or other design features of a building not forming part of the useable or functional floor space of the building.

- (7) Other Provisions
  - (a) Administrative procedures and regulations: refer to Parts I-V of this Bylaw.
  - (b) General Parcel Provisions: refer to Part VI of this Bylaw.
  - (c) Special Land Use Provisions: refer to Part VII of this Bylaw.
  - (d) Parking and Loading Regulations: refer to Part VIII of this Bylaw.
  - (e) Sign Regulations: refer to Part IX of this Bylaw.