



<b>Request for Decision</b>	
Meeting Date: September 7, 2021	
<b>Subject: Land Use Bylaw Amendment – Draft Bylaw No. 2263</b>	
<b>Recommendation:</b>	<ol style="list-style-type: none"> <li>1. That Council give first reading to Bylaw No. 2263.</li> <li>2. That Council set a public hearing for October 5, 2021, during the regularly scheduled Council meeting.</li> </ol>
<b>Background:</b>	<p>Administration received an application to amend the Land Use Bylaw No. 2070 to add “Motels/ Hotels” as a discretionary use to the C-2 Service Commercial Land Use District to facilitate the development of a service establishment on the parcel of land at 5904 3 Avenue.</p> <p>Under Part VII Special Land Use Provisions, Section 78 in the Land Use Bylaw, a “Motels/Hotels” is a rentable unit, meaning a separate unit on a motel parcel used or intended to be used for the temporary dwelling accommodation of one or more persons.</p> <p>Currently, “Hotel” and “Motel” is listed as a permitted use in the C-1 Retail Commercial Land Use District as “Hotel or motel”, C-3 Highway Commercial Land Use District as “Hotel and motel”, and C-3A Business Commercial/ Light Industrial Land Use District as “Hotel” and “Motel” separately. To ensure consistency, Administration proposes “Hotel” and “Motel” to be amended separately, as Hotel and Motel refer to different uses. Administration proposes “Hotel” and “Motel” as a discretionary use in the C-2 Service Commercial district to allow the Development Authority to condition any approvals, given the potential impact on neighbouring land.</p> <p>To facilitate diverse and strong economic opportunities, an amendment is proposed to the following sections of the Land Use Bylaw:</p> <ul style="list-style-type: none"> <li>➤ Add the definition of “Hotel” to Section 6 Definitions,</li> <li>➤ Add the definition of “Motel” to Section 6 Definitions,</li> <li>➤ Add “Hotel” and remove “Hotel or motel” to C-1 Retail Commercial Section 125(2) [Permitted Uses],</li> <li>➤ Add “Motel” and remove “Hotel or motel” to C-1 Retail Commercial Section 125(2) [Permitted Uses],</li> <li>➤ Add “Hotel” and remove “Hotel and motel” to C-3 Highway Commercial Section 128(2) [Permitted Uses],</li> </ul>

	<ul style="list-style-type: none"> <li>➤ Add “Motel” and remove “Hotel and motel” to C-3 Highway Commercial Section 128(2) [Permitted Uses],</li> <li>➤ Add “Hotel” to C-2 Service Commercial Section 127(2) [Discretionary Uses]</li> <li>➤ Add “Motel” to C-2 Service Commercial Section 127(2) [Discretionary Uses]</li> </ul> <p>The proposed textual amendment will potentially accommodate the needs of the local community, provide a specialty service to the region, and increase tourism, thereby facilitating strong economic opportunities for local businesses.</p>
Legislation/Authority:	<i>Municipal Government Act</i> ss. 230, 606, 640, 692 Land Use Bylaw No. 2070
Strategic Plan Alignment:	Diverse & Strong Economic Opportunity <ul style="list-style-type: none"> <li>➤ Creating and marketing opportunities within our community, including opportunities for business and residential development and tourism.</li> </ul>
Financial Implication:	Not applicable; a land use textual amendment does not commit any party to further investment or development.
Service Level/Staff Resource Implication:	Not applicable; the process will be part of the Planning Department’s regular duties.
Consultation:	Not applicable
Alternative(s):	<ol style="list-style-type: none"> <li>1. Amend Draft Bylaw No. 2263.</li> <li>2. Postpone first reading to another date.</li> <li>3. Council could provide other direction to Administration.</li> </ol>
Attachment(s)	<ul style="list-style-type: none"> <li>➤ Draft Bylaw No. 2263</li> <li>➤ For information only <ul style="list-style-type: none"> <li>○ LUB 2070 s. 125 (C-1) Retail Commercial District</li> <li>○ LUB 2070 s. 127 (C-2) Service Commercial District</li> <li>○ LUB 2070 s. 128 (C-3) Highway Commercial District</li> </ul> </li> </ul>
APPROVALS:	
Originated By:	Mandy Chan, Municipal Planning Intern
Submitted By:	Kari Florizone, RPP, Senior Planning Manager
Chief Administrative Office or Designate:	Sarah Bittner, Acting CAO



## TOWN OF EDSON BYLAW NO. 2263

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 and proper, under the authority of and in accordance with the Municipal Government Act, RSA 2000, Chapter M-26 and amendments thereto, to amend the Town of Edson Land Use Bylaw No. 2070, as amended; and

**WHEREAS** the public participation requirements of Section 692 of the Municipal Government Act, RSA 2000, Chapter M-26, have been complied with;

**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) That in Section 6 Definitions, the following be added:
    - i. "Hotel" – means a building providing accommodation for the public containing guest rooms served by a common entrance as well as general kitchen and dining or other public rooms.
    - ii. "Motel" – means a building or group of building designed for the accommodation of the public containing guest rooms, each of which has a separate entrance directly from outside the building.
  - b) By adding "Hotel" as a permitted use to the C-1 Retail Commercial Land Use District by adding the word "Hotel" and removing the words "Hotel or motel" from Section 125(2) [Permitted Uses].

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- c) By adding “Motel” as a permitted use to the C-1 Retail Commercial Land Use District by adding the word “Motel” and removing the words “Hotel or motel” from Section 125(2) [Permitted Uses].
- d) By adding “Hotel” as a permitted use to the C-3 Highway Commercial Land Use District by adding the word “Hotel” and removing the words “Hotel and motel” from Section 128(2) [Permitted Uses].
- e) By adding “Motel” as a permitted use to the C-3 Highway Commercial Land Use District by adding the word “Motel” and removing the words “Hotel and motel” from Section 128(2) [Permitted Uses].
- f) By adding “Hotel” as a discretionary use to the C-2 Service Commercial Land Use District by adding the word “Hotel” to Section 127(2) [Discretionary Uses].
- g) By adding “Motel” as a discretionary use to the C-2 Service Commercial Land Use District by adding the word “Motel” to Section 127(2) [Discretionary Uses].

2. This Bylaw will take effect on third and final reading.

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

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

\_\_\_\_\_  
Christine Beveridge, CAO

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

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

\_\_\_\_\_  
Christine Beveridge, CAO

**TOWN OF EDSON BYLAW NO. 2263**

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

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

\_\_\_\_\_  
Christine Beveridge, CAO



**125. C-1 Retail Commercial**

(1) General Purpose of the District

This land use district is generally intended to provide for a wide variety of retail commercial and office uses at higher densities than would normally be found or provided for in other commercial areas in Town. A high density residential component is allowed for in the areas to which this land use district is applied in the form of mixed residential-commercial development as well as stand-alone high density residential development, the latter preferably located outside the core of the retail commercial office use area.

(2) Permitted Uses

Discretionary Uses

<b>Bakery.</b>	<b>Accessory building.</b>
<i>(Bylaw 2225)</i> <b>Dry cleaning establishment</b>	<b>Amusement arcade.</b>
<b>Hotel or motel.</b>	<b>Cannabis Counselling</b>
<i>(Bylaw 2225)</i> <b>Major eating or drinking establishment.</b>	<b>Business</b>
<b>Medical clinic.</b>	<b>Cannabis Store</b>
<b>Minor eating or drinking establishment.</b>	<b>Commercial school (excluding a school using heavy and industrial vehicles)</b>
<b>Park.</b>	<b>Day care facility.</b>
<b>Parking facility.</b>	<b>Family care facility.</b>
<b>Personal service establishment.</b>	<b>Funeral home/chapel.</b>
<b>Professional, financial, office and business support service.</b>	<b>Gas bar, service station or car wash establishment.</b>
<b>Retail establishment.</b>	<b>Group care facility.</b>
<b>Sign, except Billboard.</b>	<b>Hardware and home improvement centre.</b>
<b>Theatre or cinema.</b>	<b>Home day care.</b>
	<b>Indoor recreational establishment</b>
	<b>Multi-family dwelling.</b>
	<b>Private club or lodge.</b>
	<b>Public or quasi-public use.</b>
	<b>Public utility building.</b>
	<b>Public utility.</b>
	<b>Repair service establishment. (excluding automotive and other motorized vehicle repairs)</b>
	<b>Residential dwelling unit(s) above street level.</b>

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**Second hand store.**  
**Single family dwelling or Modular home, in existence at the time of the passage of this Bylaw.**  
**Small animal veterinary clinic**  
**Surveillance suite.**  
**Temporary Minor Automotive Sales (only on an existing lot vacant at the time of the passing of this Bylaw)**  
**Those uses which in the opinion of the Development Authority are similar to the permitted or discretionary uses, and which conform to the general purpose and intent of this land use 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 4.5m.

(b) Depth:

Shall be no less than 30.0m.

(c) Area:

Shall be the product of the minimum parcel width and depth.



(4) Parcel Coverage

- (a) Unless parcel coverage is specifically prescribed or otherwise affected by provisions in Parts VI and VII of this Bylaw for the uses prescribed in this land use district, 90% parcel coverage will be allowed, with the remaining 10% to be used for landscaping, except on parcels facing 50th Street where 100% parcel coverage is permissible.
- (b) Developing to maximum parcel coverage, as prescribed in Section 125(4)(a), will depend on provision being made for off-street parking, loading, storage and waste disposal to the satisfaction of the Development Authority in accordance with the pertinent policies and regulations of the Municipal Development Plan and this Bylaw.

(5) Minimum Floor Area

The minimum floor area for a dwelling unit shall be:

- (a) In the case of apartment buildings and vertical or stacked town housing, not less than 50.0m<sup>2</sup> for a bachelor unit and an additional 11.0m<sup>2</sup> for each bedroom in the unit included thereafter.
- (b) In the case of horizontal town housing or row housing, not less than 72.0m<sup>2</sup> for a one bedroom unit and an additional 11.0m<sup>2</sup> per unit for each additional bedroom in the unit thereafter.

(6) Minimum Setback Requirements

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

- (a) Front Yard:

No front yard shall be required except as specified under Section 48 of this Bylaw.

(b) Side Yard and Rear Yard:

- i) No side yard or rear yard shall be required.
- ii) Notwithstanding Section 125(6)(b)i), and in addition to the provisions of Parts VI and VII of this Bylaw, side yard and rear yard setbacks immediately adjacent to a residential land use district shall be 3.0m or one-half the height of the building, to a maximum of 6.0m, whichever is the greater distance.

(7) Building Height

No building shall exceed four (4) storeys above average grade.

(8) 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.

**Service Commercial**

(1) General Purpose of the District

This land use district is generally intended to provide for retail and service commercial outlets where, in some cases, part of the parcel is required for outside storage and display of goods and services.

(2) Permitted Uses

Discretionary Uses

*(Bylaw 2225)*

*(Bylaw 2225)*

- Drive-through business.**
- Gas bar or service station.**
- Hardware or home improvement centre.**
- Medical clinic.**
- Minor eating or drinking establishment.**
- Personal service establishment.**
- Professional financial office and business support service.**
- Repair service establishment.**
- Sign, except billboard.**
- Wholesale or retail of the following:**
  - Furniture or lumber;**
  - General machinery;**
  - Modular/mobile homes and trailers.**
  - Plumbing or heating equipment and supplies;**
  - An establishment for use by and/or a workshop of a:**
    - Carpenter/cabinet maker;**
    - Decorator/painter;**
    - Electrician;**
    - Machinist;**
    - Metalworker/tinsmith;**
    - Plumber/steamfitter;**
    - Sign painter;**
    - Upholsterer;**
    - Welder;**

- Accessory building.**
- Amusement arcade.**
- Billboard**
- Bulk fuel storage and distribution.**
- Bus Depot**
- Cannabis Counselling Business**
- Cannabis Store**
- Commercial school (excluding a school using heavy industrial vehicles).**
- Daycare facility.**
- Funeral home/chapel.**
- Indoor recreational establishment.**
- Motor vehicle and recreational equipment sales, service and rentals.**
- Moving/cartage firm.**
- Private club or lodge.**
- Public or quasi-public use.**
- Public utility building.**
- Public utility.**
- Second hand store.**
- Single family dwelling or modular home, in existence at the time of the passage of this Bylaw**
- Surveillance suite.**
- Veterinary clinic.**
- Warehousing, storage, receiving or distribution Facility.**

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(Bylaw 2170)

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.

(3) Minimum Parcel Dimensions

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

(a) Width:

Shall be no less than 4.5m.

(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.

Section 127 continued

(4) Parcel Coverage

Unless specifically prescribed or otherwise affected by provisions in Parts VI and VII of this Bylaw, all developments shall not exceed 80% of the parcel area if 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:

No front yard shall be required except where the Development Authority may deem it necessary to conform with existing development.

(b) Side Yard:

- i) No side yard setback shall be required where the side(s) of the parcel is (are) bound(ed) by land designated C-1 Retail Commercial or C-2 Service Commercial.
- ii) Where the development is bounded by a land use district other than as described in Section 127(5)(b)i), the minimum side yard setback shall be 1.5m.
- iii) Notwithstanding Section 127(5)(b)ii), side yards adjacent to a residential land use district shall be 3.0m, or one half the height of the building, to a maximum of 6.0m, whichever is greater.

(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.

*Section 127 continued*

(6) Building Height

No building shall exceed two (2) 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.

**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

Discretionary 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.
- S**ign, except billboard.
- S**ouvenir shop.
- T**ravel information centre.

*(Bylaw 2225)*

*(Bylaw 2225)*

*(Bylaw 2235)*

*(Bylaw 2239)*

- 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**edical Clinic
- 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.

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**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.