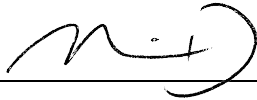




Request for Decision	
Meeting Date: June 18, 2019	
<b>Subject: Draft Bylaw No. 2232</b>	
Recommendation:	That Council give first reading to Bylaw 2232, amending Land Use Bylaw 2070 by removing Section 77, being site standards for Places of Worship, and set a Public Hearing for Bylaw 2232 for Tuesday, July 9, 2019 at the regularly scheduled Council meeting for the Town of Edson.
Background:	<p>“Place of Worship” is defined in section 6 [Definitions] of the Land Use Bylaw. Places of worship are also listed within the definition of Quasi-Public Use.</p> <p>Places of Worship currently are regulated within the Land Use Bylaw by the general regulations that apply to all development, as well as specific regulations under Section 77 that only pertain to them. Section 77 requires a place of worship to have a minimum frontage of 30.0m, a minimum parcel area of 930.0m<sup>2</sup> and screening around parking areas that are adjacent to residential development. The site standards for places of worship limit the flexibility of smaller congregations to find suitable locations within the Town.</p> <p>Currently, Place of Worship is listed as a permitted use in the Community Services (CS) land use district. Quasi-Public Use is listed as a discretionary use in the following districts:</p> <ul style="list-style-type: none"> <li>• Glenwood Residential (R-GR)</li> <li>• Retail Commercial (C-1)</li> <li>• Service Commercial (C-2)</li> <li>• Highway Commercial (C-3)</li> <li>• Light Industrial (Serviced) (M-1A)</li> <li>• Glenwood Service Industrial – Commercial (GSI-C)</li> <li>• Community Services (CS)</li> </ul> <p>The proposed amendments, under Bylaw 2232, would remove Section 77 [site standards for places of worship] from Land Use Bylaw 2070. This would allow Places of Worship to be more easily located in all of the above noted districts without the constraint of having a significant parcel size or frontage.</p>
Legislation/Authority:	Municipal Government Act section 8(c)

Strategic Plan Alignment:	Diverse and Strong Economic Opportunity – Bylaw 2232 is coming forward as a result of reviewing our internal processes to ensure that the Town is easy to deal with and clear in our expectations. Bylaw 2232 removes barriers for places of worship, whose congregation may be small, to locate on smaller parcels of land. Vibrant and Healthy Community – Bylaw 2232 facilitates community building through an increase in accessibility to places of worship.
Financial Implication:	n/a
Service Level/Staff Resource Implication:	n/a
Consultation:	Places of worship and regulations associated with the use are flagged for further review in the future revised Land Use Bylaw.
Alternative(s):	1) Defeat first reading of Bylaw 2232 and have the Land Use Bylaw remain as it currently is. 2) Defeat first reading of Bylaw 2232 and direct Administration to review the Land Use Bylaw and recommend regulations in alignment with industry best practices after public and stakeholder consultation has been carried out. 3) Council could provide other direction to Administration.
Attachment(s):	Portions of Section 6 of Land Use Bylaw 2070 Section 77 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. 2232

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 deemed expedient to amend the Land Use Bylaw of the Town of Edson;

NOW THEREFORE the Municipal Council of the Town of Edson, duly assembled, enacts as follows:

1. That Land Use Bylaw No. 2070, being the Land Use Bylaw of the Town of Edson is hereby amended as follows:
  - a) That Section 77 “Places of Worship” be removed in its entirety.
2. This Bylaw shall take effect on third and final reading.

READ a first time this 18<sup>th</sup> day of June, 2019 AD

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

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

Public Hearing Held on the 9<sup>th</sup> day of July, 2019 AD

READ a second time this 9<sup>th</sup> day of July, 2019 AD

READ a third time and finally passed this 9<sup>th</sup> day of July, 2019 AD

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

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

**“PARCEL WIDTH”** - means the average distance between the side boundaries of a parcel;

**“PARKING FACILITY”** - means the area or structure set aside for the storage and parking of vehicles and includes parking stalls, loading spaces, aisles, entrances and exits to the area, and traffic islands where they are part of the parking facility;

**“PATIO”** - means a roofless, paved, wooden or hard-surfaced area, no more than 0.3m above grade, used for outdoor living;

**“PERMITTED USE”** - means the use of land or a building provided for in the Land Use Bylaw for which a development permit must be issued, with or without conditions, by the Development Authority upon application having been made to the Development Officer provided the use of land or buildings complies with all applicable provisions of this Bylaw;

**“PERSONAL SERVICE ESTABLISHMENT”** - means a development used for the provision of personal services to an individual which are related to the cleaning and repair of personal effects or of the care and appearance of the body. Typical uses include but are not limited to the following: hairdressers, shoe repair, dress makers, laundry cleaning facility and jeweller;

**“PLACE OF WORSHIP”** - means the development owned by a religious organization used for worship and related religious, philanthropic, or social activities including rectories, manses, and accessory buildings. Typical uses include the following and similar uses as churches, chapels, mosques, temples, synagogues, parish halls, convents and monasteries;

**“PORTABLE SIGN”** - see SIGN, PORTABLE;

**“PRINCIPAL BUILDING”** - means a building which, in the opinion of the Development Authority,

- (a) occupies the major or central portion of a parcel,
- (b) is the chief or main building among one or more buildings on the parcel, or
- (c) constitutes by reason of its use the primary purpose for which the parcel is used.

**“PUBLIC UTILITY BUILDING”** - means a building to house a public utility, its offices or equipment;

**“QUASI-PUBLIC USE”** - means a development which is used for the meeting, social or recreational activities of its members, which may or may not include the general public. Typical quasi-public uses include private schools excluding commercial schools, indoor and outdoor recreational facilities, hospitals, lodges or clubs, cemeteries, galleries, museums, churches or places of worship, and libraries;

**“REAR YARD”** - see YARD, REAR;

**“REAR YARD SETBACK”**- see YARD SETBACK, REAR;

**“REGIONAL BUSINESS OFFICE”** - means a development that provides primary office services for businesses which require regular vehicle traffic between the town and rural areas in the Edson region. Typical businesses in this category would include companies involved in natural resource exploration, production and distribution.

**“REGISTERED OWNER”** - means

- (a) in the case of land owned by the Crown in right of Alberta or the Crown in right of Canada, the Minister of the Crown having the administration of the land, or
- (b) in the case of any other land,
  - i) the purchaser of the fee simple estate in the land under an agreement for sale that is the subject of a caveat registered against the certificate of title in the land and any assignee of the purchaser’s interest that is the subject of a caveat registered against the certificate of title, or
  - ii) in the absence of a person described in paragraph (b)i) above, the person registered under the Land Titles Act as the owner of the fee simple estate in the land;

## **77. Places of Worship**

### **(1) Parcel Width and Area:**

The parcel width and area requirements for a place of worship shall be at the discretion of the Development Authority who shall consider the uses to which the place of worship/parcel will be put in addition to the worship-related uses proposed, and, as an absolute minimum, that the parcel upon which the place of worship is to be located should have a frontage of not less than 30.0m and an area of not less than 930.0m<sup>2</sup> except where a building for a clergyman's residence is to be erected on the same parcel. The combined area of the parcel in this latter case should not be less than 1400.0 m<sup>2</sup>.

### **(2) Additional Parcel/Building Requirements:**

Parking areas, where adjacent to residential districts must be screened by a wall, fence, earth berm or hedge constructed or maintained at not less than 1.2m in height.