



Request for Decision	
Meeting Date: August 13, 2019	
Subject: Land Use Bylaw Amendment - Draft Bylaw No. 2235	
Recommendation:	That Council give first reading to Bylaw No. 2235, which amends Land Use Bylaw 2070 by removing 'forming part of a hotel or motel' from 'Personal service establishment', being a permitted use in the C-3 Highway Commercial District, and that Council set a Public Hearing for Bylaw 2235 for Tuesday, September 17, 2019 at the regularly scheduled Council meeting for the Town of Edson.
Background:	<p>"Personal Service Establishment" is defined in Section 6 [Definitions] of the Land Use Bylaw. Personal Service Establishment is also listed within the definition of Shopping Centre.</p> <p>Currently, "Personal Service Establishment Forming Part of a Hotel or Motel" is listed as a permitted use in the Highway Commercial (C-3) land use district, while "Personal Service Establishment" is listed as a permitted use in the following districts:</p> <ul style="list-style-type: none"> • C-1 Retail Commercial • C-2 Service Commercial • C-3A Business Commercial/Light Industrial <p>The C-3 Highway Commercial District (Section 128) requires a Personal Service Establishment to be restricted to forming a part of a hotel or motel as a permitted use. It should be noted that Hotel and Motel are also permitted uses in the C-3 Highway Commercial District. The stipulation that a Personal Service Establishment "[form]part of a hotel or motel" in the C-3 Highway Commercial District limits the flexibility of the intended use along the highway corridor, where the general purpose and intent of the district is to provide for a range of commercial uses to serve the traveling and local public using Highway 16. Currently, two businesses that fall under Personal Service Establishment have approvals along 4 Ave, both in the C-3 District, neither is located within a hotel or motel.</p> <p>The proposed amendments, under Bylaw 2235, would remove the words "forming part of a hotel or motel" from "Personal service establishment" in section 128(2) of the Land Use Bylaw, thereby leaving "Personal service establishment" as a permitted use in the C-3 Highway Commercial District.</p>

	This would allow the Personal Service Establishment Use to be more easily located in the C-3 district without the constraint of having to be within in a hotel or motel.
Legislation/Authority:	Legislation/Authority: Municipal Government Act Section 640
Strategic Plan Alignment :	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 Personal Service Establishments within the highway corridor.
Financial Implication:	n/a
Service Level/Staff Resource Implication:	n/a
Consultation:	Personal Service Establishment and regulations associated with the use are flagged for further review in the future revised Land Use Bylaw.
Alternative(s):	<ol style="list-style-type: none"> 1. Defeat first reading of Bylaw 2235 and have the Land Use Bylaw remain as it currently is. 2. Defeat first reading of Bylaw 2235 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 Definitions of Land Use Bylaw 2070. Section 128 C-3 Highway Commercial of Land Use Bylaw 2070
APPROVALS:	
Originated By: (name and title)	Lisa Resek, Development Officer
Submitted By: (name and title)	Martino Verhaeghe, General Manager of Infrastructure and Planning
Chief Administrative Office or Designate:	Mike Derricott, CAO Reviewed by Sarah Bittner on behalf of 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.

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

Car wash establishment.

Convenience retail store.

Gas bar and service station.

Hotel and motel.

Laundromat

(Bylaw 2225)

Major eating or drinking establishment.

(Bylaw 2225)

Minor eating or drinking establishment.

Personal service establishment forming part of a hotel or motel.

Sign, except billboard.

Souvenir shop.

Travel information centre.

Accessory use or building.

Billboard.

Bulk fuel storage and distribution.

Bus depot.

Cannabis Counselling Business

Cannabis Store

Drive-through business.

Equipment sales, service, and rental.

Maintenance yard existing at the time this Bylaw came into effect.

Mobile home sales and service.

Motor vehicle and recreational equipment sales, service, and rentals.

Public or quasi-public use.

Public utility building.

Public utility.

Recreational establishment.

Regional Business Office

Retail establishment with retail floor space, (public access, sales and display area), not exceeding 190.0m² in accordance with the Municipal Development Plan



BYLAW NO. 2235

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 128(2) [Permitted Uses] be amended by removing the words “forming part of a hotel or motel” after the words “Personal service establishment.”
2. This Bylaw shall take effect on third and final reading.

READ a first time this ____th day of _____, 2019 AD

Mayor Kevin Zahara

Michael Derricott, CAO

Public Hearing Held on the ____th day of _____, 2019 AD

READ a second time this ____th day of _____, 2019 AD

READ a third time and finally passed this ____th day of _____, 2019 AD

Mayor Kevin Zahara

Michael Derricott, CAO