



## TOWN OF EDSON BYLAW NO. 2332

A Bylaw of the Town of Edson, pursuant to the provisions of the *Municipal Government Act*, RSA 2000, c. M-26, and amendments thereto, to amend Bylaw No. 2296, the Town of Edson Land Use Bylaw.

Section 640 of the *Municipal Government Act* requires Council to adopt a Land Use Bylaw for the purpose of providing regulations for the development of land within the municipality;

Section 191 of the *Municipal Government Act* states that a Municipal Council may amend the Land Use Bylaw;

The Council of the Town of Edson, in the Province of Alberta, amends Bylaw No. 2296, as amended as follows:

1. The following definitions are deleted from Section 3.0:
  - a. “Commercial School”; “Dwelling, Modular Home”; Fence”; “Foundation”; “Industry, Major”; “Industry, Minor”; “Parcel of Land (or “Parcel”)”; “Parking Lot”; “Retail, Convenience”; “Retail, General”; “Storage Facility, Indoor”; and “Supportive Housing”.
2. The following definitions are added in Section 3.0 in alphabetical order:
  - a. **CHANGE OF USE** – means a change from one use of land or a building to another use of land or a building, as those uses are listed or defined in this Bylaw, or a change in the intensity of use of land or a building, and includes any change in the purpose for which land or a building is used that results, or is likely to result, in the land or building being regulated as a different use under this Bylaw. A change in ownership, tenancy, occupancy, or operator does not, by itself, constitute a Change of Use.
  - b. **COMMERCIAL SCHOOL** – means a development used for indoor commercial education, training, or instruction in a trade, occupation, profession, business service, or personal service, and includes vocational and certification training facilities, but does not include an Educational Facility, post-secondary institution, daycare, or indoor recreation facility. Commercial Schools include, but are not limited to, beauty or esthetics schools, driving

school classrooms, language schools, tutoring centre, and first aid or similar certification training facilities.

- c. **DISCONTINUED USE** – means a use of land or a building that has ceased in such a manner that, having regard to all relevant circumstances, the same use is no longer being carried on and there is no bona fide intention to continue or resume that same use.
- d. **DWELLING, MODULAR HOME** – means a Single Detached Dwelling conforming to the Canadian Standards Association A-277 Series certified standards in place at the time of manufacture, that is designed to be transported to the building site in pieces and assembled on-site on top of a site-constructed basement or foundation but does not include a dwelling that would be considered to be a Manufactured Home. A Modular Home must be anchored and placed on a permanent foundation in accordance with applicable Alberta Building Code Regulations, and such foundations shall typically extend below the frost line. A RTM (ready to move) is an example of modular housing.
- e. **FENCE** – means a vertical physical structure or hedge designed to provide screening, sound abatement, or to enclose a lot.
- f. **FOUNDATION** – means the lower portion of a building, usually concrete or masonry, and includes the footing which transfers the weight and loads of a building to the ground and may be permanent or temporary. A permanent foundation includes connections that are integrated with the building structure and are designed to prevent the building from being separated from the foundation and typically extend below the frost line.
- g. **HEDGE** – means closely growing bushes, shrubs, or other vegetation planted on a property line intended to form a boundary between parcels of land.
- h. **INDUSTRY, MAJOR** - means a large-scale manufacturing or processing facility that due to appearance, noise, odour, risk of emissions, or hazards is incompatible with residential, commercial, and other land uses. Heavy industrial uses include asphalt plants, large scale chemical processing plants, and gravel crushing plants. Any office or technical support service areas shall be accessory to the approved industrial use.
- i. **INDUSTRY, MINOR** - means industrial activity that does not have offsite impacts beyond the parcel boundary and includes the following activities:
  - a. The processing of raw or finished materials;
  - b. The manufacturing or assembly of material, goods, products or equipment;
  - c. Development used for industrial service support and construction;
  - d. The cleaning, servicing, repairing or testing of materials, goods and equipment normally associated with industrial or commercial businesses or cleaning, servicing and repair operations to goods and equipment associated with personal or

household use, where such operations have the potential to cause off-site impacts that would make them incompatible in non-industrial districts;

- e. The transshipping and associated storage of materials, goods and equipment, including petrochemical products and supplies; and
- f. May include distribution and retail.

Any office or technical support service areas shall be accessory to the approved industrial use.

- j. **PARCEL OF LAND (or "PARCEL")** – means
  - a. where there has been a subdivision, any lot or block shown on a Plan of Subdivision that has been registered in a Land Titles office;
  - b. where a building affixed to the land that would without special mention be transferred by a transfer of land has been erected on 2 or more lots or blocks shown on a plan of subdivision that has been registered in a land titles office, all those lots or blocks;
  - c. a quarter section of land according to the system of surveys under the *Surveys Act* or any other area of land described on a Certificate of Title.
- k. **PARKING LOT**– means an area of land at grade for the parking of motor vehicles and is accessory to the principal use on the site.
- l. **RETAIL, CONVENIENCE** - means a development used for the retail sale of goods and services which does not exceed 275m<sup>2</sup> net floor area. Retail goods may include tobacco, groceries, beverages, pharmaceutical and personal care items. This use does not include the sale of alcohol or cannabis products.
- m. **RETAIL, GENERAL** - means a development used for the retail sale of goods and services within a building. This use does not include the sale of alcohol or cannabis products.
- n. **SUPPORTIVE HOUSING, MAJOR** – means a development providing daytime drop-in services that may include: a kitchen and dining facilities, showers and bathrooms, amenity areas, laundry facilities, and other related support services. This use may include temporary emergency overnight accommodation and therefore may operate 24 hours per day.
- o. **SUPPORTIVE HOUSING, MINOR** – means a type of housing, providing accommodation for four (4) or more persons who require professional care, guidance, and supervision and which may be for the rehabilitation of its residents such as a group home. Supportive Housing, Minor allows the permanent and/or temporary accommodation of persons and may incorporate accommodations for occupant staff as an Accessory Use. This use does not include an institution such as extended medical treatment centres or allow emergency overnight accommodation.

3. Section 4.2(4)(b) is deleted and replaced with the following regulation:

- b. A sign may be placed on the subject land describing the nature of the proposed amendment, except if the amendment is to correct an error or is being adopted in conjunction with the adoption and implementation of a statutory plan undertaken on behalf of the Municipality, for which a public consultation process has taken place.

4. Section 6.1(3) is amended to include the following regulation:

- r. In the Central Business District, a change of use from a Permitted Use to a different Permitted Use that satisfies all applicable land use regulations in Section 8.0 General Land Use Provisions, Section 9.0 Parking Provisions, Section 10.0 Signage Provisions, and Section 12.0 Overlays.

5. Section 6.5(1) is deleted and replaced with the following regulation:

(1) Notice of Decision

- a. When any development permit application is approved, the Development Authority shall:
  - i. Send a notice of decision in writing to the Applicant; and
  - ii. Make a copy of the decision and development permit conditions available for the viewing of the public; and
  - iii. Publish a notice stating the address of the parcel; nature of approval; and development permit number on the Town's website or other electronic platform.
- b. In addition to the above, when a development permit application is approved for a Discretionary Use or a Variance has been granted, the Development Authority shall:
  - i. Send a copy of the decision letter to all properties within 30 m, as identified on the Town of Edson Assessment Roll (or via email, if agreed to by the recipients) and provide notice of the decision and right of appeal; or
  - ii. within ten (10) days of the date such a development permit is issued, publish a notice of the decision in a newspaper circulating in the municipality for two (2) consecutive weeks.

- c. When a development permit application is refused, the Development Authority shall:
    - i. Send a notice of decision in writing to the Applicant; and
    - ii. Shall include reasons for refusal.
- 6. Section 6.6(1)(c) is deleted.
- 7. Section 6.6(2)(a)(ii) is deleted.
- 8. Section 8.1(2)(a) is deleted and replaced with the following regulation:
  - a. For urban Residential Districts, 10% of the lot area to a maximum of 225.0m<sup>2</sup>, whichever is lesser;
    - i. No Accessory Building shall exceed the area or lot coverage of the Principal Building on the parcel.
    - ii. A maximum of three (3) Accessory Buildings shall be permitted on a parcel.
    - iii. Where an Accessory Building exceeds 100 m<sup>2</sup>, it shall require the same setbacks as a Principal Building in the District.
- 9. Section 8.1(5)(a), (b), and (c) are deleted and replaced with the following regulations:
  - (5) Maximum height restrictions for Accessory Buildings are as follows:
    - a. 7.6m in all rural and urban Residential Districts, except in the case of a detached garage suite;
    - b. A detached garage suite may be constructed to the maximum height specified the site provisions for the District in which it is located; and
- 10. Section 8.18(2) is deleted and replaced with the following regulations:
  - (2) The development of Supportive Housing, Major facilities shall consider the following matters:
    - a. A comprehensive Security Plan for the site, to the satisfaction of the Development Authority, that identifies:
      - i. External Security Cameras;
      - ii. External Lighting;
      - iii. Number of emergency drop-in spaces;

- iv. Outdoor amenity areas, if any.
- b. Further to Section 8.18 (2) (a), above, the Development Authority shall consider the following matters when reviewing the Security Plan:
  - i. the number and location of the outdoor lighting and external cameras shall enable monitoring of all outdoor areas and property boundaries.
  - ii. on site staff providing supervision of the patrons being accommodated at all times that the facility operates as per AHS guidelines, and including professional security personnel for the site.
- c. Shall not be developed within 40 m of the boundary of a parcel of land within the R1 Low Density Residential District or the R2 General Residential District.
- d. Shall not be developed within 100 m of a Child Care Facility or Educational Facility. If a Development Permit for a Supportive Housing, Major has been issued, the Development Authority shall not issue a Development Permit for a Child Care Facility or Educational Facility within 100 m of the property line of the Supportive Housing, Major use.

11. The regulation in Section 8.19(2)(c) is deleted.

12. Table 2 Provisions for Home Business is deleted and replaced with the following:

<b><i>Provisions for Home Business:</i></b>	<b>Minor</b>	<b>Major</b>
a. Maximum gross floor area of a business per dwelling unit shall not exceed:	i. 25%	ii. 30%
b. Maximum number of clients present at the business at any given time shall be:	i. 2	ii. 6
c. Signage:	i. No identification sign or any other form of identification indicating the business is located on the property is allowed.	ii. One (1) nonilluminated identification sign or nameplate not greater than 0.275m <sup>2</sup> in area may be allowed to identify a home business.
d. Storage of materials, equipment, or goods associated with the business:	i. Storage of goods shall be entirely contained within a building. ii. Exterior storage of material, equipment, or goods associated with the business may only be allowed in Rural Residential Districts if adequate screening is provided, to the satisfaction of the Development Authority.	

e. Operation of business:	i. The business shall be operated by the resident(s) of the dwelling unit.	
f. The maximum number of employees in addition to the resident(s) present at the business at any given time shall be:	i. 0	ii. 3
g. The maximum number of commercial vehicles (including accessory trailers) used in conjunction with the business shall be:	i. 0	ii. 1 in Urban Residential Districts. iii. 3 in Rural Residential Districts. Where a commercial vehicle is used in conjunction with a home business, the commercial vehicle shall not exceed 5,500 kg and shall be parked and maintained on the site of the business. No street parking of such commercial vehicles is permitted.
h. The maximum number of commercial vehicle trips related to the business per day shall not exceed:	i. 0	ii. 5 in Urban Residential Districts. iii. 10 in Rural Residential Districts.

13. Section 8.24(1) is amended to add the following regulations:

- iii. Notwithstanding Section 8.24(1)(b)(i), above, projections into sideyards shall be setback a minimum of 0.9 m.

14. Section 8.26(1) and 8.26(2) are deleted and replaced with the following regulations:

- (1) A maximum of two (2) Secondary Suites per parcel may be allowed in Residential Districts.

15. Section 8.26(4) is deleted and replaced with the following regulations:

- (3) A Secondary Suite shall be limited to a maximum of four sleeping units.

16. Section 9.1 is amended to add the following regulations:

- (9) Variance to Central Business District Parking Requirements:

- a. Notwithstanding Section 9.1(1)(a), in the Central Business District, the following regulations shall apply:
  - i. In the case of major renovations, site improvements, and architectural modifications to an existing building, no additional parking stalls shall be required;
  - ii. In the case of a change in the use of an established building, additional parking shall not be required, provided no alteration to the exterior dimensions of the building occurs;
  - iii. In the case of major structural expansion of an established building, additional parking may be required for the expansion part only, at the discretion of the Development Authority.

17. Table 6 is amended to delete “Supportive Housing Group Home” and add the following rows:

USES	PARKING STALLS REQUIRED
<b>Residential</b>	
Supportive Living Facility, Minor	0.5 per dwelling unit plus 1 per staff for the maximum number of staff present at any one time
<b>Commercial</b>	
Supportive Living Facility, Major	1 per 50m <sup>2</sup> and 1 per staff member on maximum shift at any time.

18. Section 9.6(5) is deleted and replaced with the following regulation:

- a. Maintain a minimum separation distance of 5.0m between queuing spaces and the lot line of a parcel containing a residential development.

19. The regulation in Section 10.4(1)(l) is deleted.

20. The regulation in Section 10.4(1)(k) is deleted.

21. The regulation in Section 10.7(9)(a) is deleted

22. The regulation in Section 10.7(9)(d) is deleted.

23. Section 11.6 R2 General Residential District is revised to delete “Supportive Housing” from the list of Discretionary Uses in Section 11.6(3).

24. Section 11.6 R2 General Residential District is revised to add “Supportive Living Facility, Minor” to the list of Discretionary Uses in Section 11.6(3) in alphabetical order.
25. Section 11.6(6)(a) is deleted and the section is renumbered accordingly.
26. Section 11.7 R3 High Density Residential District is revised to delete “Supportive Housing” from the list of Discretionary Uses in Section 11.7(3).
27. Section 11.7 R3 High Density Residential District is revised to add “Supportive Living Facility, Minor” to the list of Discretionary Uses in Section 11.7(3).
28. Section 11.8 CBD Central Business District is revised to add “Custom Manufacturing” and “Liquor Store” to the list of Discretionary Uses in Section 11.8(3) in alphabetical order.
29. Section 11.9 C1 Neighbourhood Commercial District is revised to add “Drinking Establishment”, “Mixed Use”, and “Restaurant, Minor” to the list of Discretionary Uses in Section 11.9(3) in alphabetical order.
30. Section 11.10 C2 Service Commercial District is revised to delete “Automotive Equipment Services”, “Automotive Vehicle Sales or Rental”, “Child Care Facility”, “Commercial School”, and “Recreation Facility, Indoor” from the list Discretionary Uses in Section 11.10(3).
31. Section 11.10 C2 Service Commercial District is revised to add “Automotive Equipment Services”, “Automotive Vehicle Sales or Rental”, “Child Care Facility”, “Commercial School”, “Custom Manufacturing”, “Drinking Establishment”, “Liquor Store”, and “Recreation Facility, Indoor” to the list of Permitted Uses in Section 11.10(2) in alphabetical order.
32. Section 11.10 C2 Service Commercial District is revised to add “Greenhouse”, “Industry, Minor”, “Mixed Use”, “Shopping Centre”, and “Supportive Living Facility, Major” to the list of Discretionary Uses in Section 11.10(3) in alphabetical order.
33. Section 11.11 C3 Highway Commercial District is revised to delete “Industry, Major” from the list of Permitted Uses in Section 11.11(2).

34. Section 11.11 C3 Highway Commercial District is revised to add “Custom Manufacturing”, “Drinking Establishment”, “Greenhouse”, “Industry, Major”, and “Liquor Store” to the list of Discretionary Uses in Section 11.11(3) in alphabetical order.
35. Section 11.12 BI1 Business Industrial Minor District is revised to delete “Greenhouse” from the list of Discretionary Uses in Section 11.12(3) in alphabetical order.
36. Section 11.12 BI1 Business Industrial Minor District is revised to add “Greenhouse” to the list of Permitted Uses in Section 11.12(2) in alphabetical order.
37. Section 11.12 BI1 Business Industrial Minor District is revised to add “Custom Manufacturing” and “Liquor Store” to the list of Discretionary Uses in Section 11.12(3) in alphabetical order.
38. Section 11.13 BI2 Business Industrial Major District is revised to add “Custom Manufacturing” to the list of Permitted Uses in Section 11.13(2) in alphabetical order.
39. Section 11.14(5) and the table therein are deleted and replaced with the following regulations:
  - a. All applicable land use regulations in Section 8.0 General Land Use Provisions, Section 9.0 Parking Provisions, Section 10.0 Signage Provisions, and Section 12.0 Overlays shall apply in this district.
  - b. All site requirements shall be at the discretion of the Development Authority. The design, siting, landscaping, screening, and buffering shall minimize and compensate for any objectionable aspects or potential incompatibility with development in abutting districts.
40. Section 11.15 PS Public Service District is revised to add “Campground” to the list of Discretionary Uses in Section 11.15(3) in alphabetical order.
41. Section 11.15(5) is amended by adding the following regulation to the table and renumbering the section accordingly:
  - a. Lot Coverage                      At the discretion of the Development Authority.
42. The entire Land Use Bylaw is revised to correct minor formatting, spelling, and grammatical errors, where the correction will not impact the interpretation or intent of the regulations therein.

43. The Table of Contents and internal references to specific sections throughout the Land Use Bylaw are updated to reflect the insertions and deletions described herein.

44. Where the addition or deletion of a regulation will result in renumbering the section, each section is renumbered accordingly.

45. This Bylaw will come into effect upon third reading.

**READ** a first time this \_\_\_\_ 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

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Christine Beveridge, CAO