

TOWN OF EDSON

BYLAW NO. 2071

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) The definitions attached as "Appendix A" are added to Section 6(1);
 - (b) Section 129A – C-3A Business Commercial/Light industrial attached as "Appendix B", is added to Part X – District Provisions and Regulations; and
 - (c) Section 130 – Highway 16 Corridor Overlay District Attached as "Appendix C", is added to Part X –District Provisions and Regulations
2. That this Bylaw shall take effect upon final reading thereof.


READ a first time this 25th day of November, 2008 A.D.

READ a second time this 16th day of December, 2008 A.D

READ a third time and finally passed this 16th day of December, 2008 A.D.



Mayor



Director of Legislative Services

“BUSINESS COMMERCIAL” - means uses that are low intensity businesses and service commercial uses and activities located in a planned business centre or office park that is located in highly visible and accessible location, and displays a high standard of appearance. Types of uses include, but may not be limited to: auction mart, gas bar, service stations, casino, commercial recreation facility, RV park, community facility, crematorium, financial institution, funeral home, government service, office, retail store, warehouse store.

“LIGHT INDUSTRIAL” - means development used principally for one or more of the following: processing of raw materials; the manufacturing or assembling of semi-finished or finished goods, products or equipment, the cleaning, servicing or repairing of materials, goods and equipment normally associated with business or household use; terminals for the storage or trans-shipping of materials, goods and equipment; the distribution and sale of materials, bulk goods and equipment to institutions, commercial businesses for their direct use; and the training of personnel in general industrial operations.

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129A C-3A Business Commercial/Light Industrial

(1) General Purpose of District

To provide for a mix of highway oriented business, commercial and light industrial uses located within the Highway 16 corridor area. The District is directed by the intent of the area pursuant to the Town of Edson and Yellowhead County Intermunicipal Development Plan and the Edson West and Branch Corner Area Structure Plans.

(2) Permitted Uses Discretionary Uses

Accessory Building	Bulk fuel Storage and distribution
Accessory Structure	Rural Industrial
Business Commercial	Surveillance Suite
Eating or Drinking Establishment	
Hotel	
Institutional Use	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 district
Light Industrial	
Motel	
Public Utility	
Personal Service Shops	
Travel Information Centre	
Signs	

(3) Parcel Dimensions

(a) Area:

The minimum parcel area shall be 0.8 ha (2.0 ac) or as determined at the discretion of the Development Authority who shall consider:

- (1) access and egress from the site;
- (2) traffic circulation within the site;
- (3) adequate surfacing and drainage of the site;
- (4) adequate parking and loading requirements; and
- (5) snow removal and clearing accessibility.

(b) Width:

Unless a greater amount is stipulated in Parts VI and VII of this Bylaw, the minimum parcel width shall be no less than 30.0m.

Handwritten mark or signature.

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(c) **Depth:**

Unless a greater amount is stipulated in Parts VI and VII of this Bylaw, the minimum parcel depth shall be no less than 30.0m.

(4) **Parcel Coverage**

Unless a lesser amount is otherwise prescribed in Parts VI and VII of this Bylaw, the maximum site coverage shall be 45% of the total parcel area.

(5) **Minimum Setback Requirements**

(a) **Front Yard:**

The minimum front yard setback shall be as follows:

- 40.0m from a Provincial highway
- 30.0m from any municipal road allowance
- 10.7m from an internal subdivision road or property line

(b) **Side Yard**

The minimum side yard setback shall be as follows:

- 30.0m from a provincial highway or any municipal road allowance
- 6.0m from an internal subdivision road or property line

(c) **Rear Yard**

- 30.0m from a provincial highway or any municipal road allowance
- 6.0m from an internal subdivision road or property line

(6) **Building Height**

No building shall exceed 15.m (49 ft) in height above average grade

(7) **Additional Regulations**

- (a) No operation or activity associated with any use that would create a nuisance factor from noise, odour, earth-borne vibrations, heat, intense light sources or dust, outside an enclosed building shall be permitted in this District. All loading,

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service, garbage collection and storage areas (where permitted), shall be located to the rear and sides of the principal building and shall be screened from view from any public roadway other than a lane, and from adjacent sites by a wall, landscape materials, berms, fences, or a combination of these features, to the satisfaction of the Development Authority.

- (b) The Development Authority may require that any exposed projections outside the building, such as mechanical and electrical equipment and cooling towers, be screened from view from any public roadway and adjacent sites if, in the opinion of the Development Authority, such projections are inconsistent with the character and appearance of surrounding development or intended visual qualities of this District.
- (c) All buildings shall be constructed and finished with durable materials. The Development Authority may require that the appearance of metal, and/or concrete block be improved with finishing materials that maintain an appearance which is characteristic of surrounding development.
- (d) The provisions of Section 130 - Highway 16 Corridor Overlay District shall be applied.

(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.

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130 Highway 16 Corridor Overlay District**(1) General Purpose of District**

To establish a positive visual impression of the Highway 16 corridor by:

- Providing greenery and seasonal colour to visually soften paved areas and buildings;
- Preserving existing trees wherever possible;
- Screening unsightly equipment or materials from the view of the highway, adjacent roadways or adjoining properties; and,
- Enhancing the quality and appearance of developed properties within the overlay district.

(2) Application

- 2.1 The Overlay regulation applies to the development or redevelopment of all lots that are located adjacent to or are visible from Highway 16 at the discretion of the Development Authority.
- 2.2 The Overlay District regulations are to be applied as a condition of a Development Permit.
- 2.3 The Overlay District applies to the redevelopment of existing buildings and facilities as well as all new development.
- 2.4 Wherever possible, trees existing on the site shall be preserved and protected or replaced. Notwithstanding the status of existing vegetation, landscaping of the site shall be subject to the provisions of the Overlay District.
- 2.5 Where the provisions of the Overlay District conflict with other regulations of this bylaw, the more restrictive provisions shall take precedence.

(3) General

- 3.1 All applications for development permits shall be accompanied by a landscaping plan completed by Landscape Architect or a person qualified to perform such work. No development permit shall be issued prior to the approval of the required landscaping plan.

The landscaping plan shall include the following:

- (a) Boundaries and dimensions of the subject site;
- (b) Location of all the buildings, parking areas, driveways and entrances;
- (c) Location of all exterior lights on the site and their projected light patterns in relation to adjacent public roadways and developments;
- (d) Location of existing plant materials to be retained;
- (e) Location of new plant materials;
- (f) Plant material list identifying the name, quantity and size of plant material;

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- (g) All other physical features, existing or proposed; including berms, walls, fences, outdoor furniture, lighting and decorative paving; and,
- (h) A location plan showing the proposed development and landscaping relative to the landscaping and improvements on adjacent properties.

3.2 The owner of the property, or his/her successor or assignees, shall be responsible for landscaping and proper maintenance. As a condition of a development permit, an irrevocable letter of credit may be required, up to a value of the estimated cost of the proposed landscaping/planting to ensure that such landscaping/planting is carried out with reasonable diligence. The conditions of the security being that:

- (a) If the landscaping is not completed in accordance with this Bylaw and the landscaping plan within one year after occupying the building or site, then the municipality shall use the security to complete the approved landscape development; and,
- (b) If the landscaping does not survive a two (2) year maintenance period, the applicant must replace it with a similar type of species and with a similar calliper width or forfeit the portion of the amount fixed equal to the cost of replacing the affected landscaping materials.
- (c) The letter of credit will be released when the landscaping and other improvements have been completed to the satisfaction of the Development Authority and the two-year maintenance period has expired.

(4) Planting Standards

- 4.1 All required yards on the site shall be landscaped in accordance with the approved landscaping plan.
- 4.2 To provide year round colour and interest, a tree mix of approximately 50% coniferous and 50% deciduous, shall be provided.
- 4.3 50% of required deciduous trees shall be at least 50mm (2.4 in.) calliper and 50% shall be a minimum of 75mm (3.0 in.) calliper above the root ball.
- 4.4 75% of coniferous trees shall be a minimum of 2.0m (6.6 ft.) in height and 25% shall be minimum of 3.5m (11.5 ft.) in height above the root ball.
- 4.5 Trees or shrubs shall be provided in accordance with this Section. The number is determined on the basis of the following:
 - (a) One (1) tree for every 40.0 m² (430.6 ft²) and one (1) shrub for each 20 m² (215.3 ft²) of any required yard or setback;
 - (b) One (1) tree for each 25.0 m² (269.1 ft²) and one (1) shrub for each 10.0 m² (107.6 ft²) of required parking area islands. In no

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case shall there be less than one tree per required parking area island.

- 4.6 Trees or shrubs should be clustered or arranged in planting beds within the site.
- 4.7 Trees and shrubs shall be evenly placed at regular intervals when used for screening of adjacent development.
- 4.8 As required by the Development Authority, all required yards and all open spaces on the site excluding parking areas, driveways, and outdoor storage and service areas shall be landscaped in accordance with the approved landscaping plan.
- 4.9 Planting beds shall consist of an odd number of trees to approximate a site mix of 50% coniferous and 50% deciduous with shrubs in a mulched medium such as shredded wood, rocks, or similar materials. Mulch shall not be used as a substitute for plant materials
- 4.10 At a minimum, a planting bed shall be composed of a mix of three (3) coniferous trees, two (2) ornamental deciduous trees and shrubs.
- 4.11 As required by the Development Authority, the undeveloped portion of the site, excluding parking areas, driveways, outdoor storage and service areas must be graded, contoured and seeded.
- 4.12 On the advice of a Landscape Architect or Arborist, planting standards may be altered to suit unique site topography or soils or micro-climatic conditions.
- 4.13 Retained natural vegetation may be applied to satisfy landscape yard requirements. These plantings may be extended with plant material as specified in this section.

(5) Landscape Islands within Parking Areas

- 5.1 Landscape islands shall be required within at-grade parking areas with a capacity of twenty-five (25) or more vehicles. These islands shall be landscaped in accordance with Section 4 – Planting Standards.
- 5.2 Parking islands shall be placed to provide visual relief and to organize large areas of parking into smaller cells. The number of islands provided shall be to the satisfaction of the Development Authority.

(6) Additional Aesthetic Regulations

- 6.1 The Development Authority may require the application of additional aesthetic regulations, if in the opinion of the Development Authority:
 - (a) There is a likelihood that the proposed development will generate undesirable impacts on surrounding sites, such as poor appearance, excessive noise, light, odours, traffic, litter, or dust;

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(b) There is a likelihood that undesirable impacts may be generated on the site, and cause conflicts with other businesses within the development;

6.2 The additional aesthetic regulations that may be required at the discretion of the Development Authority may include, but are not limited to, the following:

- (a) Additional separation space between incompatible use classes;
- (b) The use of trees, shrubs, opaque fences, walls, and berms to buffer or screen uses of negative impact;
- (c) The use of trees, shrubs, planting beds, street furniture and surface treatments to enhance the appearance of a proposed development.

(7) Signs

7.1 Signs shall identify on-site developments or facilities only. Signs advertising off-premises developments or facilities (billboards) are not permitted within the overlay district.

7.2 Where more than one business occupies a building, additional signage shall be located in accordance with a comprehensive signage package prepared for the building, and submitted as part of the required landscape plan.

7.3 One freestanding identification sign per lot shall be allowed. The sign shall not exceed 9.13 metres (30.0 ft.) in height with no dimension exceeding 4.5 metres (14.76 ft.)

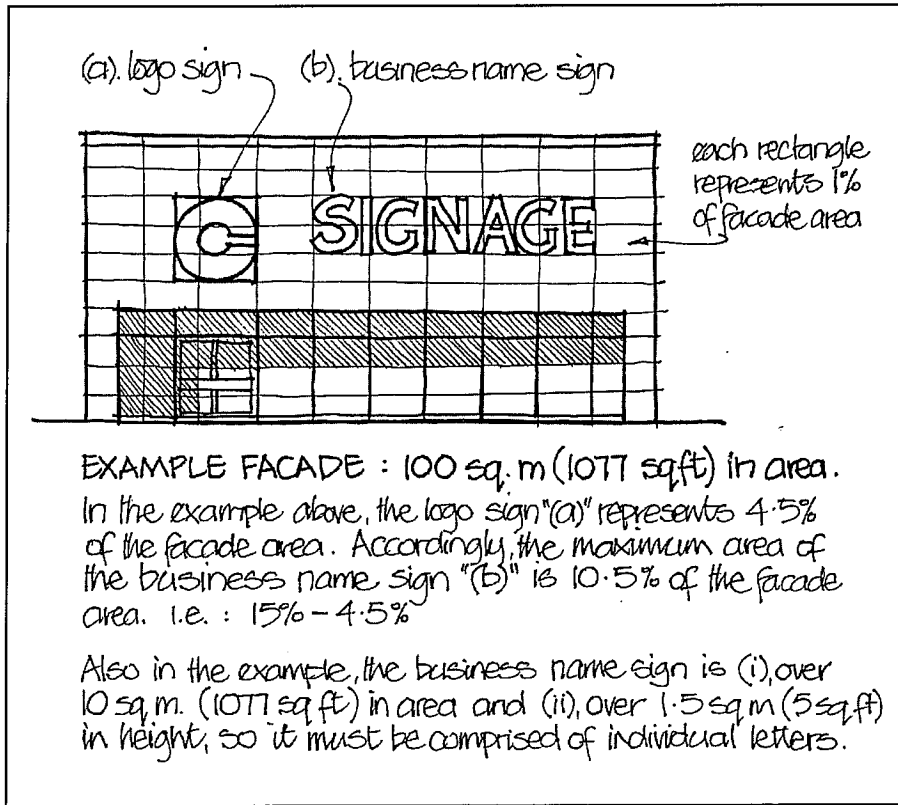
7.4 Illuminated freestanding signs shall not exceed 7.62 m (25.0 ft.) in height.

7.5 Moving or animated signs and electronic message boards that may distract adjacent highway users are not permitted within the overlay district.

7.6 Where buildings abut the highway corridor, signs facing and visible from that corridor may be considered by the Development Authority if they comply with the following principles:

- (a) One illuminated logo sign per visible façade. The maximum dimension of such sign shall not exceed 3.0m (9.8 ft.) in vertical and horizontal direction, parallel to the façade of the building, nor exceed a depth of 0.305m (1.0 ft.)
- (b) One illuminated business name sign per visible façade shall not exceed 15% of the area of the façade of the building or business premises, whichever governs and shall in no case exceed 40.0 m² (430.6 ft²) (less the area of any logo sign: see (a) above).
- (c) To discourage the use of building facades as billboards a business sign exceeding an area of 10.0 m² (107.7 ft²) and 1.5m (5.0 ft.) in height, shall be limited to individual letters or shapes.

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(8) Lighting

- 8.1 Outdoor lighting provided for security, display or attraction purposes for any development shall be arranged so that no direct rays of light are directed at any adjoining site or interfere with the effectiveness of adjacent traffic, and shall comply with the following provisions:
- (a) No light structure shall exceed a height of 7.62m (25.0 ft.);
 - (b) No light shall be attached to a structure above a height of 7.62m (25.0 ft.) along that structure;
 - (c) The developer shall provide a plan indicating the location of all exterior lights, including the projected light patterns in relation to adjacent public roadways and developments; and,
 - (d) No flashing or strobe, or revolving lights, which may impact the safety of motorists using adjacent public roadways, shall be installed on any structure or site.