

Summary of Amendments to Land Use Bylaw 1P2007

Proposed Housekeeping Amendments Benefits and Themes

| Proposed Amendment | | Consistency | Efficiency | Reducing barriers | Housing |
|-----------------------------|---|-------------|------------|-------------------|---------|
| Enabling Housing | | | | | |
| 1. | Rear setback rule in R-G | | | ✓ | ✓ |
| 2. | Aligning parcel coverage and private garage rules in H-GO and R-CG | ✓ | ✓ | ✓ | ✓ |
| 3. | Mobility storage lockers | | | ✓ | ✓ |
| 4. | Secondary suites in multi-residential districts | ✓ | ✓ | ✓ | ✓ |
| 5. | Landscaping rules in H-GO | ✓ | ✓ | ✓ | ✓ |
| 6. | Fence rules in R-CG | ✓ | | | |
| Clearer Language | | | | | |
| 7. | Textual clarity for notification of decision for development permits | ✓ | | ✓ | |
| 8. | Textual error in 1126 (3) | ✓ | | | |
| 9. | Removal of expired text | ✓ | | | |
| Business Flexibility | | | | | |
| 10. | Overnight stays in health care services | | ✓ | ✓ | |
| 11. | Update to the special function – class 1 use | ✓ | | ✓ | |
| Child Care Service | | | | | |
| 12. | Removing the requirement for a land use amendment and public hearing for child-care service in an existing building | | ✓ | ✓ | |

1. Rear setback rule in R-G

Issue:

The Bylaw requires that a secondary suite in the Residential - Low Density Mixed Housing (R-G) (R-Gm) District provide one motor vehicle parking stall. This stall may be in the garage or on the driveway. If the parking stall is in the front driveway the existing rear building setback rules are inadvertently resulting in an applicant having to apply for a development permit for a relaxation on the setback distance.

Proposed Solution:

Remove unnecessary language in the rear setback rule describing the location of the required parking stall. Parking for the suite will still be required and can continue to be provided in either the garage or driveway and be subject to all other relevant rules.

Land Use Bylaw sections or districts impacted by the amendment:

Residential - Low Density Mixed Housing (R-G) (R-Gm) District.

2. Aligning parcel coverage and private garage rules in H-GO and R-CG

Issue:

When required motor vehicle parking stalls are not provided in a private garage the Bylaw reduces the allowable parcel coverage on the parcel to ensure there is sufficient space on the parcel for a garage to be built in the future.

Currently the Housing – Grade Oriented (H-GO) District rules and the Residential – Grade-Oriented Infill (R-CG) District have different rules for this situation.

Proposed Solution:

Amend the H-GO district to align with the R-CG district. This change creates consistency across districts and does not change or reduce the required parking stalls that are provided for the development.

Land Use Bylaw sections or districts impacted by the amendment:

Housing – Grade Oriented (H-GO) District.

3. Mobility storage lockers

Issue:

The Bylaw requires that developments within the Residential – Grade-Oriented Infill (R-CG) District and the Housing – Grade Oriented (H-GO) District provide mobility storage lockers when units or suites are not provided with a parking stall in a private garage. These facilities allow for a secure place to store mobility vehicles like bikes and e-scooters. Administration has learned that required fireproofing has created an unexpected cost that is creating a barrier to delivering housing.

Proposed Solution:

Remove the requirement for mobility storage lockers as this requirement is resulting in undue costs for the construction of more housing. A comprehensive review of bike parking is underway as part of the new Zoning Bylaw to ensure better outcomes for residents and home builders.

Land Use Bylaw sections or districts impacted by the amendment:

Housing – Grade Oriented (H-GO) District and the Residential – Grade-Oriented Infill (R-CG) District.

4. Secondary suites in multi-residential districts

Issue:

Occasionally in multi-residential districts low-density residential development occurs such as the construction of a single-detached dwelling, or additions to an existing home. In those instances, the development is guided by the low-density residential rules rather than the multi-residential rules. However, if that single-detached dwelling were to also include a secondary suite, there is currently a Bylaw discrepancy that would require the suite to follow the multi-residential rules rather than the low-density rules.

Proposed Solution:

Amend the multi-residential district rules to clarify that a secondary suite when combined with low-density residential development located in a multi-residential district uses the low-density residential rules.

Land Use Bylaw sections or districts impacted by the amendment:

All Multi-Residential Land Use Districts.

5. Landscaping Rules in H-GO

Issue:

The Housing – Grade Oriented (H-GO) District currently has one set of landscaping rules that apply to all types of developments in the district. Developments of two units or less, are currently subject to landscaping requirements that are unnecessarily complex relative to the development.

Proposed Solution:

Amend the H-GO district that would allow for development for two or less units to follow the typical landscaping rules for single and semi-detached dwellings.

Land Use Bylaw sections or districts impacted by the amendment:

Housing – Grade Oriented (H-GO) District.

6. Fence rules in R-CG

Issue:

Fencing rules in the Residential – Grade-Oriented Infill (R-CG) District are inconsistent with the other low-density residential districts in the Bylaw.

Proposed Solution:

Amend the R-CG district so that all development except rowhouses follow the same fence rules.

Land Use Bylaw sections or districts impacted by the amendment:

Residential – Grade-Oriented Infill (R-CG) District.

7. Textual clarity for notification of decision for development permits

Issue:

The Bylaw does not state that the required advertising for a permitted use development permit that does not meet the rules of the Bylaw can be done online.

The Bylaw references a 21 day “appeal period” however the Municipal Government Act regulates the “appeal period” and is subject to change by the Province. Changes by the Province would require subsequent Bylaw amendments.

Proposed Solution:

Amend the Bylaw to allow permitted use development permits that do not meet the rules of the Bylaw to be advertised online, and remove the reference to the 21 day appeal period.

Land Use Bylaw sections or districts impacted by the amendment:

Part 2, Division 4, section 34, and Part 2, Division 5, section 39

8. Textual error in sections 1126 (3)

Issue:

Section 1126 (3) incorrectly includes the word “gross” before “floor area ratio.”

Proposed Solution:

Delete the word “gross”.

Land Use Bylaw sections or districts impacted by the amendment:

Centre City Multi-Residential High Rise (CC-MH) District

9. Removal of expired text

Issue:

In response to a cannabis license moratorium from Alberta Gaming, Liquor and Cannabis (AGLC), a temporary rule allowing for the extension of the commencement date for development permits to be extended was added to the Bylaw. The rule has since expired and is no longer needed.

Proposed Solution:

Delete the rule to remove unnecessary text.

Land Use Bylaw sections or districts impacted by the amendment:

Part 2, Division 6, section 44 (8.1).

10. Overnight stays in health care services

Issue:

The Bylaw does not allow health care service uses, such as a birthing centre or a facility conducting sleep studies, overnight stays for their patients. To allow this, a land use change for a direct control and a public hearing are required. This uncertain process is time consuming and expensive for these businesses.

Proposed Solution:

Amend the definition of health care service to allow for overnight stays of patients for medical purposes.

Land Use Bylaw sections or districts impacted by the amendment:

Proposed change to the definition of Health Care Services.

11. Update to the special function – class 1

Issue:

The definition of special function - class 1 limits the type of temporary events it allows.

Proposed Solution:

Amend the definition of special function – class 1 to include “neighbourhood activation” to allow for more flexibility in the types of events that can occur.

Land Use Bylaw sections or districts impacted by the amendment:

Proposed change to the defined use of Special Function – Class 1.

12. Removing the requirement for a land use amendment and public hearing for child-care service in an existing building

Issue:

Currently if a child-care service wants to locate in a low-density residential district a land use change for a direct control district and a public hearing is required. This process is required for both the construction of a new building and for a child-care service to locate in an existing approved building. This uncertain process is time consuming and expensive for businesses.

Proposed Solution:

Amend the Bylaw to allow a child-care service as a discretionary use in existing approved buildings in the low-density residential districts. The construction of a new building for a child-care service will still require a land use change and public hearing.

The [Child Care Service Policy and Development Guidelines](#) will be used during the review of the discretionary development permit application. Allowing child-care service as a discretionary use in these districts makes it easier to locate this service within the neighbourhoods they serve.

Land Use Bylaw sections or districts impacted by the amendment:

Residential – Grade-Oriented Infill (R-CG) District, the Residential - Low Density Mixed Housing (R-G) (R-Gm) District and the Housing – Grade Oriented (H-GO) District.

