

Background and Previous Council Direction

Background

On 2021 February 1 the *Early Learning and Child Care Act* was amended creating two types of child care in Alberta: licensed and unlicensed. Licensed child care includes both facility based and home based centres. Licensed, home based child care can accommodate up to 6 children not including the provider's own children.

This change in provincial legislation required a deletion of the Home Based Child Care – Class 2 use from the Bylaw, as this type of child care would no longer be allowed by the Province. If a child care provider wishes to provide care for more than six children, they are required to operate out of a facility that is constructed to a standard beyond what is found in a typical home. This means either locating in a commercial building that allows this occupancy type or the upgrade of an existing residential building to meet the National Building Code Alberta Edition. Required upgrades may include structural changes, fire separations, sprinkler systems, fire alarm systems, barrier-free entrances and washrooms, improved ventilation, and other safety and accessibility features.

The Increasing Accessibility to and Safety of Affordable Child Care in Calgary report (CD2022-0910) brought forward amendments to the City's Business Licence Bylaw (32M98) to address the regulation gap for unlicensed home based child care and ensure safe, quality care is provided to children. One of the report's approved recommendations built upon a previous 2021 July 20 Notice of Motion (PFC2021-1129) and directed Administration to explore additional land use planning and development tools through the Land Use Bylaw to enable more child care spaces in Calgary's growing and diverse communities.

On 2025 May 6, report IP2025-0251 proposed amendments to the Land Use Bylaw (1P2007) and the Child Care Service Policy and Development Guidelines were recommended to Council to remove the land use change process to allow a child care service in an existing building in a residential district. The proposed Bylaw amendments were defeated and the amendments to the Child Care Policy and Development Guidelines were adopted by Council.

Previous Council Direction

These items were originally included in Land Use Bylaw Housekeeping Amendments (IP2025-0251), which were not adopted, however, the amendments to the Child Care Service Policy and Development Guidelines were adopted. At the 2025 June 24 Regular Meeting of Council, Notice of Motion EC2025-0648 was adopted:

NOW THEREFORE BE IT RESOLVED that Council direct administration to:

1. Amend the Land Use Bylaw (IP2007) to allow a child-care service as a discretionary use in existing approved buildings in the low density residential districts.

AND NOW THEREFORE BE IT RESOLVED that Administration advertise and bring the bylaw updates direct to the September 9th, Public Hearing of Council.

DATE	REPORT NUMBER	DIRECTION/DESCRIPTION
2025 May 6	IP2025-0251	Land Use Bylaw Housekeeping Amendments (defeated) and Amendments to the Child Care Service Policy and Development Guidelines (adopted)
2022 July 28	CD2022-0910	Increasing Accessibility to and Safety of Affordable Child Care in Calgary (Notice of Motion PFC2021-1129 - 2021 July 20)
2021 June 21	PUD2021-0649	Land Use Bylaw Amendments to Support Business and Economic Recovery