



Legislation Details (With Text)

File #: PH-16-015 **Version:** 1 **Name:**
Type: Public Hearing **Status:** Agenda Ready
File created: 12/7/2016 **In control:** City Council
On agenda: 8/28/2017 **Final action:** 8/28/2017
Title: Bylaw 29/2017 -Land Use Bylaw Amendment 149 - Group Homes
Presented by: Kathleen Short, Architectural Development Officer II

Sponsors:

Indexes:

Code sections:

Attachments: 1. Bylaw 29-2017 - Amendment to LUB - Group Homes, 2. Part 1 Definitions (amendments incorporated), 3. Part 1 Definitions (amendments highlighted), 4. Land Use Bylaw section 8.20 (amendments incorporated), 5. Land Use Bylaw section 8.20 (amendments highlighted), 6. Land Use Bylaw section 8.21 (amendments incorporated), 7. Land Use Bylaw section 8.21 (amendments highlighted)

| Date | Ver. | Action By | Action | Result |
|-----------|------|--------------|--------------------------|--------|
| 8/28/2017 | 1 | City Council | receive first reading | Pass |
| 8/28/2017 | 1 | City Council | received third reading | Pass |
| 8/28/2017 | 1 | City Council | consent to third reading | Pass |
| 8/28/2017 | 1 | City Council | received second reading | Pass |
| 8/28/2017 | 1 | City Council | closed Public Hearing | Pass |

TAMRMS#: B06

Bylaw 29/2017 -Land Use Bylaw Amendment 149 - Group Homes
Presented by: Kathleen Short, Architectural Development Officer II

RECOMMENDATION(S)

1. That Bylaw 29/2017 being Amendment 149 to the Land Use Bylaw be read a first time.
2. That the Public Hearing be closed.
3. That Bylaw 29/2017 be read a second time.
4. That unanimous consent be given for consideration of third reading of Bylaw 29/2017.
5. That Bylaw 29/2017 be read a third and final time.

PURPOSE OF REPORT

The purpose of the report is to outline the proposed amendments to the Land Use Bylaw that would

result in changing 'Group Home' from a discretionary use to a permitted use in the R1 and R2 land use districts.

COUNCIL DIRECTION

On December 5, 2016, Council passed the following motion:

CM-16-079

That Administration propose for Council's consideration by August 31, 2017 all related Bylaw and Policy amendments that would result in creating a group home category that is a permitted use.

BACKGROUND AND DISCUSSION

Administration has been directed to propose for Council's consideration by August 31, 2017, all related Bylaw amendments that would result in changing 'Group Home' from a discretionary use to a permitted use in the R1 and R2 land use districts. These amendments would result in removal of the requirement for mandatory notification to adjacent properties upon the issuance of a Group Home permit. Changes are also required to the definition of 'Group Home' to remove language that is no longer required.

PROPOSED LAND USE BYLAW CHANGES - GROUP HOME: To view redline pages see attached Land Use Bylaw sections.

Part 1. Definitions. Remove: "as a social care facility under the Social Care Facilities Licensing Act, RSA 2000, c."

Section 8.20(4)(d) be relocated to Section 8.20(3)(c).

Section 8.20(3) (Permitted Land Uses) be renumbered as follows:

- a) Single-detached house;
- b) Limited Group Home;
- c) Group Home; **(Bylaw 29/2017)**
- d) Park;
- e) Basement suite; and
- f) Accessory developments to any use listed in subsection (3), excluding decks, that are greater than 1.5m above finished grade, gazebos and private pools.

Section 8.20(4) (Discretionary Land Uses) be renumbered as follows:

- a) bed and breakfast;
- b) duplex;
- c) family day home;
- d) home occupation;
- e) public utility building;
- f) raffle home;
- g) residential sales centre;
- h) semi-detached housing;

- i) show home;
- j) wall mural; and
- k) accessory developments to any use listed in subsection (4), and decks that are greater than 1.5m above finished grade, gazebos and private pools.

Section 8.21(4)(c) be relocated to Section 8.21(3)(c).

Section 8.21(3) (Permitted Land Uses) be renumbered as follows;

- a) duplex;
- b) limited group home;
- c) group home;
- d) semi-detached housing;
- e) single-detached housing;
- f) basement suite associated with a single-detached house; and **(BL7/2007)**

STAKEHOLDER COMMUNICATIONS OR ENGAGEMENT

The public hearing is scheduled for August 28, 2017, and will be advertised in the St. Albert Gazette on August 12, 2017, and August 19, 2017. On August 10, 2017, the agenda report will be posted on the City's webpage to provide Council and members of the public an opportunity to review the proposed amendment prior to the August 28, 2017, public hearing.

IMPLICATIONS OF RECOMMENDATION(S)

Financial:

None at this time

Legal / Risk:

Any proposed Land Use Bylaw amendment requires a public hearing in accordance with Section 230 of the MGA. Further, the public hearing must be advertised in accordance with Section 606 of the MGA

Program or Service:

None at this time

Organizational:

None at this time

ALTERNATIVES AND IMPLICATIONS CONSIDERED

If Council does not wish to support the recommendation, the following alternatives could be considered:

1. Refuse the amendment. The current Land Use Bylaw regulations and definitions for group home

would remain.

2. Council recommend more research be undertaken and brought back to council with additional recommendations at a later date.

STRATEGIC CONNECTIONS

Municipal Plans and Policies:

City of St. Albert Strategic Plan (Policy C-CG-02) - Pillars of Sustainability

SOCIAL - We are a friendly and inclusive community of passionate equals, where everyone feels a sense of belonging. We believe that community starts with the person next door.

Long Term Plans - MDP, Social Master Plan, and Social Master Plan.

Government of Alberta:

Government of Alberta: Alberta Human Rights Act

(Clause 4) no person shall

- a) Deny to any person or class of persons any goods, services, accommodation or facilities that are customarily available to the public, or
- b) Discriminate against any person or class of persons with respect to any goods, services, accommodation or facilities that are commonly available to the public, because of the race, religious beliefs, color, gender, gender identity, gender expression, physical disability, mental disability, ancestry, place of origin, marital status, source of income, family status or sexual orientation of that persons or any other person or class of persons.

(RSA 2000 cH-14 s4;2009 c23 s4;2015 c18 s3 Discrimination re goods, services, accommodation facilities)

Long Term Plans:

Land Use Bylaw 9/2005
Municipal Development Plan

Report Date: August 28, 2017
Author(s): Kathleen Short
Committee/Department: Infrastructure and Development Services
General Manager: Glenn Tompolski
City Manager: Kevin Scoble