



Legislation Text

File #: AR-18-226, **Version:** 1

TAMRMS#: B06

Supportive Housing - Group Homes - Land Use Bylaw Review

Presented by: Jean Ehlers, Manager, Development Services

RECOMMENDATION(S)

1. Council grant an extension to enable more research be undertaken and brought back to Council with additional recommendations no later than Q2 2019.

PURPOSE OF REPORT

The purpose of the report is to address the July 10, 2017 motion regarding supportive housing, as well as to address the separation distance between group homes.

COUNCIL DIRECTION

On August 28, 2017, Council approved Bylaw 29/2017 pertaining to the definition and regulation of group homes as a permitted use.

On July 10, 2017, the following motion was passed:

That Council direct Administration to conduct a full review of the Land Use Bylaw as it pertains to Supportive Housing (Group Homes) and bring forward amendments to Land Use Bylaw 9/2005 by the end of Q2 2018 to better define, improve, categorize, and provide provisions for Supportive Housing (Group Homes) use types based on best practices, and provincial regulations.

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

For a group home to be established in the City, they need provincial approval, as well as a development permit, and business license. Under the previous LUB, Administration received appeals of discretionary (rather than permitted) development permits for group homes. Those development permits were ultimately issued by the Subdivision & Development Appeal Board (SDAB). The process of taking group homes to the SDAB was in part an impetus for the LUB amendments approved in August 2017. Within the current LUB, group homes are now a permitted use in the Low

Density R1 and Low Density R2 Residential Districts.

Under the current approval process for group homes, applications for group homes are required to be made through the Province. The license dictates what the group home can or can't do. The City does not have a say, as long as it falls within the definition of a group home. The definition (LUB Part 1, attached) limits group homes to no more than six residents, and does not include detention or correction facilities, or treatment centres.

Administration has reviewed the prevalence of Group Homes within the City. Development Permits (DPs) for group homes have been issued on:

- Grandin Lane
- Haviland Crescent
- Perrault Place

Additionally, the Development Branch has been informed of one group home located in North Ridge for which a DP has not been issued.

In 2017, Business Licensing issued five business licenses for Group Homes, located at:

- Birch Drive
- Glenwood Crescent
- Grandin Lane
- Harmony Close
- Haviland Crescent

Business Licensing does not have record of the non-DP group home in North Ridge.

Separation Distance Between Group Homes:

Over the course of Council meetings in 2016 and 2017 regarding group homes, the question of the appropriate separation distance between group homes was discussed by Council. The Land Use Bylaw currently requires 300m of separation between group homes. Development permit applications for group homes in the Low-Density Residential R1 and R2 Districts that do not need a variance are processed as a permitted use, with no neighbourhood notification. A development officer may vary the 300m separation distance by up to 25%. If a variance greater than 25% were sought, it would need to go through the SDAB. In both of these cases, neighbours would be notified of the application.

The City has not received a challenge at any time with regard to the current separation distance requirement of 300m between group homes. Neither has there been an instance where complaints regarding the clustering of group homes have been received. Thus, there have been no complaints regarding the impact on the character of a neighbourhood, nor impacts relating to the use and enjoyment of neighbouring properties.

Regarding the separation distance between Group Homes, Administration recommends that the Bylaw remains as-is. Administration remains committed to monitoring the location of group homes,

as well as the need for LUB amendments.

Full Review of the Land Use Bylaw as it pertains to Supportive Housing:

The amendments that Council approved in February of 2018 (LUB Residential Amendments), included a greatly improved definition of “**supportive housing**” (attached). Through revising the definition only, Administration sought to address most of the requirements spelled out in the July 2017 Council Motion.

What possibly remains to be undertaken, is a further breakdown of supportive housing ‘types’. At this moment though, Administration is comfortable with the fact that, through the revised definition, when read together with the Group Home requirements of the Land Use Bylaw, applicants will not be deterred from submitting applications for supportive-type housing in St. Albert. Further action related to Supportive Housing would require additional time as resources are currently focused on other Council priorities.

STAKEHOLDER COMMUNICATIONS OR ENGAGEMENT

A public hearing regarding group homes was held by Council on August 28, 2017. No members of the public provided input.

IMPLICATIONS OF RECOMMENDATION(S)

Financial: None at this time

Legal / Risk: None at this time

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:

That the agenda report dated May 28, 2018, titled “Supportive Housing - Group Homes - Land Use Bylaw Review”, be received as information.

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: May 28, 2018

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