



Legislation Text

File #: BL-19-006, **Version:** 1

TAMRMS#: B06

Bylaw 12/2019 - Land Use Bylaw Amendment - Supportive Housing (1st Reading)

Presented by: Kathleen Short, Architectural Development Officer II

RECOMMENDATION(S)

1. That Bylaw 12/2019, being Amendment 167 to Land Use Bylaw 9/2005, be read a first time.
2. That a public hearing on Bylaw 12/2019, be held at the regularly scheduled Council meeting on April 23, 2019.

PURPOSE OF REPORT

The purpose of the report is to propose amendments to the Land Use Bylaw regarding supportive housing, particularly the separation distance between group homes, and to introduce a new use category that addresses a section of the population that is currently not provided for in the Land Use Bylaw.

ALIGNMENT TO PRIORITIES IN COUNCIL'S STRATEGIC PLAN

Strategic Priority #5: Housing: Enhance housing options.

1. 5.1 - Modify Land Use Bylaw to encourage diversity in residential built forms.
2. 5.3 - Work with regional partners to explore the creation of additional housing options to address issues of affordability and accessibility.
3. 5.4 - Explore interim housing options to support vulnerable populations.

ALIGNMENT TO COUNCIL DIRECTION OR MANDATORY STATUTORY PROVISION

On May 28, 2018, Council passed the following motion (AR-18-226) in the context of a discussion on separation distances for group homes:

That Council grant an extension to enable more research be undertaken and brought back to Council with additional recommendations no later than May 27, 2019.

BACKGROUND AND DISCUSSION

In February 2018 Council approved amendments to the Land Use Bylaw (LUB) with respect to the residential districts. Included in those amendments were provisions to make group homes a

permitted use in the R1 & R2 low-density residential districts (they were a discretionary use prior to February 2018), and to also make group homes a permitted use in the new RX residential and RXL residential-lane districts. This addressed what was observed by Council and Administration to be a significant issue with the LUB (supportive housing as a discretionary use).

At the May 28, 2018 Council Meeting, Administration recommended that the LUB requirement of a 300m separation distance between group homes remain unchanged. At that time Council passed a motion that allowed Administration to undertake more research around the topic of supportive housing, with a target of bringing the issue back to Council by no later than May 27, 2019.

Since May 28, 2018 Administration has issued two additional development permits for group homes. One is located in Oakmont, and the other is in Sturgeon Heights. Neither of these group homes is located within 300m of another (already) permitted group home. Compliance with the minimum separation distance requirement of 300m did not present a hardship to the applicants. Administration recommends that the regulation should remain unchanged. As indicated at the May 2018 meeting, the City needs to strike a balance between allowing the use, and creating the potential for *de facto* rezoning. Administration believes the 300m separation distance is striking that balance.

In proposing LUB Amending Bylaw 12/2019, Administration is recommending an alignment of the LUB with initiatives of the Mayor's Task Force on Homelessness. At present the LUB does not provide for the needs of individuals experiencing chronic homelessness, including those experiencing the complex and interconnected challenges associated with addiction or mental illness. This 'gap' in the LUB could be filled by adding 'permanent supportive housing' as a permitted use in the Institutional Facilities (IF) Land Use District. This would allow the proposed use to be located within the City. Council would also retain the ability to allow 'permanent supportive housing' through the Direct Control (DC) process, as identified in Part 10.5. of the LUB.

The proposed LUB amendment would define "permanent supportive housing" as:

a development that combines rental or housing assistance with individualized and voluntary support services for people with needs related to physical or mental health, development disabilities, and/or substance use, but does not include a detention or correction facility; group home; supportive housing; transitional residential service; or treatment centre.'

Section 10.3(2) of the LUB states that *'the purpose of the Institutional Facilities Land Use District is to provide areas for the location and establishment of facilities which, under public franchise, ownership, or private enterprises operating for the public convenience and necessity, provide public services such as utilities, health care, sewage treatment, education, religious activity and other public assembly, cultural facilities, recreational facilities etc. and which utilizes large areas of land or are situated in a campus environment.'*

Section 10.5(2) of the LUB states that *'the purpose of the Direct Control District is to enable Council to exercise particular control over the use and development of land and buildings within the area so designated.'*

By making "permanent supportive housing" a **permitted** use in the Institutional Facilities (IF) Land Use District, development permits for this use would have the same restricted scope of appeal to the

Subdivision and Development Appeal Board, as is currently afforded to group homes. In addition, Council's ability to consider a "permanent supportive housing" use in a Direct Control (DC) Land Use District, provides an opportunity for the use to have location options within St. Albert.

STAKEHOLDER COMMUNICATIONS OR ENGAGEMENT

No additional engagement has taken place since the LUB rewrite in February 2018 and May 2018 Council public meeting on supportive housing. An amendment to the LUB will require a public hearing.

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

Should Council decide to not support the recommendations, the following alternatives could be considered:

Alternative to recommendations #1 and #2: Undertake further research regarding this matter taking into consideration any suggestions or recommendations provided by the Mayor's Task Force on Homelessness.

Report Date: April 1, 2019

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Committee/Department: Planning & Development

Chief Administrative Officer: Kevin Scoble