

Select Amendments - Mark-up and Rationale

Mark-up of Proposed Text Amendment to Zoning Bylaw 12800		Rationale
Black Font	Existing Text in Zoning Bylaw 12800	
Strikethrough:	Proposed deletion from Zoning Bylaw 12800	
<u>Underline:</u>	Proposed addition to Zoning Bylaw 12800	
Changes to Child Care Facilities		
KEY	6.1 General Definitions	
A	<u><i>Home Based Child Care means a Major Home Based Business development, located within a Dwelling, intended to provide temporary care and supervision for children.</i></u>	The Home Based Child Care definition is proposed to separate child care providers operating from their residence from more intensive Child Care Service providers. Creating this definition also ensures the defined activity can be referenced in the Major Home Based Business definition rather than creating an overlap of referencing a Use within a Use.
B	7.3(6) Major Home Based Business means development consisting of the Use of an approved Dwelling or Accessory building by a resident of that Dwelling for one or more businesses that may generate more than one business associated visit per day. The business Use must be secondary to the Residential Use of the building and shall not change the residential character of the Dwelling or Accessory building. The Dwelling may be used as a workplace by a non-resident. This Use includes <u><i>Home Based Child Care and</i></u> Bed and Breakfast Operations but does not include General Retail Sales, Cannabis Retail Sales or Cannabis Production and Distribution.	To clarify regulations and align with current practice such that child care provided in a home are subject to the Major Home Based Business regulations.
C	<i>7.8(2) Child Care Services means a development intended to provide care, educational activities and supervision for groups of seven or more children under 13 years of age during the day or evening, but does not generally include overnight accommodation. This Use typically includes daycare centres; out-of-school care centres; preschools; and dayhomes/group family care providing child care to seven or more children within the care provider's residence.</i> <u><i>7.8(2) Child Care Services means a development intended to provide temporary care and supervision for children. This Use typically includes early learning and child care programs that are facility-based such as daycares, out-of-school care, and preschools.</i></u>	The changes reflect Provincial legislation changes to Child Care Facilities, which now permits overnight child care and replaces five types of child care facilities (daycare, group family child care, innovative child care, out-of-school care, and preschool) with two new types: facility-based and home-based (also referred to as family day home program or family day home educator).

		<p>The reference to the age of children is also proposed to be removed due to the lack of land use impact associated with regulating Child Care Services in this manner and removing the reference does not impact the review or issuance of development permits for this Use.</p> <p>The proposed changes also include removing the reference to child care within the care provider's residence to reflect current practice of reviewing home based operations as a Major Home Based Business.</p>
<p>D</p>	<p>12.2 No Development Permit Required</p> <p>1. A Development Permit is not required for:</p> <p><i><u>gg. Major Home Based Business, operating as Home Based Child Care, for up to six children.</u></i></p>	<p>This change is intended to provide clarity for when Child Care Services in a dwelling does not require a development permit.</p> <p>This change aligns with the City's current practice and the Government of Alberta's, which allows private child care providers to operate without a licence when providing care in a home for up to six children.</p> <p>Notes:</p> <ul style="list-style-type: none"> - <i>The total number of children does not include the provider's own children.</i> - <i>In the event this information is needed for clarity, this will be included in a job aid to provide direction to City staff.</i>

<p>E</p>	<p>80. Child Care Services</p> <p>4. Development in Residential Zones</p> <p>a. Where a Child Care Services Use is proposed in a building with a valid development permit for Multi-unit Housing or Row Housing, the Child Care Services shall not be part of a Dwelling.</p> <p>b. a. Where a Child Care Services Use is proposed as part of a Dwelling, or is proposed in a converted Single Detached Housing, the Use shall only be located:</p> <ul style="list-style-type: none"> i. on a Corner Lot; or ii. on a Site Abutting a Site that is actively used for a Community, Educational, Recreational and Cultural Service Use Class; or iii. Abutting a Site with zoning that lists Multi-unit Housing, General Retail Stores or Convenience Retail Stores as a permitted Use. 	<p>Section 80.4(a) is proposed to be deleted to differentiate Child Care Services from Home Based Child Care in Major Home Based Business. Additionally, this provides clarity in that Home Based Child Care can be offered in multiple residential building types.</p> <p>Section 80.4(b) is proposed to be renumbered and amended to reflect current practice. Currently, Child Care Services developed as part of a dwelling are reviewed as a Major Home Based Business and are not subject to the location criteria outlined in the Child Care Services special land use provisions. This change provides clarity and maintains opportunities for dayhome providers to provide child care services throughout residential areas.</p>
<p>Changes to the Household Definition</p>		
<p>KEY</p>	<p>6.1 General Definitions</p>	
<p>F</p>	<p>Household means:</p> <ul style="list-style-type: none"> i. one or more persons related by blood, adoption, foster care, marriage relationship; or ii. a maximum of three unrelated persons; <p>all living together as a single social and economic housekeeping group and using cooking facilities shared in common.</p> <p>For the purposes of this definition, two people living together in an adult interdependence relationship shall be deemed to be in a marriage relationship and each of the relatives of the parties to an adult interdependence relationship shall be considered to be related to the partners</p>	<p>The household definition is modified to recognize diverse household compositions. The new definition removes any distinctions on the basis of whether people are related or unrelated to each other as per the new provincial changes in Bill 48.</p>

	<p>and to the other relatives thereof. One domestic worker or one boarder may be deemed the equivalent of a blood relative.</p> <p>Household means one or more individuals living together as a single housekeeping group.</p>	
<p>G</p>	<p>86. Secondary Suites</p> <p>5. A maximum of one Household shall occupy a Secondary Suite.</p>	<p>The maximum occupancy of Secondary Suites is removed to reduce overlap and duplication with the defined term " Dwelling " that speaks to a self contained unit suitable for a single Household, and to which is referenced in the use definition for Secondary Suites. This way Secondary Suites are treated similarly to other types of Dwellings where the Zoning Bylaw does not determine a maximum occupancy (i.e Single Detached Housing, Semi-detached Housing, Duplex Housing, etc.). Occupancy is limited to the available space of a development.</p>
<p>H</p>	<p>87. Garden Suites</p> <p>20. A maximum of one Household shall occupy a Garden Suite.</p>	<p>The maximum occupancy of Garden Suites is removed to reduce overlap and duplication with the defined term " Dwelling " that speaks to a self contained unit suitable for a single Household, and to which is referenced in the use definition for Garden Suites. This way Garden Suites are treated similarly to other types of Dwellings where the Zoning Bylaw does not determine a maximum occupancy (i.e Single Detached Housing, Semi-detached Housing, Duplex Housing, etc.). Occupancy is limited to the available space of a development.</p>

I	<p>997.6 Special Land Use Provisions for Blatchford-Specific Uses</p> <p>1. Blatchford Lane Suites - A Blatchford Lane Suite shall comply with the following regulations:</p> <p><i>h. Notwithstanding the definition of Household within this Bylaw, the number of unrelated persons occupying a Blatchford Lane Suite shall not exceed three.</i></p>	<p>The maximum occupancy of Blatchford Lane Suite is removed to reduce overlap and duplication with the defined term "Dwelling" that speaks to a self contained unit suitable for a single Household, and to which is referenced in the use definition for Blatchford Lane Suite. This way Blatchford Lane Suites are treated similarly to other types of Dwellings where the Zoning Bylaw does not determine a maximum occupancy for unrelated persons (i.e Single Detached Housing, Semi-detached Housing, Duplex Housing, etc.). Occupancy is limited to the available space of a development.</p>
'Clean-up' Amendments		
KEY	<p>86. Secondary Suites</p> <p>3. Only one of a Secondary Suite or a Garden Suite may be developed in conjunction with each principal Dwelling, except in the RF1, RF2, and RF3, GLG, and GLD Zones where one Secondary Suite and one Garden Suite may both be developed in conjunction with a Single Detached Housing, Multi-unit Housing in the form of Row Housing, or Semi-detached Housing where permitted in the zone.</p>	<p>Corrects the unintentional omissions of GLG and GLD zones from Charter Bylaw 19503.</p> <p>Supports diverse housing and densification opportunities in sites with GLG and GLD zones.</p>
J	<p>87. Garden Suites</p> <p>19. Only one of a Secondary Suite or Garden Suite may be developed in conjunction with a principal Dwelling, except in the RF1, RF2, and RF3, GLG, and GLD Zones where one Secondary Suite and one Garden Suite may both be developed in conjunction with a Single Detached Housing, Multi-unit Housing in the form of Row Housing, or Semi-detached Housing where permitted in the zone.</p>	<p>Corrects the unintentional omission of adjusting 87.19 to contemplate the GLG and GLD within Charter Bylaw 19429.</p> <p>Supports diverse housing and densification opportunities in sites with GLG and GLD zones.</p>
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