

## Bylaw 18182

To allow a Lodging Houses Use on the second floor of an existing commercial development, McCauley

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### Purpose

Rezoning from CB2 to DC2, located at 10608 - 97 Street NW, McCauley.

### Readings

Bylaw 18182 is ready for three readings after the public hearing has been held. If Council wishes to give three readings during a single meeting, Council must unanimously agree "That Bylaw 18182 be considered for third reading."

### Advertising and Signing

This Bylaw has been advertised in the Edmonton Journal on Friday, August 25, 2017, and Saturday, September 2, 2017. The Bylaw can be passed following third reading.

### Position of Administration

Administration supports this Bylaw.

### Report

The proposed DC2 Provision will allow a Lodging Houses Use to be developed on the second floor of the existing commercial building. The list of commercial uses has been reduced from the current CB2 Zone, incorporates regulations of the Pedestrian Commercial Shopping Street Overlay, and allows the application of any new future overlay regulations should the site redevelop (i.e. proposed Main Street Overlay). Given the small site size and its location along a pedestrian oriented street and high frequency bus route, a minimum of three parking stalls are required for commercial uses and no parking is required for the residential / related uses.

The application results in a deviation from standard regulations for Lodging Houses as outlined in the Special Land Use Provisions under Sections 76 and 96:

- Section 76.4 stipulates that Lodging Houses be developed as either a purpose-built freestanding structure, or Single Detached Housing converted for the purpose, or part of an Apartment Housing development. Given the proposal is intended for an existing commercial building, where an Apartment House use is permitted on the second floor and where that use has been approved in the past, regulation 4.h (to allow a Lodging Houses Use above first floor commercial) is included in the DC2 Provision.
- Under Section 96 a Lodging Houses Use is among a collective set of specified residential uses that are referred to as "Special Residential Facilities" and are subject to thresholds. Section 96.3.a. stipulates a maximum threshold of three facilities per 1000 persons in any neighbourhood. The Register, as required to be

kept by the Development Authority, indicates the McCauley neighbourhood is at/nearing the neighbourhood threshold of 15 facilities, with 12 approved facilities and applications accepted for three others. The applicant is seeking Council's consideration to allow this facility despite the threshold limitation.

The addition of a residential related use to the second floor of a building where commercial is required at grade is compatible given the pedestrian oriented nature of the street where an Apartment Housing Use is also supported on the second floor. The proposal provides an affordable housing alternative in the McCauley neighbourhood in accordance with the objectives of the Boyle Street McCauley Area Redevelopment Plan. Development of the site for a Lodging Houses Use requires the applicant to go through the proper permitting channels and will result in City inspections.

All comments from civic departments and utility agencies have been addressed.

### **Policy**

The proposed rezoning supports the policies of *The Way We Grow* by facilitating redevelopment that contributes to the livability and adaptability of established neighbourhoods by providing an affordable housing opportunity along a pedestrian oriented shopping street.

### **Corporate Outcomes**

- Edmonton is attractive and compact - This Bylaw deals with the goals of transforming Edmonton's urban form and improving Edmonton's livability by facilitating development that supports an affordable housing option in a mature neighbourhood, along a pedestrian oriented street.

### **Public Consultation**

On August 12, 2016, the applicant sent out pre-application notification letters to surrounding property owners and the McCauley Community League and the Chinatown and Area Business Revitalization Zone. The applicant received four responses. Three were requesting clarification on the intent of the letter and had no problem with inclusion of a Lodging Houses Use. One response was opposed to the application; however, stated no reason for the opposition, nor responded to follow up.

On March 7, 2017, Urban Form and Corporate Strategic Development sent out advance notification letters to surrounding property owners and the McCauley Community League and the Chinatown and Area Business Revitalization Zone. Two responses were received. One was concerned that the proposal was creating slum housing and a second was to advise that the person to whom the notice was addressed was no longer living at the address to which the notice was received.

In response to the "slum housing" comment, if the rezoning is supported, a Development Permit (DP) application for a Lodging Houses Use is required and approval would require a Building Permit (BP) for interior alterations. Any building code

issues will need to be addressed at that time. City building inspectors are involved in permit generated inspections. The development requires a minimum 15 m<sup>2</sup> communal indoor Amenity Area.

Not having had a response from the McCauley Community League to the advance notice, Urban Form and Corporate Strategic Development made a telephone call and sent the information again by e-mail on June 14, 2017, to which a response of "no comment" to the application was received.

### **Attachments**

1. Bylaw 18182
2. Urban Form and Corporate Strategic Development report