

## Options to Provide Support for Expanding Childcare

There are four aspects of the Zoning Bylaw that can be amended to help facilitate the expansion of child care services facilities in the city:

### 1) Section 80 – Special Land Use regulations for Child Care Services Use Class:

Section 80 of Zoning Bylaw 12800 has special land use provisions specific to this use class. Reviewing the subjective wording in Section 80 may be warranted because it grants Development Officers wide latitude to render refusals, and as a result, acts as a barrier to an application. Additional delays may also deter applicants in the form of requests for additional information, triggering a 21 day notification period and the corresponding potential appeal. Possible changes to Section 80 include:

- Identifying clearly the use classes that are classified as “hazardous uses” and “incompatible zones”, including what an acceptable separation distance from these uses is considered to be. Doing so would make it clear to both applicants and Development Officers what is expected.
- Identifying and altering other subjective wording such as “detract from residential character”, “ensure a safe location”, “suitable location”, “well-lit environment”, “peaceful enjoyment of property”, “secure perimeter”, “securely enclosed”, “reasonable distance”, “noisy”, etc. and deleting it, or replacing it with specific regulations in order to limit the latitude to refuse an application for Child Care Services.
- Removing the location restrictions for child care services located within the High Density Residential (HDR) or the Residential Mixed Use (RMU) Zones Downtown, which require Child Care Services to be in a separate facility, either within the principal building on the Site or in an Accessory or secondary building, with separate access to ground level.

Clarifying what specific performance criteria would satisfy the intent of the regulations in a consistent way would improve the uniformity of decisions made, and reduce processing time. Making these changes and exploring others would help minimize potential for an application to require variances in order to obtain development approval.

### 2) Section 54 – Parking regulations for Child Care Services Use Class:

Survey respondents identified that the minimum parking requirements are a barrier to expansion of child care services. Evaluating the parking requirements, either on its own or as part of a larger review of all minimum parking requirements is warranted. For example:

- identifying a lower parking requirement by reviewing child care services development permits to determine how often a variance is required, how many spaces are typically varied, and use the data as a basis for a new requirement.
- allowing on-street parking to satisfy the drop-off/pickup requirement.

Aligning the parking requirement with physical realities will reduce the need to grant variances to the regulations to approve applications for child care services, and better align the zoning bylaw with *The Way We Grow*: Edmonton’s Municipal Development Plan.

### 3) Child Care in Industrial Areas

Child Care Services are not allowed in any industrial zone, except as a discretionary use in Ellerslie Industrial. The rationale behind this is for the safety of the children and to maintain the integrity of the industrial areas where typical operations pose some intrinsic risk. For example: locating child care services in industrial areas conflicts with the following Special Land Use Provisions Sections 80.4 & 80.5:

- 80.4: “the Development Officer shall, when deciding whether to approve or refuse a Child Care Service in a Commercial Zone, take into account, among other matters, traffic, noise and proximity to hazardous uses to ensure the proposed Child Care Service is in a safe location;”
- 80.5: “no portion of a Child Care Service Use, including the building or bay of building and, where provided, on-site outdoor play space, shall be located within 50.0 m of a Major or Minor Service Station or a Gas Bar. This distance shall be measured from the pump island, fill pipes, vent pipes, or service station or gas bar building, depending on whichever is closest to the child care facility;”

As a result of the above clauses Child Care Services is a discretionary use in most zones that allow Major or Minor Service Station, a Gas Bar, or other potentially hazardous uses.

In examining additional zones for possible application to child care services, Industrial Business (IB), and Light Industrial (IL) zones may be added as a discretionary use in the zone to be an option for development under certain conditions. The lower intensity business/service zones pose the least hazard of the industrial zones for environmental hazard. While expanding the use into these zones is an opportunity, the wide range of permitted and discretionary uses allowed in these zones may be incompatible with a child care service use. One small area of exception is the Special Area Ellerslie Industrial Business Zone (EIB) already allows child care services as a discretionary use. Industrial Business Zone (IB) could work in limited cases, where it is used as a strip commercial zone, however it typically functions as a buffer or transitional zone adjacent to Medium Industrial (IM) or Heavy industrial (IH) which feature many industrial uses that are incompatible with Child Care Services from a safety perspective. (IL) Light Industrial Zone applied to 64 parcels within the city and may represent a small additional opportunity area for child care services.

### 4) Development Bonusing:

The basis for this report originated as a result of a discussion about public amenity contributions during development. The City of Edmonton would need to work with the Government of Alberta to review the enabling legislation, particularly the *Municipal Government Act* to ensure that a contribution of this nature could be required by the City during development, in the same way that public art, affordable housing or municipal reserve can be collected. Vancouver specifically, and British Columbia generally, enables this type of contribution. Investigating this option would also require collaboration with Government of Alberta as it relates to the *Alberta Building Code* and the related regulations under the *Safety Codes Act*.