

# Charter Bylaw 19490

## Text Amendments to Zoning Bylaw 12800 to enable supportive housing developments

### Purpose

To amend Zoning Bylaw 12800 to add a new Supportive Housing use, and add the new Supportive Housing use to the following zones as a:

- Permitted use: (CSC) Shopping Centre Zone, (CB1) Low Intensity Business Zone, (CB2) General Business Zone, (CHY) Highway Corridor Zone, (CO) Commercial Office Zone, (CB3) Commercial Mixed Business Zone, (CCA) Core Commercial Arts Zone, (CMU) Commercial Mixed Use Zone, (RMU) Residential Mixed Use Zone, (HA) Heritage Area Zone, (UW) Urban Warehouse Zone, (US) Urban Services Zone, Medium density residential zones, and High density residential zones
- Discretionary use: (A) Metropolitan Recreation Zone and (CS1) Community Services 1 Zone, and Low density residential zones
- Permitted or Discretionary use: Special Area Zones have been updated to reflect what is currently permitted in the zones.

### Readings

Charter Bylaw 19490 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 Charter Bylaw 19490 be considered for third reading.”

### Advertising and Signing

This Charter Bylaw has been advertised in the Edmonton Journal on October 16, 2020, and October 24, 2020. The Charter Bylaw can be passed following third reading.

### Position of Administration

Administration supports this proposed Charter Bylaw.

### Report

Edmonton’s social support infrastructure is currently under extreme pressure. Almost 2000 people are experiencing homelessness on any given night in our city, and approximately 180 new people are entering homelessness every month. Increased unemployment and financial strain, the retraction of social support programs, combined with new physical capacity constraints on existing social service facilities

has meant many people experiencing or at risk of homelessness are unable to meet their basic needs. The Government of Alberta, the City of Edmonton, Homeward Trust as well as other agencies in the homeless-serving sector have searched extensively for additional space and facilities for providing temporary shelter, day support services and bridge and supportive housing but these efforts have been challenged by the limited opportunities for these types of developments under Edmonton's existing land use regulatory framework.

The City has a role to play in implementing effective regulations and internal processes to encourage affordable housing development and enable service provision for people experiencing homelessness. Zoning Bylaw 12800 governs all land development in the city by setting out the location and size of buildings that can be constructed and the type of activities that can take place on those properties. With increasing numbers of unsheltered people in Edmonton, further changes to the Zoning Bylaw are recommended to create a regulatory environment to allow more supportive living accommodation development within the city.

In July 2019, report CR\_6103 *Zoning of Affordable and Supportive Housing* recommended immediate and long term Zoning Bylaw amendments to enable the development of more supportive housing in Edmonton. This report contained recommendations for immediate amendments described as "Phase One - Remove Some Group Home and Limited Group Home Restrictions" and identified further amendment work to be completed as "Phase Two - A New 'Use' Specific to Supportive Housing". Subsequent to the report at Urban Planning Committee on July 9, 2019, the amendments identified in Phase 1 were passed by City Council on July 15, 2019, and Administration planned to advance the Phase 2 work in 2020. This report advances amendments aligned with the intended Phase 2 work and proposes a new Supportive Housing use.

### *Zoning barriers to supportive living*

Zoning Bylaw 12800 does not provide many zones in the city where shelter operations under the Temporary Shelter Services use could be permitted. The limited zones where Temporary Shelter Services use is a listed use is a barrier to permitting shelters, workforce trailers, and other shelter-like scenarios. Temporary Shelter Services is not a permitted use in any zone and is a discretionary use in only four zones: the (US) Urban Services Zone, the (UW) Urban Warehouse Zone, the (HA) Heritage Area Zone and the (CS1) Community Services 1 Zone. Only the (US) Urban Services Zone is used with any regularity across the city. The zones where Temporary Shelter Services is a discretionary use are located mostly in the core and the current approach does not support the objective of Policy C601, the Affordable Housing Investment Guidelines, which seeks to improve the distribution of non-market housing across the city.

The current approach to permanent supportive housing within the Zoning Bylaw defines that individuals who require daily living supports are classified into the Group

Home and Limited Group Home use categories, which are also restricted in many commercial zones where multi-unit housing and other residential-related uses are permitted or discretionary. The Group Home use has onsite support services and commonly includes seniors homes, hospice care, transitional housing, and homes for persons with a need for daily care to live their lives. Limited Group Homes offer similar services, but are restricted to six residents or less. This provides a narrow set of opportunities by zone and can limit the size of the facility based on the number of persons accommodated.

The Zoning Bylaw also has a gap in terms of a use definition that can be used to permit hotel conversions to supportive housing in commercial zones where hotel buildings are typically found. The closest existing use definitions in the bylaw are Multi-unit Housing in conjunction with Group Home. Group Homes are not a listed use in commercial zones, while Multi-unit Housing is allowed in some limited commercial zones, typically as a discretionary use.

### Policy Direction

The need has been identified to make it more equitable to permit various types of supportive housing developments in the Zoning Bylaw. The proposed changes to the bylaw would improve the opportunity to locate supportive housing, including senior's housing and hospice care, and temporary shelters, more widely across the city. From a policy perspective the proposed changes align with Policy C601 Affordable Housing Investment Guidelines, which seeks to ensure more opportunities for non-market developments to be located across the city. Additional policy alignment can be found with Age Friendly Edmonton, and The Draft City Plan where the Inclusive and Compassionate Big City Move calls for:

- *Nobody is in core housing need*
- *There is no chronic or episodic homelessness in Edmonton*
- *Less than 35% of average household expenditures are spent on housing and transportation*

There are many policies within The Draft City Plan that provide direction and support the outcomes of enabling a more inclusive and equitable city, with improved access to housing and support; for example:

#### *2.2.2.1 Streamline provision of affordable housing in all neighbourhoods through continual regulatory and procedural review and improvement.*

One of the key opportunities to address a more equitable approach to housing with integrated supports is to create a supportive living use definition that can be allowed in more zones across the city than what is currently allowed through the Temporary Shelter Services, Group Homes, and Limited Group Home uses.

As part of creating the City of Edmonton's Infill Roadmap 2018, there was a robust

discussion about the need for diverse housing options for current and future residents of mature neighbourhoods, culminating in Action 4 of the roadmap:

*4. Re-examine the rationale for distinguishing and restricting collective housing options, and update regulations as needed.*

### Proposed Zoning Bylaw amendments

Zoning Bylaw 12800 requires amendments to reduce barriers to allow hotel conversions to supportive living accommodations as a short-term priority but also to permit supportive housing more broadly throughout the city. The proposed changes to the Zoning Bylaw are intended to ensure the bylaw is responsive to the housing needs of all residents, including those residents in need of immediate shelter.

A new Supportive Housing use is introduced to replace the Temporary Shelter, Group Home, and Limited Group Home uses in the Zoning Bylaw. This is appropriate as the previous uses are all forms of housing with on site supports to provide embedded social and health services. Using one definition also provides flexibility for organizations to be able to adapt to different forms and duration of supportive housing as needed.

To address the short-term interest to convert hotels for supportive housing, the new use is proposed to be added to commercial zones such as the (CHY) Highway Corridor Zones, where some existing hotels are located and there is a history of guests living in these zones.

The Supportive Housing use will also be added to a range of other commercial (e.g. (CB1) Low Intensity Business Zone), downtown (e.g. (UW) Urban Warehouse Zone), and urban services (e.g. (US) Urban Services) zones. This would facilitate the construction of new supportive housing developments and the conversion of other buildings such as office buildings or apartments in order to enable supportive living accommodations across the city. For a full list of zones where the new Supportive Housing use is proposed to be listed, please see the zoning matrix in Attachment 3 - Zoning Matrix of proposed changes.

The zones where the new use is proposed to be listed were selected on the basis of compatibility. For example, commercial zones were identified as compatible with the proposed Supportive Housing use due to:

- proximity to a range of services and transit,
- existing buildings identified as opportunities for conversion, and
- Multi-unit Housing, a residential activity, is a discretionary use in many of these zones.

Urban services zones were also identified as these are often used for community services. Administration is also proposing to allow Supportive Housing as a

discretionary use in the (A) Metropolitan Recreation Zone to allow existing buildings such as the Kinsmen Sports Centre to be used for supportive housing on a temporary basis should the need arise.

As supportive housing is primarily residential in nature, the Supportive Housing use will continue to be a permitted or discretionary use within Residential zones based on how Limited Group Homes and Group Homes are currently allowed in the Zoning Bylaw. The broader Supportive Housing use definition would permit all permanent supportive housing developments, including temporary shelters, to be located in the (RA7) Low Rise Apartment Zone, (RA8) Medium Rise Apartment Zone and (RA9) High Rise Apartment Zone.

For low-density residential areas, the Supportive Housing use will be restricted through the defined term “Limited Supportive Housing”, which takes characteristics from the Limited Group Home use definition to limit the scale of development to be similar to that of the surrounding neighbourhood (e.g. only a maximum of six residents would be allowed). Where this will be a permitted or discretionary use will not change from how Limited Group Homes are currently allowed in the Zoning Bylaw.

The amendments proposed will help to address immediate and longer term housing needs. Administration will monitor implementation for further adjustments that can be undertaken as part of the Zoning Bylaw Renewal initiative.

### Summary

The proposed Zoning Bylaw amendments will address some short-term gaps in housing. It will also address multiple long standing policies, including the emergent direction from The Draft City Plan to provide housing for more Edmontonians. The introduction of the Supportive Housing use will retire the Temporary Shelter Services, Group Home, and Limited Group Home uses and introduce the new use to more zones across the city. This approach provides more opportunity and flexibility to open temporary or permanent accommodations in an appropriate number of zones. As Administration continues to advance the Zoning Bylaw Renewal initiative they will be able to monitor these amendments and evaluate whether refinements are required.

### **Public Engagement**

Public engagement was not completed for this amendment, however stakeholders and the general public have an opportunity to provide feedback directly at Public Hearing.

The draft amendments were informed by prior engagements. Administration conducted a stakeholder survey and workshop to understand the views of housing providers on the issues and opportunities to reduce barriers for permanent supportive housing development in November 2018 and January 2019 respectively.

The consultation identified several opportunities related to the planning process and zoning regulations including the following:

- removing existing zoning barriers to permanent supportive housing, including restrictions on group homes, and clarifying how support services are considered within standard zones;
- developing a 'use' specific to supportive housing that treats all types of supportive housing the same regardless of the user;
- establishing a process dedicated to expediting affordable housing project development approvals and permit delivery;
- allowing residential developments in Urban Service Zones; and
- incorporating housing and supportive living (long-term care) in senior centres, schools, and shopping centres.

### **Attachments**

1. Charter Bylaw 19490
2. Markup of Proposed Changes for Supportive Housing Uses
3. Zoning Matrix of Supportive Housing as a listed use in the Zoning Bylaw