

Request for Decision

Title	Review of Suite Regulations within the Land Use Bylaw
Proposed Motion	That Council direct Administration to bring forward amendments to the Land Use Bylaw that would facilitate replacement of Suite regulations with Accessory Dwelling Unit regulations and modify the regulations related to Secondary Dwellings.
Administrative Recommendation	It is recommended that amendments be brought forward to the Land Use Bylaw that would streamline regulation of Suites by replacing suite regulations with Accessory Dwelling Unit regulation and modify the regulations related to Secondary Dwellings.
Previous Council / Committee Direction	<p><u>January 25, 2022 Regular Council Meeting</u> Motion 028/22: That Council direct Administration to review suite regulations within the Land Use Bylaw, including the ability for suites to have basements, and provide a report to Council in March 2022.</p> <p><u>June 11, 2019 Regular Council Meeting</u> Motion 195/19: That Council give third reading to Bylaw 1432/19.</p> <p><u>July 10, 2017 Regular Council Meeting</u> Motion 351/17: That Council give third reading to Bylaw 1385/17, Land Use Bylaw.</p>
Report	<p><u>Background Information</u> Suites</p> <ul style="list-style-type: none"> At the January 25, 2022 Council meeting, Council directed Administration to review suite regulations within the Land Use Bylaw, including the ability for suites to have basements, and provide a report to Council in March 2022. Suites were added to the Land Use Bylaw as part of Land Use Bylaw 1385/17. Amendments were made to suite regulation section 6.25 through the adoption of Bylaw 1432/19. In the Land Use Bylaw there are 3 forms of “suite” styles: Secondary Suites, Garden Suites, and Garage Suites, each with their own regulations and requirements. The County’s suite regulations state that Garden Suites and Garage Suites shall not have basements. The rationale for this requirement is not clear and effectively ensures that the Development Authority must

refuse any application that proposes to take older existing dwellings with basements and turn them into a Garden Suite or Garage Suite. It was this regulation specifically that prompted the Council motion to request a review of the regulations.

- As part of the suite regulations review, Administration looked at several other municipalities and how they regulate their suites and additional dwelling units.
 - The review evaluated the current regulations and looked at ways to streamline processes and reduce administrative time and resources. It also investigated means to allow greater clarity for applicants wishing to develop additional dwelling units on residential lots, while ensuring that the impacts on neighbours, communities, and infrastructure could still be mitigated and managed.
- One identified approach is to create a unified “Additional Dwelling” definition and a single set of regulations which do not differentiate between Secondary, Garden, or Garage Suites.
- This approach is consistent with what is being proposed for the Sturgeon Valley and is the approach used by other Edmonton-area municipalities in their Land Use Bylaws.

Secondary Dwellings

- Although not considered or regulated as “Suites”, Administration also reviewed the regulations regarding Secondary Dwellings within the Land Use Bylaw.
- Secondary Dwellings are entirely separate single detached dwellings currently permitted only on agricultural parcels of 32.4 ha (80 ac) or larger. The regulations allow for one Secondary Dwelling in addition to the existing single detached dwelling on the parcel.
- Administration is recommending that the regulations be amended to allow a Secondary Dwelling on Agricultural parcels larger than 4ha (9.8 ac), being Agriculture Major and Agriculture Minor, to facilitate the opportunity for residents to remain living on agricultural parcels as they age in place.
- Additionally, the Land Use Bylaw currently restricts the ability to have a Suite on a parcel that has a Secondary Dwelling. Administration proposes removal of this criteria in favour of allowing one Suite or Additional Dwelling Unit (ADU) per single detached dwelling on an Agricultural parcel.

Administrative Recommendation

Suites

- Administration proposes to replace the entirety of the suite regulations of the Land Use Bylaw with streamlined and simplified regulations that combine Secondary, Garage, and Garden Suites together in a unified definition of an Accessory Dwelling Unit (ADU).

DRAFT Definition – Accessory Dwelling Unit

Accessory dwelling unit means a self-contained dwelling unit that is located within or on the same titled parcel, and accessory to a principle

	<p><i>dwelling that meets the Alberta Building Code. Accessory dwelling units are clearly secondary in size to the principal dwelling, which may or may not share access to the outside and/or other facilities with the principal dwelling. Accessory dwelling units include but are not limited to garden suites, garage suites, and secondary suites.</i></p> <ul style="list-style-type: none"> Replace section 6.25 Suites with section 6.25 – Accessory Dwelling Units and update and rationalize the regulations, including the requirement that ADUs be constructed on a permanent foundation, meaning ADUs can have basements. <p>Secondary Dwellings</p> <ul style="list-style-type: none"> Modify section 6.24.1 as follows: A secondary dwelling shall not be considered on AG parcels smaller than 4ha (9.88 acres). Remove section 6.24.4: A secondary dwelling shall not be allowed on the same parcel containing a garden suite or garage suite. <p><u>External Communication</u></p> <ul style="list-style-type: none"> No formal external communication is required; however, applicants will be advised of any proposed changes in advance of any changes taking effect. <p><u>Relevant Policy/Legislation/Practices</u></p> <ul style="list-style-type: none"> Land Use Bylaw 1385/17 and amendments thereto
Implication of Administrative Recommendation	<p><u>Strategic Alignment:</u></p> <p>Planned Growth – The proposed amendments would streamline and clarify regulations regarding additional dwelling units. The amendments would also allow for increased density on agricultural parcels which supports generational living.</p> <p>Collaborative Governance – The proposed amendments would ensure greater clarity and simplification of regulation between Administration and applicants and removal of red tape.</p> <p>Operational Excellence – The proposed amendments would streamline operational processes by reducing use of variances and may reduce Subdivision and Development Appeal Board hearings, while maintaining quality of service.</p> <p><u>Organizational:</u></p> <p>The proposed amendments would allow for greater organizational efficiencies regarding clarification to applicants.</p> <p><u>Financial:</u></p> <p>None.</p>
Alternatives Considered	<p>Council could maintain the three suite definitions and update the corresponding regulations for each, rather than consolidating them into one definition.</p>
Implications of Alternatives	<p><u>Strategic Alignment:</u></p> <p>The strategic alignment is unchanged in comparison to the recommendation.</p>

	<p><u>Organizational:</u> This alternative would achieve the same objective but is more administratively cumbersome, and best practice is to use the single ADU definition and corresponding regulations.</p> <p><u>Financial:</u> None.</p>
Follow up Action	1. Prepare and bring forward Land Use Bylaw amendments to facilitate replacement of Suite regulations with Accessory Dwelling Unit regulations and modify the regulations related to Secondary Dwellings (Planning and Development Services, April / May 2022).
Attachment(s)	None.
Report Reviewed by:	<p>Bonnie McInnis, Manager, Planning & Development Services</p> <p>Travis Peter, General Manager, Development & Strategic Services</p> <p>Scott MacDougall, Acting County Commissioner – CAO</p>

Strategic Alignment Checklist

Vision: *Offering a rich tapestry of historical, cultural, and natural experiences, Sturgeon County is a municipality that honours its rural roots and cultivates desirable communities. Uniquely situated to provide world-class agricultural, energy, and business investment opportunities, the County prioritizes responsible stewardship and dreaming big.*

Guiding Principles: Collaboration | Accountability | Flexibility | Excellence | Safety | Future Readiness | Affordability | Innovation

Community Outcome	Not consistent	Consistent	N/A
Planned Growth			
<ul style="list-style-type: none"> Internationally competitive to attract, grow and sustain diverse businesses; tenacious focus on new growth and innovation 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> Modern broadband and digital capabilities 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> Low cost, minimal red-tape regulations 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> Reliable and effective infrastructure planning; comprehensive land use and infrastructure planning 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Thriving Communities			
<ul style="list-style-type: none"> Beautiful, surprising places with high standards; integrated natural spaces & trail systems; healthy and resilient 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> Engaging cultural, historical, and civic amenities; strong community identity and pride 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> Safe, welcoming, and diverse communities; small community feel and personal connection; commitment to high quality of life 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Environmental Stewardship			
<ul style="list-style-type: none"> Clean air, land, and water; Carbon neutral municipal practices; circular economy opportunities 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> Conservation of natural areas and agricultural lands; enhanced greening and biodiversity; safekeeping ecosystems 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> Sustainable development; partnerships with industry and others to drive emission reductions 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Collaborative Governance			
<ul style="list-style-type: none"> Predictable and stable external relationships; volunteer partnerships 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> Meaningful connections with Indigenous communities 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> Ongoing community consultation and engagement; transparent and action-oriented decision making based on sound rationale 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> Respectful and informed debate; clear and supportive governance processes 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Operational Excellence			
<ul style="list-style-type: none"> Engaged and effective people – Council, Admin and Volunteers; continuous learning and improvement mindset; nimble and bold, with strong leadership 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> Quality cost-effective service delivery; robust procurement and operational practices and policies; asset management and performance measurement; careful debt and reserve stewardship; long-term financial planning and sustainability 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> Future focused thinking to proactively respond to emerging opportunities and challenges 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> Alternative revenue generation and service delivery models integrated strategic and business planning 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>