

Briefing Note

Title	1:30 p.m. Public Hearing - Bylaw 1587/22 – Amendment to Land Use Bylaw 1385/17 - Accessory Dwelling Units
Issue	To provide an opportunity for members of the public to submit their comments regarding Bylaw 1587/22.
Previous Council / Committee Direction	<p><u>April 12, 2022 Regular Council Meeting</u> Motion 156/22: That Council give first reading of Bylaw 1587/22.</p> <p><u>March 22, 2022 Regular Council Meeting</u> Motion 111/22: 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.</p> <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>
Report	<p><u>Background Information</u></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. In the Land Use Bylaw there are three forms of “suite” styles: <i>Secondary Suites</i>, <i>Garden Suites</i>, and <i>Garage Suites</i>, each with their own regulations and requirements. The County’s suite regulations state that, <u><i>Garden Suites</i> and <i>Garage Suites</i> shall not have basements</u> (emphasis added). 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 <i>Garden Suite</i> or <i>Garage Suite</i>. It was this regulation specifically that is believed to have prompted the Council motion to request a review of the regulations. Administration reviewed how several other municipalities regulate suites and additional dwelling units. The review evaluated current regulations and means to streamline processes and reduce administrative time and resources. It also investigated means to support

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 Unit” definition and a single set of regulations that do not differentiate between Secondary Suites, Garden Suites, 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.
- Although not considered or regulated as “Suites”, Administration also reviewed the regulations regarding Secondary Dwellings within the Land Use Bylaw as part of this review.
- Secondary Dwellings are entirely separate single detached dwellings currently permitted only on AG-Major agricultural parcels of 32.4 hectares (80 acres) or larger. The regulations allow for one Secondary Dwelling in addition to the existing single detached dwelling and one secondary suite on the parcel (a total of three dwellings).

Administrative Review Conclusions

Regarding Suites, Administration proposes the following:

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

Definition – Accessory Dwelling Unit

Accessory dwelling unit means a self-contained dwelling unit, that is located either within or on the same titled parcel, and accessory to a principal dwelling that meets the Alberta Building Code. Accessory dwelling units within the same building 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.

- Replace section 6.25 Suites and section 6.24 with section 6.1A – *Accessory Dwelling Unit*.
- Update any references to *Secondary*, *Garden* and *Garage Suites* and *Secondary Dwellings* within the Land Use Bylaw regulations.
- Regarding *Secondary Dwellings*, Administration proposes the following:
 - a. Replace *Secondary Dwellings* with *Accessory Dwelling Units*.
 - b. To ensure no current landowner rights are lost, the proposal includes *Accessory Dwelling Units* within the AG-Major and AG-Minor parcels are not restricted by size or location, as long as they share an access.
 - c. Additionally, the proposed regulations will allow two *Accessory Dwelling Units* on all agricultural parcels greater than 4 hectares in size (AG-Major and AG-Minor) (a total of three dwellings) as compared to the current regulations which only allows three

	<p>dwelling (one <i>Single Detached Dwelling</i>, one <i>Secondary Suite</i> and one <i>Secondary Dwelling</i>) only on AG-Major parcels over 34.2ha in size.</p> <ul style="list-style-type: none"> The above recommendations are reflected within proposed Bylaw 1587/22. Bylaw 1587/22 was given first reading at the April 12, 2022 Council Meeting and is proceeding to public hearing in accordance with the requirements of the <i>Municipal Government Act</i> (MGA). <p><u>External Communication</u></p> <ul style="list-style-type: none"> The Public Hearing for this Bylaw was advertised in the <i>Morinville Free Press</i> and <i>Redwater Review</i> for two consecutive weeks (May 11 and May 18, 2022) in accordance with the advertising requirements detailed within section 606 of the MGA. <p><u>Relevant Policy/Legislation/Practices</u></p> <ul style="list-style-type: none"> The MGA authorizes Council to establish and amend bylaws. Section 692 of the MGA requires that a municipality hold a public hearing prior to giving second reading to a proposed bylaw. Land Use Bylaw 1385/17
Implication	<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 could support generational living and the viability of the family farm.</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> The proposed amendments would allow for greater organizational efficiencies regarding clarification to applicants.</p> <p><u>Financial:</u> None.</p>
Follow Up Action	<ol style="list-style-type: none"> Bring the Bylaw back to Council for consideration of second and third readings (Planning and Development Services, May 2022).
Attachment (s)	<ol style="list-style-type: none"> Attachment 1: Bylaw 1587/22 Attachment 2: Public Hearing Process

**Report Reviewed
by:**

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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"/>