



## COUNCIL REPORT

### REGULAR COUNCIL MEETING

July 8, 2025

#### Bylaw 1083-25 Land Use Bylaw Amending Bylaw - Education Use - Public Hearing, Second and Third Reading

##### RECOMMENDATION

THAT Bylaw 1083-25 Land Use Bylaw Amending Bylaw - Education Use, be given second reading.

THAT Bylaw 1083-25 Land Use Bylaw Amending Bylaw - Education Use, be given third reading.

##### REQUESTED COUNCIL ACTION

Decision required

##### STRATEGIC ALIGNMENT – BUILDING OUR TOMORROW, TODAY

Future-proof growth for a safe, inclusive, and vibrant community.

##### COUNCIL BYLAW, POLICY, MASTER PLAN

Our Zoning Blueprint: Land Use Bylaw 944-19

##### COUNCIL AND COMMITTEE HISTORY

May 27, 2025	Council gave first reading to Bylaw 1083-25 Land Use Bylaw Amending Bylaw
April 8, 2019	Council gave third reading to Bylaw 944-19, Beaumont Land Use Bylaw

### Report

Livable communities are cultivated through careful planning and dedicated care. Bylaw 1083-25 proposes amendments to Our Zoning Blueprint: Land Use Bylaw 944-19 (LUB) to ensure that Beaumont remains a vibrant, inclusive place to live supported by a safe, effective and multi-modal transportations system.

Beaumont has the youngest population in the Edmonton Metropolitan Region and our largest demographic is youth aged 0-15 years. One of the largest non-residential sectors in the city is child care facilities and almost every commercial development proposes to continue to meet this core need through providing additional child care spaces.

Child Care Facilities are contained within the Education Use class, which is a permitted use in all districts in the city. Education is defined in the LUB as:

*"Development of public and private places of learning for any age including licensed child care facilities and/or research facilities"*

The definition includes schools, daycares, tutoring services, and after school care facilities but does not include day homes which are discretionary under the Home-Based Business - Major Use.

There are off-site impacts associated with Education Uses that the LUB cannot mitigate as this use is permitted and there are no specific use standards for this use class. These offsite impacts include traffic generation and parking issues related to pick-up and drop off times and the inability to consider the cumulative impacts of concentrations of these types of uses. Bylaw 1083 – 25 is a proposed text amendment that will shift Education uses from permitted to discretionary uses in all land use zones. This will enable the Development Authority to carefully evaluate proposals for Education uses and mitigate any offsite impacts by being able to apply site specific conditions to address concerns. Including, where considered necessary, requiring a Traffic Impact Assessment (TIA) and providing the Development Authority the ability to refuse based on the results, approve as proposed, or approve with conditions to implement the TIA recommendations.

The scope of the proposed Education Use amendment reflects an immediate need to address trends that have been observed and documented by the Planning and Development Department, including:

- 1) A significant increase in Education Use applications over the past 3 years
  - 2022 – 2 Education Use applications, excluding public schools and dayhome Home Based Business – Major applications
  - 2023 – 3 applications
  - 2024 – 10 applications
- 2) Geographic clustering of Education Uses (Attachment 3)
  - Example: within the Montrose Business Center and Place Chaleureuse Business Park there are 9 daycare facilities along 30 Avenue, near École Champs Vallee School.
- 3) Increased risk of cumulative impacts to the transportation system based on the clustering of Educations uses.

Bylaw 1083-25 does not include an amendment to minimum parking standards for the Education Use. A review of parking regulations is more appropriately addressed within the context of a comprehensive review of the LUB. Child care facilities experience high morning and afternoon traffic peaks; however, daytime use is generally limited to staff parking. There are several examples within the city of child care facilities co-locating with uses that offset those peaks, including but not limited to, dental offices, restaurants, and fitness centers. The jurisdictional scan, outlined later in the report, indicates that current parking standards are in line with regional comparators. In addition, there are high land and opportunity costs associated with an oversupply of parking, for instance, stalls in urban areas can cost between \$7,000 and \$60,000. The impacts of parking requirements on the form and cost of development results in greater complexity than can be considered in an issue-specific amendment. Planning and Development is scoping a parking study to include as part of the Council's budget package to greater understand the parking supply in Beaumont and develop data-driven regulations for all uses.

In addition, on-site play areas are not proposed to be regulated through the LUB as Physical Space Requirements are outlined in the Early Learning and Child Care Regulation. As a discretionary use, the location and configuration of proposed onsite play spaces associated with daycares can be reviewed by the Development Authority for impacts to the transportation system, minimum landscaping requirements and safe access.

This is an issue-specific amendment which does not address any opportunities for review and continuous improvement in relation to our LUB which were identified at the May 20, 2025 Committee of the Whole, such as signage regulations or refining regulations for residential developments for impact versus administrative burden. Evaluating other items, such as the expanding the 100m buffer from existing schools and municipal reserve parcels to Cannabis Retail to include all early childhood service programs (daycare and afterschool care) will be forthcoming by the end of November as per Council's previous motion.

### **Permitted vs Discretionary Uses**

Beaumont's LUB was designed to be flexible and nimble and implement the goals and aspirations of the community as the City grows and changes. Each land use district includes a variety of land uses, with broadly defined categories that group together similar types of activities. These broad definitions are designed to simplify the bylaw by accommodating uses with comparable characteristics and impacts. Each district within the LUB specifies a list of uses that are permitted, at the discretion of the City, or not allowed. Beaumont's LUB delegates decisions for development permits to the Development Authority.

A permitted use must be approved if it meets the standards set out in the LUB. The city cannot legally add conditions to the permit that go above and beyond what is required in the District requirements. A discretionary use requires the city to carefully consider the compatibility of the proposed development with surrounding land uses and the City may attach conditions that it considers necessary to ensure compatibility of the development. While the LUB accounts for many factors that may occur with development, it cannot reasonably address every potential scenario, and discretionary uses address this uncertainty.

Changing the use from permitted to discretionary also extends the right to appeal to any person affected by the decisions under S. 685(2) of the Municipal Government Act.

### **Jurisdictional Scan**

A jurisdictional scan (Attachment 2) was undertaken of municipalities within the Edmonton region and the Calgary region. Comparator municipalities were chosen based size of the municipality and proximity to Beaumont or in the case of Calgary area municipalities, they were chosen based on having a similar hybrid LUB structure to ours (High River) or they are high growth communities (Airdrie and Cochrane).

The findings of the cross-jurisdictional scan indicate:

- Child Care facilities are a mix of permitted or discretionary uses.
- Specific Use Standards, if present, typically relate to mitigating impacts resulting from drop off and pick up of patrons and ensuring that the development does not interfere with traffic and the transportation network.
- There are parking standards which dictate a required number of stalls using a ratio of number of stalls per patron and/or employee, with the exception of Spruce Grove and High River. Spruce Grove requires 1 parking stall per 50.0 square metres of Gross Floor Area and one stall per employee. In High River the number of parking stalls is not mandated.
  - Although Beaumont does not differentiate the required number of parking stalls based on the number of patrons and employees, existing parking regulations in the current LUB are comparable to those provided in other municipalities.
- Spruce Grove has the most prescriptive Use Standards, which address where the use may be located within the building, requirements for an on- site outdoor play space including location and fencing, and specific requirements for development permit applications.

## **Proposed Changes**

Education uses are a permitted use within the LUB and there are no associated Use Standards. Therefore, the Development Authority cannot consider the context of the surrounding area and the 'fit' of the development in relation to the uses around it. As the concentration of child care facilities increases, so does the cumulative impact of these uses. Concerns regarding child care loading zones, safety of children, and impact on the adjacent transportation network are the most frequently reported concerns regarding child care facilities.

Currently, the Development Authority has no ability to address these concerns and to better support child care facilities and Education uses, the following changes are proposed:

- 1) Change Education Use from permitted to discretionary use in all districts. This recognizes the unique context of Beaumont's broad mix of land uses in each land use district which requires context specific analysis for applications which may have impacts on surrounding properties; and
- 2) Add the following Use Standard to each district:

Education	All Child Care facilities, shall provide an on-site drop-off area suitable to accommodate traffic associated with the use and limit any impact on the surrounding community.
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## **Recommendation**

Administration is recommending that following the Public Hearing, Council give Second and Third Reading to Bylaw 1083-25.

## **Financial Analysis**

The upkeep and implementation of the LUB is addressed through internal resources and the 2025 approved budget.

## **Risk Analysis**

Bylaw 1083-25 provides the ability for the Development Authority to consider and apply context specific conditions to ensure that the development of future Education uses does not have negative impact to surrounding land uses and the built environment.

## **Community Insight**

A summary of engagement activities and results are provided in Attachment 4. Planning and Development collaborated with Economic Development to engage 51 impacted groups including owners/operators of commercial childcare facilities through business visits as well as dayhome owners, developers and commercial real estate professionals through an email campaign. Feedback from existing owners and operators reflect general support for the proposed amendments and acknowledgment that the changes address a growing issue. A letter of non-support, addressed to Council, was received from a developer in response to the email campaign citing potential economic consequences. The letter forms part of the Council agenda.

The Public Hearing was advertised in the local newspaper and posted on the website, in accordance with the *Municipal Government Act* and Bylaw 1067-25.

## **Attachments**

- 1 Bylaw 1083-25 Land Use Bylaw Amending Bylaw
- 2 Jurisdictional Scan

3	Childcare Facilities Map
4	What We Heard Report
5	Letter of Objection
6	Administration Presentation