CITY COUNCIL
PUBLIC HEARING – LAND USE, ROAD CLOSURE, STATUTORY PLAN

Title Bylaw 6491 – Land Use Bylaw Amendment re:2401 Westside Dr. W

Meeting Date June 10, 2025

Submitted By Tyson Boylan, Senior Community Planner

Presented By Tyson Boylan, RPP, MCIP Senior Community Planner

Application Number LUB00290

Applicant Information Carolyn Agyapong

Summary

The purpose of this Direct Control (DC) District is to add the uses of Group Home, and Clubs/Community Hall to the parcel as Permitted Uses. The existing Direct Control (DC) district does not currently allow for these land uses. The use of Group Home will allow for the establishment of a proposed respite care and overnight child care facility to be combined with a more traditional daycare and the use of Clubs/Community Halls will allow for a proposed event/gathering space.

Recommendation or Support Statement

1. *Consider first reading to Bylaw 6491 on June 10, 2025;*
2. *Direct Administration to schedule a Public Hearing on Bylaw 6491 on July 15, 2025 and provide required Notice;*
3. *Forward this report and Bylaw 6491 to the July 15, 2025 Public Hearing, directing Administration to add the Presentation; and*
4. *Consider this report and the presentation for the Public Hearing for Bylaw 6491; and*
5. *Consider this report, presentation, any discussions, and public submissions made at the Public Hearing, and Bylaw 6491 at Second and Third Reading.*

Background

The site was originally part of the West Lethbridge Employment Centre Area Structure Plan (WLECASP) but was removed from the WLECASP by Bylaw 6127.

An Outline Plan Brief, called the 2401 West Side Dr Outline Plan Brief, that only included this particular site and is much smaller in scope than an outline plan was also approved by the Municipal Planning Commission in October 2018. This document provided the technical background information for the future development of the site.

The parcel was then subsequently rezoned to the existing Direct Control (DC) district (Bylaw 6145) in November 2018 which listed the Permitted and Discretionary Uses for the site. This DC district also had a number of site-specific requirements for landscaping, the built form of buildings and overall site design. It required that a comprehensive site plan showing compliance to these concepts be provided prior to issuance of a Development Permit.

The Comprehensive Site Plan was approved in October 2024 and the initial Development Permit issued in December 2024.

Development on this site has recently commenced for a building containing a Child Care Facility.

Application Analysis

The applicant proposes to add the two Uses of Group Home and Clubs/Community Halls, to the parcel as Permitted Uses, as the existing DC Bylaw 6145 does not currently allow for these land Uses. This requires a new DC Bylaw, however all other Uses and development requirements that are currently under DC Bylaw 6145 would still remain in place under the proposed DC Bylaw 6491.

A traditional child care facility is currently being developed on the parcel and is considered to be Child Care, Major, which is a Permitted Use under the existing DC district. The applicant also proposes to establish a respite care and overnight child care facility in combination with this traditional child care facility. The respite care and overnight child care facility is considered to be the Use of Group Home under the City's Land Use Bylaw ("LUB") 6300 as it requires rehabilitative or supportive overnight care. This facility is also subject to regulation by the Provincial Government.

The applicant also proposes an event/gathering space that can be rented in the same building as the Child Care, Major and Group Home are to be located. This is considered as the Use of Clubs/Community Halls under the LUB.

These two proposed Uses are a relatively unique arrangement that was not considered as part of the original DC Bylaw 6145 and no other respite care and overnight child care facility, such as what is proposed, currently exists in the City. That being said, these new Uses are still compatible with the other Land Uses that can be developed on the Parcel.

The proposed DC Bylaw 6491 also updates references to the current Land Use Bylaw 6300, as the existing DC Bylaw 6145 references the previous Land Use Bylaw 5700, which was in use at the time that it was adopted and has since been repealed. The proposed DC Bylaw also now references the required Comprehensive Site Plan as being approved, as it was

approved in October 2024, and now describes what is required for this Comprehensive Site Plan to be amended. The approved Comprehensive Site Plan only describes the site layout of the developed parcel site layout (includes building concepts, parking, onsite circulation, pedestrian connections and landscaping) and is unaffected by the proposed addition of the two new land uses in the proposed DC Bylaw.

The proposed DC Bylaw has been reviewed by City staff and no transportation or servicing issues have been identified.

Policy Considerations

The proposed Land Use Bylaw amendment complies with the strategies contained in the South Saskatchewan Regional Plan (SSRP) to:

- *Provide an appropriate mix of agricultural, residential, commercial, industrial, institutional, public and recreational land uses; developed in an orderly, efficient, compatible, safe and economical manner* (Strategy 8.11).

- *Contribute to a healthy environment, a healthy economy and a high quality of life* (Strategy 8.12).

- *Locate school and health facilities, transportation, transit and other amenities appropriately, to meet increased demand from a growing population.* (Strategy 8.18).

The City of Lethbridge Municipal Development Plan (MDP) contains the following policy that is supportive of the proposed Direct Control District in regard to allowing members of the community access to their needs:

Policy 113. *"PROMOTE a sustainable development pattern which makes efficient use of land, minimises the need for motorised travel and facilitates social cohesion, by encouraging:*

- *The design of live, work, shop and play land uses in proximity to one another.*

The approved 2401 West Side Dr Outline Plan Brief mainly describes the technical and infrastructure background information for the development of the Parcel. The two proposed Uses of Group Home, and Clubs/Community Hall will not impact the provision of infrastructure to the Parcel that was described in this Outline Plan Brief. In terms of land Use, this Outline Plan Brief describes development on the parcel as being large format commercial in nature. The development that is proposed by the two additional land Uses are compatible with this type of development.

The approved Comprehensive Site Plan shows the site layout and the proposed new land Uses will not cause an amendment to this Comprehensive Site Plan, as these Uses will be

contained within a building that has already be planned for on the Parcel and is currently being developed.

Community Consultations

Direct notifications for the initial application were sent by the City of Lethbridge to 6 adjacent and affected property owners within a 60-metre radius of the site, as per the requirements of the Land Use Bylaw.

Additional communication through newspaper advertisements, a notification on the City's website and another direct notification to adjacent and affected property owners advertising the public hearing date will occur after first reading of this bylaw and prior to the public hearing.

The applicant did not host a public open house.

Decision Options

This section will provide Council with an overview of the options before them regarding the Application. This information is for information for Council's consideration throughout the deliberative and statutory process regarding this matter.

- At First Reading:
  1. Approve First Reading of Bylaw 6491.

- At the Public Hearing:
  1. Hold and Close the Public Hearing for Bylaw 6491; or
  2. Recess the Public Hearing for Bylaw 6491; to a Future Meeting to gather more information, or for further consideration. *This may require re-advertising. A date for reconvening of the meeting should be determined at the time of the recess to facilitate re-advertising. (This is contemplated during or after the Public hearing before the Public hearing is declared Closed)*

- At Second and Third Reading:
  1. Postponement of the Second and Third Reading for Bylaw 6491 until a future City Council meeting. This does not require re-advertising; or
  2. Provide Second and Third Reading to Bylaw 6491 as presented (i.e. Approve the Bylaw); or
  3. Provide Second and Third Reading to Bylaw 6491 as amended. (i.e. Approve the Bylaw with changes) (*Note: Any substantive change to the bylaw, may require re-advertising for an additional Public Hearing); or*
  4. Defeat or Refuse Bylaw 6491 as presented. *When a Bylaw for a land use district change or a change to the text of the Land Use Bylaw is defeated by the City Council, another application for the same land use district change for the same parcel or the same text change may not be submitted by the same or another applicant until 6 months have elapsed from the date of the City Council's*

decision unless the application has been sufficiently modified to constitute a new application.

Attachment(s)

1. Bylaw 6491

Link(s)

1. South Saskatchewan Regional Plan
2. Municipal Development Plan
3. 2401 West Side Dr Outline Plan Brief
4. Land Use Bylaw 6300

Approvals	
Department Director:	Joel Sanchez
City Manager:	Lloyd Brierley