

ADMINISTRATIVE REPORT

TO: Shane Bourke, City Manager	DATE: March 24, 2025
FROM: Brian Glavin, Chief Operating Officer	MEETING: City Council
REPORT WRITER: Zeel Patel, Planner	
SUBJECT: Land Use Bylaw Amendment C-1260-198 Adding the use Mixed Use Apartments- Up to 2 units in CL, CG & CT districts	

RECOMMENDATIONS

That Council gives three readings to Bylaw C-1260-198, being an amendment to the Land Use Bylaw.

PREVIOUS COUNCIL / COMMITTEE DIRECTIONS

There are no previous Council or Committee directions on this Land Use Bylaw amendment.

BACKGROUND

Administration is proposing an amendment to the Land Use Bylaw to add the use "Mixed-Use Apartment (up to 2 units)" to three Commercial Districts – CL- Local Commercial, CT- Commercial Transition and CG- General Commercial as a Discretionary Use.

ANALYSIS

The proposed amendment aligns with broader urban planning goals that promote mixed-use development, encouraging a blend of residential and commercial uses to enhance community vibrancy. The inclusion of up to two residential units in commercial zones can contribute to increased housing availability, particularly in areas where residential options are limited. Additionally, this change can help support local businesses by fostering a live-work environment and increasing foot traffic within commercial areas.

From a zoning perspective, making "Mixed-Use Apartment (up to 2 units)" a discretionary use ensures that each application will be evaluated on a case-by-case basis. This allows for appropriate considerations regarding compatibility with existing businesses, parking availability, and other land use bylaw regulations.

It is important to note that mixed-use apartment buildings with three or more units are already a permitted use in CL, CT and CG Districts. Allowing mixed-use apartments with up to two units as a discretionary use presents minimal risk, as it aligns with existing land use patterns. A similar approach is taken in the CC-Commercial Central District, where mixed-use apartments with three or more units are a permitted use, while those with up to two units require discretionary approval. Smaller-scale residential developments are reviewed for their potential impact while aligning with the city's goal of promoting a denser urban core and enhancing the vibrancy of the area. In certain locations, up to two units of mixed-use development may be appropriate.

More details are available in the Land Use Bylaw section of this report.

Relationship to City Council's Areas of Focus / Strategic Priorities

The proposed amendment conforms to the following Strategic Plan Area of Focus:
Innovation – cultivating and developing an excellent administration and local governance to develop and grow a meaningful and prosperous social and economic community.

Environmental Impact

None foreseen.

Economic Impact

Encourages local economic growth by increasing foot traffic in commercial areas. Creates opportunities for small-scale landlords and businesses.

Social Impact

It fosters a dynamic environment where residential and commercial spaces coexist, enhancing convenience and community engagement.

Relevant Statutes / Master Plans / City Documents

Land Use Bylaw

City Administration is proposing to add "**Mixed-Use Apartment Building (up to 2 units)**" as a Discretionary Use in the following commercial districts:

- CL – Local Commercial District
- CT – Commercial Transition District
- CG – General Commercial District

Background

The Land Use Bylaw defines two types of Mixed-Use Apartment Buildings:

1. Mixed-Use Apartment Building (up to 2 units)
2. Mixed-Use Apartment Building (3 or more units)

The table below shows where these uses are currently allowed and where the proposed change would apply (highlighted in yellow):

District	Mixed-Use Apartment (3+ units)	Mixed-Use Apartment (up to 2 units)	
	Current	Current	Proposed
CC Central Commercial	P	D	
CG	P		D

General Commercial			
CT Commercial Transition	P		D
CL Local Commercial	P		D

Permitted (P): The use will be approved if it meets all bylaw requirements.

Discretionary (D): The use may be approved after a review of factors such as location suitability and compatibility with surrounding uses.

Applicable Definitions:

MIXED USE APARTMENT BUILDING, UP TO TWO (2) UNITS means a commercial, retail, or institutional use and up to two (2) dwelling units (or “dwelling unit, supported” if listed in the applicable district). Commercial, retail, or institutional uses shall be located primarily on the ground floor but may also occupy other portions of the building. The apartment(s) may have shared or separate entrance facilities; however, access to any apartment shall not be through the commercial, retail, or institutional space. On the ground floor, the residential uses shall not occupy the primary frontage; these spaces shall be reserved for the commercial, retail, or institutional uses.

MIXED USE APARTMENT BUILDING means a vertical apartment-style building including commercial, retail, or institutional use(s) and three (3) or more dwelling units (or “dwelling unit, supported” if listed in the applicable district), and having:

1. The same land use district for all uses within the building;
2. Only residential uses located above the second floor;
3. Commercial, retail, or institutional uses located with street-side frontage (facing and visible from the street); and
4. Dwelling units and commercial, retail, and institutional uses which may have shared building entrance or access and facilities (e.g. service entrances, parking areas, ground floor hallways, elevators, stairwells, shared main building entry). However, dwelling units’ entry or access shall not be through a commercial, retail, or institutional development.

Risk

No risks anticipated.

STAKEHOLDER ENGAGEMENT

The public hearing for this LUB amendment was advertised per the MGA and the LUB requirements. The advertisement involved posting a public hearing notice on the City's Public Hearings and Notices webpage. The amendment is not site-specific; therefore, notification to property owners was not applicable, and no signs were placed on any site.

No comments or concerns were received as of the date this report was written.

BUDGET / FINANCIAL IMPLICATIONS

There are no budget implications.

SUMMARY / CONCLUSION

The proposed amendment to the Land Use Bylaw seeks to introduce small-scale residential opportunities within CL, CT, and CG Commercial Districts by allowing "Mixed-Use Apartment (up to 2 units)" as a discretionary use.

ATTACHMENTS

Bylaw C-1260-198