

VILLAGE OF BERWYN

BYLAW NO. 656

LAND USE BYLAW AMENDMENT

A BYLAW OF THE VILLAGE OF BERWYN IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE OF AMENDING THE VILLAGE OF BERWYN LAND USE BYLAW NO. 601, AS AMENDED.

WHEREAS Pursuant to the *Municipal Government Act*, Revised Statutes of Alberta 2000, Chapter M-26, Council may amend a Land Use Bylaw, and;

WHEREAS the Council of the Village of Berwyn, in the Province of Alberta, has adopted the Village of Berwyn Land Use Bylaw No. 601, as amended, and;

WHEREAS The proposed Land Use Bylaw amendment is to improve housing choice and availability for individuals who require care, guidance or supervision within a home in the Village of Berwyn;

NOW
THEREFORE Pursuant to Sections 230, 606 and 692 of the Province of Alberta *Municipal Government Act*, the Village of Berwyn Council, duly assembled, hereby enacts as follows:

1. Within Section 1.5 – Definitions, add “Group Care Facility” as follows:

“GROUP CARE FACILITY” means the use of a dwelling unit as a facility that is authorized, licensed or certified by a provincial authority to provide living accommodation for five (5) residents or fewer, exclusive of staff, and to provide for the personal rehabilitation of its residents either through self-help or professional care, guidance and supervision. This includes supervised facilities such as group homes, halfway houses, resident schools, resident facilities, boarding homes, and psychiatric care facilities, but does not include foster homes. A Group Care Facility may provide professional care, rehabilitation, guidance and/or supervision for physically, mentally, socially or behaviourally challenged persons on a permanent or temporary basis, depending on need. The residential character of the development shall be maintained with the occupants living together as a single housekeeping group using shared kitchen facilities. A group care facility may incorporate accommodation for resident staff as an accessory use.

2. Within Section 1.5 – Definitions, add “Residential Care Facility” as follows:

“RESIDENTIAL CARE FACILITY” means a private or publicly funded seniors lodge, nursing home, extended or congregate care facility, or a group care facility with six (6) or more occupants. **GROUP CARE FACILITY IS DEFINED AS FIVE (5) OR LESS RESIDENTS.**

3. Within Section 1.5 – Definitions, add “Residential Support Home Type 1” as follows:

“RESIDENTIAL SUPPORT HOME TYPE 1” means a development within a dwelling unit authorized, licensed or certified by a public authority where support staff provides care, guidance or supervision for four (4) or fewer persons with mental or physical challenges in a residential setting. This use does not include a boarding house, half-way house or other types of group care facility.

4. Within Section 1.5 – Definitions, add “Residential Support Home Type 2” as follows:

“RESIDENTIAL SUPPORT HOME TYPE 2” means a development within a dwelling unit authorized, licensed or certified by a public authority where support staff provides care, guidance or supervision for five (5) or more persons with mental or physical challenges in a residential setting. This use does not include a boarding house, half-way house or other types of group care facility.

5. (a) Within Section 8 Restricted Residential District (R-1), add the following Permitted Use:
“Residential Support Home Type 1”
- (b) Within Section 8 Restricted Residential District (R-1), add the following Discretionary Uses:
“Group Care Facility”
“Residential Support Home Type 2”
“Residential Care Facility”
- (c) Within Section 9 – General Residential District (R-G), add the following Permitted Use:
“Residential Support Home Type 1”
- (d) Within Section 9 – General Residential District (R-G), add the following Discretionary Uses:
“Group Care Facility”
“Residential Support Home Type 2”
“Residential Care Facility”
- (e) Within Section 10 – Residential Manufactured Home Park District (R-MHP), add the following Permitted Use:
“Residential Support Home Type 1”
- (f) Within Section 10 – Residential Manufactured Home Park District (R-MHP), add the following Discretionary Uses:
“Group Care Facility”
“Residential Support Home Type 2”
“Residential Care Facility”
- (g) Within Section 11 – Primary Commercial District (C-1), add the following Discretionary Uses:
“Group Care Facility”
“Residential Support Home Type 1”
“Residential Support Home Type 2”

"Residential Care Facility"

- (h) Within Section 12 – Secondary Commercial District (C-2), add the following Discretionary Uses:
"Group Care Facility"
"Residential Support Home Type 1"
"Residential Support Home Type 2"
"Residential Care Facility"

SEVERABILITY

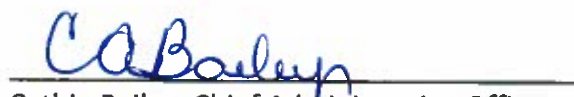
7. If any portion of this bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion shall be severed.

EFFECTIVE DATE

9. This bylaw shall come into force and have effect on the date of third and final reading.

First Reading given on the 14 day of February ^{cb}~~December~~ 2019.


Ken Montie, Mayor

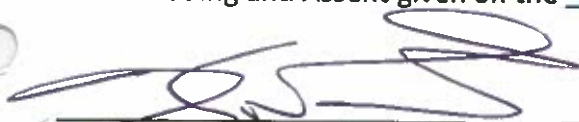

Cathie Bailey, Chief Administrative Officer

Second Reading given on the 14 day of March 2019.


Ken Montie, Mayor


Cathie Bailey, Chief Administrative Officer

Third Reading and Assent given on the 14 day of March 2019.


Ken Montie, Mayor


Cathie Bailey, Chief Administrative Officer