

Edmonton Federation of Community Leagues (EFCL) MNO Workshop for Leagues, Nov 18 & 24, 2015 REPORT



I. Workshop Purpose, Participants and Process

The EFCL organized Mature Neighbourhood Overlay (MNO) Workshops for leagues to help them prepare for the city's MNO review in 2016. The workshop objectives were to:

- a) Get league representatives to articulate desired neighbourhood characteristics,
- b) Examine how the MNO impacts neighbourhoods, and
- c) Identify types of MNO changes wanted by leagues to help set the agenda/focus of the upcoming City MNO review.

There was an educational component to the workshop. In addition to getting an overview of the MNO, the participants were provided with some resource materials: a) table comparing the MNO regulations to the underlying zones, b) booklet with graphic visuals illustrating some example options of more and less permissive regulations, and c) a worksheet with the regulations color coded by topic area.

Most of the three hour workshop involved small group discussions on three questions:

1. What are your desired neighbourhood characteristics?
2. What desired neighbourhood characteristics are not addressed in the MNO?
3. For each MNO regulation, in small groups, reach an agreement on how to categorize the regulation: Keep as is, Change, Can Live P

The same workshop was held on November 18th at Allendale and on November 24th at Forest Terrace Heights. Unfortunately the workshop planned for Nov 16th at Calder had to be cancelled.

In total 47 very engaged and community minded people from 30 different leagues/neighbourhoods participated in the workshop. This represents a third of the mature neighbourhood leagues.

Twenty seven (27) people attended the November 18th workshop and they were from the following leagues/neighbourhoods—Alberta Avenue, Allendale, Aspen Gardens, Belgravia, Boyle Street, Crestwood, Glenwood, Grandview, Inglewood, Lendrum, McKernan, Oliver, Parkallen, Pleasantview, Queen Alex, Sherbrooke, Windsor Park, and Woodcroft. Twenty (20) people attended the November 24th workshop. They were from Belgravia, Capilano, Cloverdale, Forest Terrace Heights, Glenora, Gold Bar, Highlands, Hollyrood, Idylwylde, Jasper Park, and Parkview.

II. FEEDBACK

The results from both workshops have been combined in this report. However, the findings from each separate workshop are available upon request.

The responses are provided as recorded at the workshop, and organized under common themes.

1. Desired Mature Neighbourhood Characteristics

Participants were asked to brainstorm a list of desired neighbourhood characteristics, without censoring or developing a consensus on each statement. Several general themes emerged.

Yards with Mature Trees and Space

- Big trees
- Yards to play in
- Mature trees on city and private land
- Preservation of mature trees; penalties for destroying trees; landscaping requirements to put back trees; incentives to maintain trees.
- Boulevard streets
- Streetscape maintained
- Landscaping, permeable paving and dry ponds/large basin catchment to prevent flooding
- Maintain setbacks

Side yard space is adequate and quiet

- Side yard setbacks to 2 m.
- Side yard utilities avoided (no air conditioners, sump pumps, furnace venting) – quiet side yards
- No cantilevers

Easy and safe to walk, bike, take transit

- Walkability: level sidewalks and no potholes
- Walkable/bike-able environment
- Safe and easy access to transit connections; good traffic flow
- Safe pedestrian mobility via low speed zones, speed bumps, pedestrian traffic lights
- Create better transit and cycling, then we can have fewer cars and more space for housing and green space.

Street Parking available and not causing safety issues

- Adequate off street parking; Accommodate higher parking needs of higher density housing; Use one side of the street parking policy.
- One side only street parking for safety
- Not too over-populated; Pay attention to density and parking issues created

Sunlight Access via modest building height & mass

- New developments allow sunlight
- Height restrictions for sun access
- Buildings not over 2.5 storeys

Rear Garages if possible

- No front garages if back alley
- Keep garages in alley

Privacy

- If there are roof top patios, they only face the street, not the back yards
- : Limit platforms to ground or main floor level.
- Limit windows of new developments to front and rear or allow higher side windows for light
- PRIVACY between dwelling units of multi-unit housing and individual housing

Easy access to shopping and amenities

- Shopping/amenities within walking distance
- Shops in neighbourhoods (e.g. grocery, pharmacy, hair shops, coffee, retail) and no massage parlours

Built form fits with neighbourhood

- Maintain scope and scale
- Maintain streetscape
- Maintain historic architectural features.
- Layers of history via different housing styles
- Community specific considerations concerning architecture and some historic architecture
- Consistent feel/ unique residences but fit in

- Certain design criteria
- Diversity in structures in size and style
- More garage suites; Not too many garage suites
- Maintain single family residence structures
- Avoid monoculture; e.g. duplex & skinny house
- Smart, smaller scale built homes
- No 9 foot basements unless it meets existing utility depth. It is disruptive to city infrastructure
- Encourage balanced, mixed density housing – some walk-ups, some houses, some duplexes, but not large apartments which throw off the balance
- Build to main community standards
- Transitions/buffer zones between higher and lower height buildings.
- Main entrances are in the front – facing the street.
- Rescind 50 foot. lot splitting

Parks & Meeting Places

- Access to parks
- Central park and green space
- Community gardens and other meeting places
- Social amenities – meeting places such as playgrounds, cafes, pubs.
- Places for seniors to go in the hood

Miscellaneous

- Diverse demographic – different ages, family status, socio-economic, ethnicity.
- Feeling of safety by design; see kids playing; social by design – know neighbours.
- Full disclosure for developers regarding halfway houses and group home projects.
- Low crime

2. What is missing from the MNO?

Preservation of mature trees and landscaping

- Laws to prevent the clear cutting of mature trees outside the building envelope
- Provisions for trees during redevelopment. If trees are taken down, new ones must be planted. Ideally preserve trees because they have valuable uses, provide nature, have a significant financial value, and reduce storm water run off..
- Tree and Landscaping provisions – bushes, shrubs, permeable landscaping
- Prohibit paved/cemented back yards to enable water absorption and reduce storm water run off, and provide green space.

More Contextual Regulations

- Introduce contextual side setbacks –keep side setbacks similar to the setback of neighbours
- Contextual Height, architecture and look
- Depth and width of development should be similar to the neighbours
- Community sensitive regulations

Neighbourhood specific Guiding Principles

- General Guiding Principles for each Neighbourhood: Not all Hoods are the same; each community has opportunity to build guiding principles for development of their community.

Height Restrictions which are consistent

- Height restrictions
- Make clear how Height is being measured.
- Consider Curb height as the standard measurement for Grade

Methods of dealing with Construction Issues and Enforcement

- Security Bonds paid for by developers to pay for damage to city or private property.
- Require contractor construction liability insurance of at least 2 million
- Clear signage of what is going to be built and who to contact for more info.
- Pre and post construction inspections of infrastructure. Inspections should be notarized and legally binding.
- Require a copy of pre and post inspections be given to the neighbours.
- Inspections to be paid for by developer, but not chosen by developer. Should be a third party inspection.

- Limit to the number of redevelopments on any one street at a given time.
- Pre and post construction inspections for drainage. Enforce the Drainage guidelines.
- In person inspections of developments to ensure regulations are being followed.
- Ensure Lot Grading for Infill Guidelines are followed e.g. build retaining walls
- Mechanism for inclusive consultation process. Give community a say/power /influence in design. Make clear WHO community people can talk to regarding these issues.
- Ensure quality construction. Require certification of builders/designers, warranty for renos; business license and insurance.
- Too many hidden rules – be transparent about development
- Strengthen existing penalties & commit resources to enforcement
- City needs a mature neighbourhood department with dedicated staff specializing in the MNO and subdivisions.
- Address construction issues; for example, the construction hours. Add deadlines for construction
- Increase side yard set back to 2 m to allow excavation for infill to meet OHS regulations of 45 degree slope and to reduce chance of collapse at property line.

Enhanced notification and community consultation

- Public appeal process for subdivisions
- A planner (or development officer) who is assigned to neighbourhoods and gets to understand the neighbourhood character and are a point of contact and liaison person for community people and developers.
- Notification to whole neighbourhood, not just 60 m radius
- Increase the notification area required for variances; and increase notification area for subdivisions beyond the adjacent neighbours
- .Should be a 60 m2 notification radius whether or not there are variances.
- Notifications should be in plain language
- Make sufficient time for appeals.
- Eliminate the appeal cost.
- Real consultation – earlier, before plans are firm.
- Consultations need to start early –before drawings are created.
- Adequate notification to property owners and neighbours about their RIGHTS in a development situation.
- Allow neighbours/league to see the detailed plans – ideally available on line or in multiple ways.
- How to communicate with all necessary authorities and foster dialogue.
- The purpose of an MNO consultation needs to be clearly defined and communicated to neighbours. There needs to be more consultation guidelines/requirements. What is to be done with the feedback? How is the developer to report the feedback? What are the developers and the DOs to do with the feedback and how do they report back to those who were consulted?

- There should be accountability and transparency in decision-making.
- City should prepare a handout for neighbours, describing rights and obligations in the development process.
- Better communication to all people impacted by redevelopments.

Requirement for Quality Redevelopments

- Ensure ARCHITECTURAL value.
- Building standards that meet “green” standards
- Building code to encourage efficient use of resources e.g. grey water systems
- Housing renewal has led to serious problems because the rules to be followed are too loose.
- Enforce the rules.
- Moratorium until adequate standards created.

Drainage

- Consider increased load on city infrastructure; sewer, water, storm water drainage
- Grading needs to be addressed – drainage issues

Privacy Regulations

- Make Privacy regulations clearer.

Miscellaneous

- Site coverage rules
- A lot of ‘hoods want to attract families; MNO needs to reflect this
- Incorporate plans for transportation, including walking and cycling.
- Long range community plan known by city planners.
- Define “ Blockface” clearly in the Zoning Bylaw. Different DOs and SDAB panels use different definitions.
- Specify who pays for the cost of alley paving as density increases via garage suites etc. For new developments, introduce levy for alley renewal
- Get out of usage of feet and inches
- Community integration needs to be factored/the Big Picture
- Be clear about the allowed density
- To encourage businesses in the ‘hood, have incentives for commercial development; encourage home based businesses; encourage mixed use developments.

3. Response to Existing MNO Regulations

The table below combines the responses of the small discussion groups from both workshops. In total there were 10 small groups.

In general the groups were content with the existing MNO regulations. The majority of the groups wanted to keep the regulations as is or strengthen the regulations.

The greatest discontent was with the MNO consultation (regulation 24), with only one group wanting to keep the process as is. Half the groups wanted increased side setbacks or contextual side setbacks (reg.2). Half the groups wanted improvements to privacy regulations (reg. 8) while 40% wanted changes to the separation distance between garages (garage suites) and housing (reg. 22), as well as limiting the discretionary powers of the Development Officers (reg 23).

If a group decided they wanted changes, they were asked to briefly describe the types of changes wanted. Their responses are listed in the table below.

MNO Workshop with Leagues, Nov 18 & 24, 2015 Feedback re MNO Regulations							
RESPONSES of 10 small groups (47 participants)							
REGULATION	Keep as is	Change	Could Live Without	Don't Know	Types of Changes wanted	Types of Changes Wanted	
1 Front Setback	5	2		3	Clearly define Block Face	Allow decrease in setback, but how to maintain context?	
2 Side Setback	4	5		1	Increase min side setback to 1.5 m. Increase min side setback to 2 m to reduce damage to adjacent property	Side setbacks should mimic abutting home's setbacks. Side Setbacks to be contextual.	
3 Side Setback- large lots	6	2		2	Contextual (2)		
4 Privacy - windows	6	4			Ensure amenity areas have privacy (e.g. require frosted glass) and give regulations more teeth - require more than just providing information. - Information "must" be required, rather than "should".	Add regulation: conditions when translucent windows required. Require screening of window if facing neighbour's amenity space	

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REGULATION	Keep as is	Change	Could Live Without	Don't Know	Types of Changes wanted	Types of Changes Wanted
5 Rear Setback	6	3		1	Contextual - more freedom than in front setback. - Variance allowed only if increased density.	Rear setback should never have a variance.
6 Front Platform	8	2			More permissive - no max protrusion	More permissive - CPTED, Jane Jacobs "eyes on street"
7 Side Platform	8	2			More permissive - no max protrusion	Privacy of neighbour needs consideration
8 Privacy Screening	5	5			-Site specific rather than blanket policy (what can be seen from the deck?) - Define (2); perhaps landscaping, softscaping, lattice screen - Maintain sightlines with porous, non-massing structures	Needs inspection after platform structure is put up. Usually deck is built after the building inspection. Make it part of occupancy inspection?
9 Orientation	6	3		1	-Need clearer definition. - Allow front to back duplex	Clarification (does this refer to garages?) Why can't a house face sideways so long as the street front is attractive?
10 Front vehicular access	8	2			Remove because we don't want garages in the front even if 50% of the houses have vehicular access in the front. Vehicular access does not mean garages.	If lane, must use it -- be less permissive
11 Front Garage Protrusion	9					
12 Row Housing width	7	1	1		Add: Break the façade into sections to create visual interest, pleasant streetscape	

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	REGULATION	Keep as is	Change	Could Live Without	Don't Know	Types of Changes wanted	Types of Changes Wanted
13	Height	6	3		1	Make contextual (3): with a min & max requirement (1); new home cannot be more than 1 storey higher than adjacent properties. Still keep absolute max heights (1);	8.6 m may work in neighbourhoods like Strathcona and Highlands but does not work in older neighbourhoods with a street full of bungalows
14	3rd Floor size	7	1		2	Increase percentage (1)	
15	Dormer Width	5	2		3	Remove regulation (1)	Should not allow more useable space than identified in Reg #14
16	Basement Elevation	6	3			Have one method of measuring Grade - suggesting using the curb height. Requiring 1.2 m basement height from Grade is OK. (1)	-Redundant regulation; merely comply with Height restriction. - Height of basement should be dictated by depth of existing utilities and existing Grade
17	Rear Setback to Garage	6	3		1	Garages used for suites understandably will want to be pushed back as far as possible, but that eliminates garage pad parking, therefore side yard parking should be mandated(1).	Min driveway of 3 m and reg 20 - garage to be within 14.6 m rear setback
18	Corner Rear Attached Garage	8	2			Allow rear attached only if it is contextual	Drainage concerns, otherwise could be more permissive
19	Front Garage Design	8	2			Add something to stop putting concrete across entire lot - add green space requirement. (1)	

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REGULATION	Keep as is	Change	Could Live Without	Don't Know	Types of Changes wanted	Types of Changes Wanted
20 Rear Garage placement	8	2			Min driveway of 3 m and reg 20 - garage to be within 14.6 m rear setback (1)	More permissive (1)
21 Row Housing Garage	8	1			Don't believe garages need to be split up - waste of space.	
22 Separation- Garage & Housing	5	4			Increase (1); require 3 m separation area to be permeable to absorb surface drainage (1)	Decrease (1); Separation covered by Reg 20 and 5 (1)
23 Statutory Plans- discretionary powers of Development Officers	3	4		2	-Too much latitude placed in the hands of a development officer. - Development Officers should not have this much power	-Are development officers varying these things outside of the statutory plan? They need to enforce the rules - Variances allowed only if visual human site inspection done .
24 Consultation	1	9			Increase the notification radius. Always send notices whether or not there is a variance.	Something needs to be done for ease and clarity including: Framework - what is up for discussion? Process - criteria checklist, plus Feedback - responses to concerns.
					a) All those notified should be allowed to appeal at no cost, b) application should be outlined by the development officer, c) affected parties should be able to present their opinions and concerns without having to go through the applicant, d) comments	Document and circulate all opinions and concerns by any affected party to all other affected parties

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					should be collected and documented by the DO and not the applicant.	
					<p>Process is flawed! 1) Consultation begins at development phase, should be at the zoning and lot subdivision phase, 2) Points a - d state applicant must present their findings to development dept. - what proof do we have that dissenting opinions are presented. Points: a) increase from 60 m to 100 m or even more depending on the nature of the project. Have online, open information to everyone so info can be shared, b) Would like visuals so we can probably envision the variance and comment on the impact, c) neighbours should get a copy of all correspondence "documenting" opinions or concerns with affected parties, c) affected parties need more time to think about the issue and respond.</p>	<p>Increase notification distance beyond 60 m. Need more clear purpose, rights and responsibilities</p> <p>- Consultations should be directed to the whole community, not just to those within 60 m..</p> <p>- Make more stringent - require architectural renderings</p> <p>- Context and scale must be a factor - Higher buildings, greater consultation required.</p>