

EDMONTON FEDERATION OF COMMUNITY LEAGUES

Planning and Development Committee Meeting



Winter in Edmonton, Edmonton. [Source](#).

January 27, 2021 @ 6:00 PM

Remote Meeting

Prepared by Stephanie Kovach

Voting Members: Troy Aardema (D), Stephen Poole (E), Stephen Raitz (I), Dave Sutherland (J), Suzanne MacKinnon (L)

Volunteers: Vesna Farnden (F), Elaine Solez (I), Hassaan Zuberi (L)

Guests: Shauna Kuiper (District Planning), Anne Huizinga (City Planning Framework), Kim Petrin (Branch Manager, Development Services)

Minutes: Angelika Matson

Vacancies: A, C, G, H, K

2.0 - Agenda

2.1 - Approval of Agenda

Item 2.1

1.0 Call to Order

- 1.1 Welcome and Introductions

2.0 Agenda

- 2.1 Approval of Agenda (pg. 2)

3.0 Approval of PDC Meeting Minutes

- 3.1 November 27, P&DC Meeting Minutes (pgs. 3-10)
- 3.2 Review of Action Items from the November 27 Meeting (pg. 11)

4.0 Calendar

- 4.1 Important Upcoming Dates (pg. 12)

5.0 Discussion Items

- 5.1 District Planning (pgs. 13-14) (6:00pm - 6:45pm)
- 5.2 Infill Compliance (pgs. 15-19) (6:45pm - 7:30 pm)
- 5.3 Zoning Bylaw Renewal - Philosophy (pgs. 20-22) (7:30 - 8:00pm)

6.0 Reports (pg. 28) (8:00-8:30 pm) (pg. 23)

- 6.1 Tripartite Amending Agreement
- 6.2 District News

3.0 - Approval of November 27 Meeting Minutes

3.1 - November 27 Meeting Minutes

Item 3.1

November 4, 2020

Attendance:

Members in attendance: Troy Aardema (D), Stephen Poole (E), Dave Sutherland (J), Stephen Raitz (I), Suzanne MacKinnon (L)

Volunteers in attendance: Vesna Farnden (F), Elaine Solez (I)

EFCL staff in attendance: Stephanie Kovach (CPA)

Guests in attendance: Angelika Matson (Minutes)

Regrets: Hassaan Zuberi (L)

1.0 Call to Order

1.1 Welcome and Introductions

- S. Kovach called the meeting to order at 6:33
- The committee did a round of introductions for Angelika

2.0 Agenda

2.1 Approval of Agenda

- S. Mackinnon moved to approve the agenda, T. Aardema seconded.
- PASSED
-

3.0 Approval of PDC Meeting Minutes

3.1 November 4, P&DC Meeting Minutes

- S. Raitz moved to accept the November 4 2020 P&DC meeting minutes as presented, S. Poole seconded
- PASSED

3.2 Review of Action Items from the November 4 2020 Meeting

- All action items completed

4.0 Calendar

4.1 Important Upcoming Dates

- No meeting in December
- Safe mobility strategy goes to Urban Planning Committee (UPC) on December 1, 2020

- Budget goes to City Council on December 3rd, 2020
- The Philosophy of the Zoning Bylaw Renewal goes to UPC in January 2021
- Next P&DC meeting on January 27, 2021
- E. Solez brought up that the report to Community and Public Services on alternative financing was not ready yet and has been pushed back

Item #1 Safe Mobility Strategy

- They've rebranded the street makeovers to "Vision Zero Street Labs". S. Kovach discussed the four parts of the program:
 - 1) Community indicates a desire to work with the city, the city will look at their situation to confirm if Vision Zero Street Labs is the best program for their needs
 - 2) Identify issues and set goals: the League and the CoE will work together to understand root problems. Tools like Walk Audits and an engagement toolkit could be provided.
 - 3) Look at the information that was gathered by the community and create a plan of action
 - 4) Implement and evaluate
- Safe Speeds Toolkit: to support the implementation of Speed Limit Reductions and address ongoing speeding concerns.
- Funding for these programs would come from the Traffic Safety Automated Enforcement Reserve (TSAER).
- The Safe Mobility strategy does have other components, but they are less relevant to P&DC committee.
- S. Kovach went over results from EFCL data collection from EFCL's Street Safety Survey.
 - Majority of respondents wanted more attention from the CoE to slow traffic and reduce shortcutting
 - Respondents preferred semi-permanent calming measures so traffic calming could be implemented as quickly as possible
 - The majority of respondents wanted semi-permanent design measures in their neighbourhood for traffic calming if it means not having to wait for Neighbourhood Renewal.
 - Respondents wanted traffic calming measures to be implemented right away.
 - When asked if they preferred photo radar enforcement or low-cost infrastructure for encouraging slower speeds, the majority of respondents preferred infrastructure.
 - Respondents preferred permanent design and temporary speed limit signs to encourage traffic calming - both of which are included in the Safe Speeds toolkit.

- S. Kovach asked what features the P&DC committee would add or omit to make the program more impactful?
- S. Mackinnon said the term street labs seem to highlight/imply non-permanent solutions.
- E. Solez asked if the measures for high collision communities will remain a priority even as additional measures are possibly approved by Council? S. Kovach responded yes, there will be two different pots of funding. E. Solez said it is good that the priority areas will still be getting the attention they deserve.
- S. Poole brought up that the name change (losing the reference to safe mobility) could imply a loss of focus on sidewalks and other areas of mobility.
- S. Raitz was pleased that it says “Vision Zero” because that’s consistent messaging.
- S. Raitz said working with community leagues is good, but some of the places are on the edge of community leagues: ie. Strathcona and Ritchie. Does the program help some of the areas on the edge of communities? The committee agreed that the CoE should also work with business associations and other community leagues if the street borders two communities. It would be nice to have it spelled out in the strategy.
- E. Solez pointed out that main streets are often one side on the community and the other side on another community league, which means both leagues should be at the table at the same consultations so there are not different solutions.
- S. Mackinnon asked about timelines. S. Kovach believes the four months will be for the permitting process. S. Mackinnon suggested perhaps CoE messaging needs to explain to the public that this process is timely, rather than nimble like the word “lab” implies. S. Poole agreed.
- A discussion on funding for these projects ensued. S. Poole pointed out that this funding comes from the Automated Enforcement Safety Fund. S. Raitz explained that because photo radar is a separate pot of money, it will not be under the same constraints as the capital and operating budgets. He clarified that we should focus advocacy efforts on the messaging that we aren’t asking for capital and operating projects, but instead, the photo radar money (separate pot). S. Mackinnon pointed out that it is interesting in the EFCL Street Safety survey results that the photo radar program is not valued even though it will fund some of these things. People may not know that it funds things that they value. This may be a missed messaging opportunity. S. Poole pointed out that photo radar used to be a money grab, but now this may get results, which we can promote. D. Sutherland said that traffic calming interventions will make it harder to speed (it is easy to speed on Edmonton’s roads now) and therefore harder to get a photo radar ticket; we should include that in messaging as well.
- S. Mackinnon asked if there will be consultation with other major stakeholders ie. daycare, hospital, seniors centres

Action item: S. Kovach will find out if the CoE is consulting with other major stakeholders.

Item #2 Zoning Omnibus

- S. Kovach sent a letter saying that a week is not enough time to meaningfully engage with the Zoning Bylaw Omnibus package and consequently City Council moved the public hearing to January. Administration was directed to receive feedback from EFCL. The package includes amendments (“bold moves”) which are meant to cut red tape and align with the CoE city plan.
- Bylaw: “Change of definition to some residential buildings to allow for the conversion of buildings, such as Single Detached Housing, into Duplex Housing or Semi-detached Housing.” E. Solez asked if they still need a development permit? S. Kovach said yes. The committee approved of this change.
- Bylaw: “Change of definition for Garden Suites to allow Garden Suite development alongside additional housing types, specifically Semi-detached Housing and row housing.” E. Solez brought up that you can already have a secondary suite, and there is not much difference expanding to a garden suite.
 - S. Mackinnon brought up that with increased site coverage, there will be increased environmental impacts.
 - V. Farnden discussed the specifics of garden suites adding density.
 - The committee agreed that this bylaw change is consistent with the City Plan.
 - D. Sutherland asked if there is still a maximum on site coverage? S. Kovach said yes, 18% of the site.
 - S. Poole asked who should pay for utilities growth? Will it be the developer or the tax payer? S. Kovach explained that this is an ongoing conversation at Council. At present, if utility upgrades are necessary, they are paid for by the developer. However, in order to get the investment the City is looking for along nodes and corridors, they may explore a cost-sharing model between the City and the developer. However, she didn’t get the impression the City would cost-share for lower-density residential development, more-so for high-density.
 - A discussion ensued on who will pay for the expenses of densifying and the costs of continuing to sprawl.
- Bylaw: “Change of definition for Multi Unit Housing To allow for the development of Dwellings in conjunction with Commercial Uses.”
 - S. Poole brought up that this is typical in Europe. If everyone walks, that’s great, but if people drive it may generate too much traffic in a residential community.
 - V. Farnden and D. Sutherland voiced their support for this bylaw.

- The committee agreed that the goal of the bylaw amendment seems to be adding residential to commercial development, not adding commercial development to residential development.
- Bylaw: “Changes in definition to variances to allow the Development Officers to consider variances in more scenarios, specifically in cases where there is neither practical difficulties nor hardship.”
 - E. Solez says the Subdivision and Appeal Board she’s a part of don’t have to consider hardship. She believes this bylaw amendment will make the process smoother.
 - S. Poole brought up there will be less requests for variances because the rules will be more flexible and worries this is a complete deregulation. E. Solez says the Development Officer will have to consider the impact on the neighbourhood anyway. S. Poole says that a developer should have some justification why they need a variance. S. Kovach brought up that part of what they’re proposing for variances is a variance test. S. Poole likes that test and realizes that this omnibus is a stepping stone towards that, but still worries that it may be opening the door to deregulation.
 - S. Kovach said she has heard from people who are concerned that this will open the door to varying anything. E. Solez brought up that they can always appeal.
 - D. Sutherland asked if this just shifts the burden of proof? Wondered if it wouldn’t be as much on the person seeking the permit to prove, but the neighbours would have to prove that it does cause hardship. E. Solez said that is correct, it shifts the burden a bit.
 - V. Farnden voiced that this amendment removes red tape.
- Bylaw: “Changes to development permits to allow for those patios and outdoor retail spaces which were developed through the temporary patio and outdoor retail space program to continue without a Development Permit” (The Bylaw is set to expire at the end of December)
 - S. Raitz voiced his support for this.
 - E. Solez hopes that regulations are followed even if they don’t need a permit because there can be problems ie. pedestrian/patio conflict. D. Sutherland reads it as existing permits for outdoor patios won’t expire, and they will still have the same regulations. S. Raitz pointed out that this would still require a building permit and there would still be oversight.
 - S. Raitz saw spots on streets this summer where temporary ramps made it difficult for wheelchairs to get up because they were too steep. Believes that we need to ensure that we have the right support so everyone is safe.
- Bylaw: “Changes to development permits to allow for interior basement alterations to be completed without a development permit.”

- E. Solez said that in the past, the existence of the development of a basement through a development permit triggered increased value of the property and increased tax assessment - the city could lose revenue. Hopefully the city uses building permit info for their tax assessment services.
- Bylaw: "Changes to notification requirements CLASS B Discretionary Permits to eliminate the requirement to advertise in a daily newspaper when a Class B permit is issued." and a similar bylaw "Changes to notification requirements for Rezoning Applications to eliminate the requirement to advertise proposed rezonings in a newspaper."
 - S. Poole an online system has to be very robust, reliable and user-friendly, and the CoE's current system isn't there yet. E. Solez asked if they are going to do these until they have a more robust notification system? S. Kovach clarified that this is true: they will still use the newspaper until they have something else in place.
 - S. Raitz said as long as the discussion the committee had in the November 4th, 2020 meeting about distributing the message gets forwarded along, that's fine.

Action Item: S. Kovach to forward discussion along

- Bylaw: "Changes to objects prohibited in a residential zone to allow for mechanical devices (e.g. air conditioners) to be located in the side yard."
 - E. Solez has heard more complaints about noise from high-efficiency furnaces on the side and wonders if they will be included. Older houses tend to have more windows on the sides. Newer houses have less windows and more insulation and soundproofing. She wonders why they are doing this? For the convenience of the developer?
 - D. Sutherland says the infill house next to his has a high-efficiency furnace and an air conditioner and it is quite noisy. He wonders if there is a reason they don't allow these to be installed on the roof or back of a house? S. Mackinnon brought up when the lot is narrower, there is less room in the back.
 - V. Farnden in condos and in duplexes people hear it and see it, so it may be hard to avoid. You can't please everyone.
- Bylaw: "Changes to allow for Major Home Based Businesses to be developed on sites that contain both Secondary Suites and Garden Suites."
 - D. Sutherland asked what constitutes a major home-based business? A major home-based business generates more than one business visit per day and this includes Bed and Breakfast operations.
 - E. Solez says this balances out the intensity of uses: If you have a house and you can have a garden suite and a basement suite. But if you have a house and a major home based business then you can't have any suites.

- Bylaw: “Changes to RF1, RF2 and RF3 zones to allow a Garden Suite AND Secondary Suite to be developed in conjunction with Semi-Detached housing.”
 - E. Solez believes that this balances out the intensity of the uses. If you can have two skinny houses and each can have a secondary suite and garden suite, but you can’t do it with a semi-detached one, it is illogical.
 - S. Mackinnon pointed out that these are the big shifts that are coming with the new zoning bylaw.
- Bylaw: “Changes to Garden Suites to allow for Garden suites in combination with Secondary Suites” The committee already shared their thoughts on this previously.
- Bylaw: “Changes to development permit inspections to be eliminated for Row Housing outside of the Mature Neighbourhood Overlay.” In 2019 99% of inspections in greenfield contexts passed, while only 52% in mature neighbourhoods passed.
 - S. Mackinnon asked what’s the problem that’s being perceived in the mature neighbourhoods? E. Solez, this could be true in other housing forms in the MNO.
 - S. Mackinnon read:
 - https://www.edmonton.ca/business_economy/development-permit-inspections.aspx
 - S. Poole believes this is saying they would like to do less frequent inspections in greenfield and redeploy resources to mature neighbourhoods where problems are coming up.
 - S. Mackinnon is concerned that this change may be removing red tape for greenfield development that is still required for mature neighbourhoods. S. Raitz pointed out that they may be able to process applications more quickly with more resources for mature neighbourhoods.
 - E. Solez said that they may be making it easier to build in greenfield when sprawl is not what we want. D. Sutherland pointed out that row housing is less sprawl.
 - E. Solez suggested random inspections in greenfield so developers don’t get sloppy.

Item #3 Janes Walk

- A person from Spruce Avenue Community League reached out to S. Kovach to talk about Jane’s Walk. What he sees is that not a lot of leagues get involved and there’s an opportunity there. Have you ever participated in a Jane’s walk through your league?
- E. Solez has, but not through a community league. She has organized a couple of them. Every year there is something from Westmount, Belgravia. We should encourage these because people are doing more things in their neighbourhood because of COVID-19, and because the CoE is no longer doing walking maps.
- S. Kovach will likely bring a resource to the P&DC committee to get input.

- S. Mackinnon thinks this is a great fit. EFCL could provide support on how to use Google Maps, make points, etc.

District News

- District News
 - T. Aardema's district is quiet
 - S. Poole district is quiet. They recently said goodbye to long-time members.
 - S. Poole updated on the Residential Infill Working Group: the group provided information on the survey. S. Poole read their report.
 - E. Solez: councillors were quite concerned that 311 were not recording the info, and asked administration to record data. Are they still not doing that? S. Poole said the group will ask that at the meeting. The group has done a lot of FOIP requests and it appears that 311 is still using the same script as before so they are likely not recording more data.
Action Item: They ask for the same help with posting a link in the EFCL news to the results of their survey - it is difficult to contact individual leagues by email
 - V. Farneden's district is quiet.
 - S. Raitz: Garneau Neighbourhood Renewal has come to a close with the design aspect and there are some redevelopment sites on the Whyte Ave corridor.
 - E. Solez: The 109st ARP will likely be subsumed in the District Plan. Scona pool is on the chopping block during budget cuts. The Windsor Park Community League were applying to add neighbourhood park to the city list of the inventory of historic resources; the process is moving along. If it does get approved, it will be the first neighbourhood park on the city's list of historic resources.
 - D. Sutherland: Holyrood Gardens - there has been an online engagement and they had to fight for it.
 - S. Mackinnon: Silverberry has rebuilt a starter home and replaced it with a skinny home.

Other items

- None

The meeting adjourned at 8:30pm

3.0 - Approval of November 27 Meeting Minutes

3.2 - Review of Action Items from November 27

Item 3.2

ACTION	<u>RE:</u> Safe Mobility Strategy In addition to Community Leagues, ensure CoE will be consulting with other neighbourhood stakeholders in the Vision Zero Street Labs process	<i>Complete</i> ✓
ACTION	<u>RE:</u> Zoning Bylaw Omnibus Forward comments and questions to A. Shamchuck	<i>Complete</i> ✓

4.0 - EFCL Planning Committee Calendar January, February, March

4.1 - Important Upcoming Dates

Item 4.1

****A list of all Council meetings can be found [here](#)****

- To adhere to physical distancing practices, City Hall is only open to registered speakers at Council or Committee meetings
- The public may view in-progress meetings online at: [Council on the Web](#), [City Council's Youtube Channel](#)

January	
19	Infill Compliance Team Annual Report @ UPC
27	PDC Meeting
February	
2	City Plan Implementation Report, Zoning Bylaw Renewal Phase 1 - Philosophy @ UPC
3	Alternative Financing Report @ CSPC
9	Zoning Bylaw Omnibus @ Public Hearing
24	PDC Meeting
March	
2	Safe Mobility Strategy (check committee)
31	PDC Meeting

5.0 - Discussion Items

5.1 - CoE - City Planning Framework + District Planning

Item 5.1

BACKGROUND INFORMATION

Shauna Kuiper and Anne Huizinga will be joining us to discuss the City Planning Framework and District Planning.

CITY PLANNING FRAMEWORK

The full City Planning Framework can be accessed [here](#).

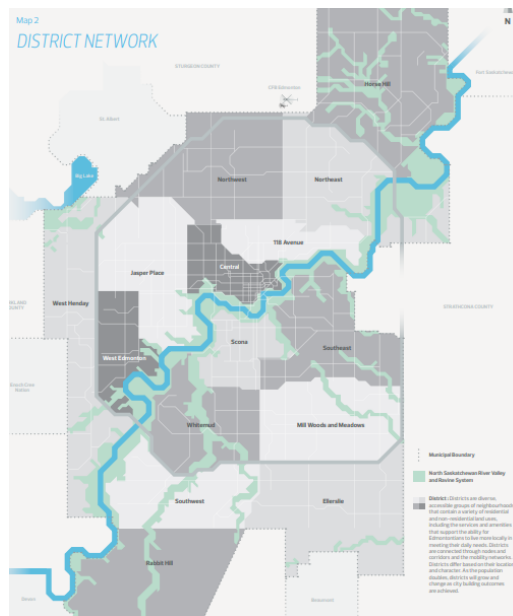
- The framework is one of the key implementation tools utilized to achieve the policy intentions and directions of the City Plan
- The framework clarifies the hierarchy and planning tool categories that will support the City Plan
 - There are 200 statutory plans
 - This work will consolidate all the information and plans the City currently has into one place
 - They will ask, “does this plan align with the City Plan?”
- The framework will also guide how planning tools are created, monitored, updated, and/or rescinded overtime

DISTRICT PLANNING

District Planning

More information about District Planning can be found in the [City Plan](#).

- The City of Edmonton will be carved into 15 “15-minute Districts,” with the districts translating the direction from the City Plan
- Districts are made up of collections of neighbourhoods, that together provide a range of destinations, services, and amenities within a 15 minute walk or active transport trip
- Districts include both residential and non-residential uses
- Districts includes components of nodes and corridors, the Green and Blue Network, and employment opportunities
- Districts are connected to one another through the mobility system
- Districts will focus on the 1.25 million population target in terms of planning, whereas the City Plan focuses on an eventual target of 2 million
- In a preliminary look at Statutory Plans, they have found enough space to accommodate this new growth, now they must determine where they want to direct the growth



Engagement

- No resources for “heavy engagement”
- Taking direction from the City Plan and Infill Roadmap and existing engagement associated with those documents
- Will be engaging with key stakeholders, including the EFCL
- There will be standing meeting between the EFCL and Shauna Kuiper on a monthly basis
- The District Planning team will attend a variety of PDC meetings
- The EFCL has asked for extended timelines so that we may try to engage Leagues in this process

QUESTIONS TO CONSIDER

1. What stands out to you?
2. How can the EFCL and PDC support League involvement in District Planning?

5.0 - Discussion Items

5.2 - Infill Compliance Team Annual Report

Item 5.2

BACKGROUND INFORMATION

Every year, Administration presents an annual report on Infill Compliance in Edmonton.

Recommendation:

That Administration cease the annual reporting on the Infill Compliance Team Initiative, with updates provided to Council by memo, as necessary.

REPORT HIGHLIGHTS

Enforcement approach of various team members	
Safety codes (Safety Codes Act + Provincial Authority through the Alberta Building Code)	<ul style="list-style-type: none">● Inspections are done at the request of the builder in order to get the new development approved and ready for market● Otherwise, inspections unrelated to readying the development for market are largely complaint driven● If immediate danger exists, they can issue a Stop Work order
Community Standards Peace Officers (Traffic Bylaw 5590 and Community Standards Bylaw)	<ul style="list-style-type: none">● Some proactive inspections when they observe obvious violations● Otherwise, largely complaint driven
Development Permit Inspectors and Compliance Officers (Zoning Bylaw 12800)	Two inspections to assess compliance with the regulations in the ZB: <ul style="list-style-type: none">○ Shortly after foundation is complete○ Shortly after the Occupancy Permit has been issued● Otherwise, largely complaint driven, using a triage system● If violation identified, an attempt is first made to resolve it with the builder<ul style="list-style-type: none">○ Can result in further inspections, tickets, or MGA orders until it is resolved

Lot Grading Enforcement (Drainage Bylaw 18093)
***The purpose of lot grading is to control surface water runoff away from buildings and private property toward public land*

Two inspections required after the buildings are constructed and the site is graded:

- Rough Grade - includes backfilling the foundation walls with material native to the site and shaping of the lot to conform to an approved Lot Grading Plan (occurs within 18 months of the issue of a building permit for the lot)
- Final Grade - to verify the lot is grade in accordance with the Lot Grading Plan, Guidelines and Drainage Bylaw
- Other inspections are complaint driven

Metrics related to Complaints and Inspection Results

Table 1 - Overall Compliance Summary by Bylaw Officer Type						
Inspection Type	Community Standards Peace Officer	Development Compliance Officer	Development Permit Inspector	Safety Codes Officer	Lot Grading Inspector	Total
Resident Complaints <i>Infill related complaints received from citizens via 311, transferred from other City departments, and Councillors' inquiries</i>	599	54	0	270	40*	963
Proactive Inspections <i>Derived from Development Permit Inspections, proactive inspections initiated by Peace Officers while on community patrol, "Site Meetings" by Lot Grading Inspectors and proactive inspections of Development Permit Notice Signs by Development Compliance Officers</i>	74	269**	437	N/A	1	781
Follow Up <i>Infill related investigations required re-inspections to confirm compliance</i>	194	57	428	175	19	873
Total						2617
*Note: 111 resident complaints were received, however, 40 were determined to be valid and received an inspection.						
**For 2019, Development Permit Notice signs have been counted toward Proactive Inspections						
Enforcement Action						
Violation Notice/Notice to Comply <i>Written and Verbal Warnings given by Development Compliance Officers, Development Permit Inspectors, Lot Grading Inspectors and Peace Officers for violations found on an Infill property</i>	352	118	72	0	33	575
Tickets <i>Tickets issued by Development Compliance Officers, Development Permit Inspectors, Lot Grading Inspectors and Peace Officers for violations found on an Infill property</i>	439	12	3	0	1	455
Municipal Government Act Orders <i>Issued by Development Compliance Officers and Development Permit Inspector to stop or correct a development that is not in accordance with a Development Permit or Edmonton Zoning Bylaw 12800</i>	0	9	3	0	0	12
Safety Codes Act Orders <i>Issued by Safety Codes Officers construction that is not in accordance with a Building Permit or Safety Codes Act</i>	0	0	0	90	0	90
Total						1132

- Resident complaints decreased by 22% from 2018 to 2019
- Proactive inspections decreased by 5% from 2018 to 2019
- Follow up inspections to confirm compliance increased by 61% from 2018 to 2019
 - Most complaints handled by Community Standards Peace Officers (Traffic Bylaw and Community Standards Bylaw)

"The Infill Compliance Team received fewer resident complaints in 2019, and generally witnesses more compliance on site during inspections. Fewer inspections and generally improved responsiveness to

complaints contributed to reduction in formal enforcement actions in 2019.”

Table 5 - Type and Frequency of Infill-related Infractions						
Safety Codes Officers						
Safety Codes Infraction Type	Number of Infractions Found	Percentage of Total Infractions Found	Number of Tickets Issued	Percentage of Total Tickets Issued	Number of Safety Codes Act Orders Issued	Percentage of Total Safety Codes Act Orders Issued
Site Fencing	156	75.0%	0	0.0%	86	82.7%
Excavation	13	6.3%	0	0.0%	7	6.7%
Property Damage	7	3.4%	0	0.0%	0	0%
Work without an approved Building Permit	19	9.1%	0	0.0%	9	8.7%
Other	13	6.3%	0	0.0%	2	1.9%
Total	208	100.0%	0	0.0%	104	100.0%

MAIN ISSUES DISCUSSED AT COUNCIL

This is not an exhaustive list of potential conflicts that can arise. This list deals with issues that have the worst impact on adjacent properties:

- Excavation of redevelopment sites that put neighbouring property at peril
- A need to resolve these issues given the City Plan is calling for an increase in infill activity in mature neighbourhoods

Issue	Potential tool to address the issues
<p>1. Ongoing reports of damage to neighbouring property during infill (of most concern is excavation)</p> <p><i>At present, damage to neighbouring properties is considered a private property dispute between two neighbours.</i></p>	<ul style="list-style-type: none"> ● Potential to integrate protection of neighbouring property into the compliance certificate that is issued once a project has been completed. This would need to be added by Council through Bylaw (to be debated in Q1 of 2022).

<p>2. Inspection by Safety Codes Officers is complaint driven due to limited resources.</p> <p><i>Regarding the resourcing of Safety Codes Officers, it appears priority is given to the inspection of building sites to get the development approved and ready for market. However, severe complaints are followed up within 24 hours.</i></p>	<ul style="list-style-type: none"> ● Schedule SCO inspection at demolition and excavation ● Could be triaged based on level of builder experience (new, bad, good) ● Additional resources would need to be earmarked by Council to do this (Administration directed to bring an unfunded service package to the Spring Supplemental Budget)
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<p>Compliance Certificates</p>
<p>A Compliance certificate is a report from the City of Edmonton confirming that all buildings and structures identified on the property have met the regulations under the Zoning Bylaw and have the appropriate development permits.</p>

Other Information:

- As per the City, there has been a shift from the educational approach to an enforcement approach.
 - In the past, when an issue was identified, the builder could continue to work on other aspects of the project. Now, they say they will immediately issue a Stop Work Order and not allow them to resume any work until the issue is resolved.
 - In the event of an excavation issue, a Stop Work Order is issued and remediation involves backfilling of the site and the builder must start the excavation over again. Backfilling is the process of putting the soil back into the site once excavation has been completed.

Motion Resulting from Discussion:

1. That Administration provide an unfunded service package for consideration by Council during the 2021 Spring Supplemental Operating Budget Adjustment, to explore increased resources for excavation inspections, and enforcement and compliance.
2. That Administration work with community and industry stakeholder, to explore tools and approaches on how to ensure accountability related to private to private, and private to public issues, for example the use of a compliance certificate, throughout the construction process, and improve relationships between builders and neighbours, and report back to Committee in Q1 2022, with consideration of implementation options and associated resources.
3. That Administration return with an annual update in Q1 2022, including a report back on the dashboard implementation.

Outcome:

- *Report received for information.*
- *Administration to provide a service package for consideration at the Spring Supplemental Budget Adjustment to explore increased resources for excavation inspections, enforcement, and compliance.*
- *Administration to return with an annual update in Q1 of 2022.*

Additional Concerns:

- Changes to notification through the Zoning Bylaw Renewal could result in the [Housing Redevelopment: What to Expect](#) brochure to only be made available online
 - These materials consolidate the information previously provided in the Neighbours of Infill Brochure and the Neighbours of Infill Checklist
- At present, these are mailed out when a Class A development permit notification is sent to neighbours in mature communities
- If Class A notifications are discontinued, as was proposed through the Zoning Bylaw Omnibus 2020, there would be no trigger for these materials to be sent to neighbours

UPDATE FROM STEPHEN POOLE (RIWG)

Stephen Poole will provide an update on the Residential Infill Working Group's survey findings, attendant recommendations, and presentation to Urban planning Committee on January 19, 2021.

Their full report can be accessed [here](#).

QUESTIONS TO CONSIDER

1. If Council were to include protection of neighbouring properties into the compliance certificate, what would you like to see included? (I.e. qualitative measures and quantitative)
2. Pending review of the service package, should the EFCL pursue supporting additional dollars to be allocated to Safety Codes Officers if it would mean proactive inspection at the time of demolition and excavation?

5.0 - Discussion Items

5.3 - Zoning Bylaw Renewal - Philosophy

Item 5.3

BACKGROUND INFORMATION

The Philosophy of the Zoning Bylaw will be presented at the February 2nd Urban Planning Committee meeting. Because this batch of papers was released in August and the formal comment period closed in September, we did not have an opportunity to discuss the Philosophy in its entirety.

Read the full paper outlining the Philosophy guiding this project [here](#).

THE PHILOSOPHY

The current Zoning Bylaw has not been substantially updated since 2001. In 2001, this was largely a consolidation effort designed to harmonize five different land use bylaws. The last significant overhaul occurred in 1961. Now, 60 years later, many development regulations that were designed for a small prairie city in the 60s are still shaping the built form of Canada's fifth largest city in 2020.

The current Zoning Bylaw:

- Does not support compact, mixed-use and sustainable development.
- Keeps activities separated from each other meaning that communities where housing, businesses, recreation and employment centres are all easily accessible are exceedingly rare.
- Places administrative burden on businesses opening and growing in Edmonton.
- Has been used as an exclusionary tool to control certain segments of the population or business types.

The new Zoning Bylaw seeks to correct the above by:

- **Introducing a hybrid bylaw** - moving away from strictly use-based zoning, that separates uses from one another, to a hybrid approach that incorporates form-based zoning, performance-based zoning, and incentive-based zoning, while retaining use-based zoning for simple development.
 - Form-based zoning: <https://formbasedcodes.org/definition/>
 - Performance-based zoning: <https://www.chescoplanning.org/MuniCorner/Tools/PerfZoning.cfm>

- Incentive-based zoning: <http://www.mitod.org/incentivebasedzoning.php>
- Use-based zoning: <https://formbasedcodes.org/definition/>
- **Creating fewer, more enabling and inclusive zones** - Allowing a range of built forms and uses in most standard zones. Standard zones will follow a clear progression, with distinct differences between each zone. Single-function zones will be reserved for the highest-risk uses that have the potential for greater land-use impacts, such as heavy industrial uses.
- **Expanding use classes** - the current bylaw has 127 different land uses. Combining uses will result in groups of broader use categories, similar to the General Retail Sales use. Uses will be combined to allow for a greater range of activities to occur in a particular building.
- **Removing regulations** - the new Bylaw will have fewer regulations and thus less control.

How will the new Zoning Bylaw regulate development?

The new Zoning Bylaw will look and behave very differently from how we are currently accustomed to. A part of this difference will be due to decisions made around what to regulate and what not to regulate. The table below outlines the proposed method for decision making around what is regulated:

Should we regulate it?	If yes, then to what degree?
<ul style="list-style-type: none"> ● Legal obligation: Do we have a legal requirement to regulate this topic? ● Policy alignment: Does regulating this topic align with The Draft City Plan and other strategic policies and directions on land use and development? ● Scope is clearly definable: Can the scope of the topic be clearly defined and understood? Good planning practices/principles: Is it best practice to pursue regulating this topic with available data and literature? ● Stakeholder and Public input: Do Edmontonians support regulating the topic? Land use impact: Will not regulating this topic create land use impacts, either locally or citywide? ● Measuring land use impact: Is it possible to objectively measure the 	<ul style="list-style-type: none"> ● Health & Safety: What level of regulation is required to protect the health and safety of Edmontonians and the environment? ● Risks & Trade-offs: What are the risks & trade-offs associated with different degrees of regulation for the topic and what is acceptable? ● Consequences: What is the most cost-effective way to regulate the topic to achieve the desired outcome - for the public, businesses and government? ● Consistency and timeliness of approval processes: Would the degree of regulation affect permitting and approval processes? Predictability: Are the regulations and associated permitting requirements

<p>impact of the topic or will subjective measures be relied upon? Weighing up the risks involved: What are the risks and trade-offs of regulating/not regulating and how much risk should be taken on this topic?</p> <ul style="list-style-type: none"> ● Enforceability: Can compliance with the regulation be easily determined, and can it be enforced? ● Alternative means of regulation: Is the Zoning Bylaw the only feasible way for this topic to be regulated, or are there alternative means such as other bylaws or standards that would be more appropriate? 	<p>understandable and predictable?</p> <ul style="list-style-type: none"> ● Land use impact: The degree of regulation should be proportionate to the potential impact of not regulating. ● City impact on local scale and city-wide scale: The degree and method of regulation must consider whether the impact of the topic applies locally or city-wide. ● Monitoring: Can the regulation be monitored for effectiveness and continued relevance?
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QUESTIONS TO CONSIDER

1. How do you see the philosophy of the renewal benefitting the project as a whole? Benefitting your neighbourhood? The city as a whole?
2. Are there other elements that are missing that could benefit your neighbourhood? The city?

6.0 - Reports

- 6.1 **Tripartite Amending Agreement** - presentation [here](#).
- 6.2 **District News**