

Landscaping Requirements for Low Density Residential Development

Recommendation

That the August 24, 2021, Urban Planning and Economy report UPE00667, be received for information.

Previous Council/Committee Action

At the May 25, 2021, Urban Planning Committee meeting, the following motion was passed:

That Administration provide a report on the following:

1. Previous work completed on landscaping requirements for low density development and the effectiveness of those tools, including tree protection and preservation for sites undergoing redevelopment.
2. That Administration provide a report on other possible tools to protect and/or encourage tree preservation on private property.

Executive Summary

The City Plan's Big City Moves of 'Greener As We Grow' and 'A Rebuildable City' emphasize the need to preserve and protect the environment through good design and purposeful development decisions. Developments, which aim to support more housing options and people, will need to be balanced with preserving and enhancing our environmental assets, like our abundant tree canopy. Ensuring access to a greener city nurtures a healthier and more connected urban life.

This report addresses the first part of the motion made on May 25, 2021, and provides a high-level summary and analysis of bylaws, practices, and resources that have been implemented to enhance landscaping for low density residential development. In the second quarter of 2022, an additional report will be presented to address the second part of the motion, and will explore potential tools to protect and/or encourage tree preservation on private properties and highlight risks and benefits.

Report

The City of Edmonton's Urban Forest, a significant municipal asset, consists of approximately 380,000 boulevard and open space trees and over 3,000 hectares of natural stands and provides many environmental, ecological, economic and social benefits to Edmontonians. The City Plan sets an ambitious target of increasing urban

trees by two million, which will require adding greenery throughout our city's nodes and corridors, parks, public realm, and private property.

Edmonton's mature neighbourhoods are characterized by a rich environmental biodiversity, including mature trees. In some cases of redevelopment, property owners have removed trees prior to development often because the existing tree location limited the buildable area of a site, or presented access issues during construction. In some scenarios, existing trees may be unhealthy (e.g. diseased/dying) and need to be removed. Over the past decade, the City of Edmonton has discussed and considered approaches to address tree protection on private properties while also promoting tree plantings for new development.

Landscaping Requirements in Zoning Bylaw 12800

Prior to 2016, landscaping (tree and shrub planting) for most low density residential development was not required through the Zoning Bylaw. As Attachment 1 indicates, City Council approved regulatory changes on June 27, 2016, through Bylaw 17672 — *Text Amendment to Zoning Bylaw 12800 to Amend Landscaping Requirements for Low Density Residential Development and Introduce Incentives for Preserving Existing Trees and Shrubs*:

- Minimum tree and shrub planting requirements (section 55.2), as well as:
 - Landscaping to be provided on a site within 18 months of occupancy of a development or commencement of a Use
 - Landscaping maintained on a site for a minimum of 42 months after the occupancy of a development or commencement of a Use
 - Site plan that identifies the number, type, approximate size of existing trees and shrubs proposed for preservation
- Incentives for preserving trees on private property (section 55.6) - the requirement to provide trees and shrubs could be satisfied either through planting new or preserving existing trees and shrubs

A number of past reports (Attachment 1) have not supported a Development Permit process to add or remove trees on private property, due to difficulties in effective implementation and enforcement (Sustainable Development report CR_2368 - Development Permit Options and Incentives for Preserving Trees on Private Residential Properties discussed at the August 18, 2015, Executive Committee meeting). For example, to assess the health of a tree and whether it should be removed, arborists would need to be hired, increasing costs for applicants, and requiring additional resources for Administration to process and review the application.

While the City has taken steps to protect and encourage retention of trees on City property like boulevards and parkland (Corporate Tree Management Policy C456A and proposed Public Tree Bylaw 18825), trees on private property are not subject to the same regulations. Prior to the introduction of the City Charter in 2018, the City did not

have the authority through the *Municipal Government Act* to regulate private trees outside of the Zoning Bylaw. City Administration is currently reviewing whether the City's expanded authority under the City Charter allows for such regulation at this time.

Current Practices and Resources

Attachment 2 provides a list of policy, programs, and processes implemented and their effectiveness, such as:

- Minimum tree and shrub planting requirements;
- Incentives for preserving trees on private residential properties;
- Educational and promotional opportunities (e.g. websites, brochures, City staff, webinars); and
- Compliance and enforcement measures (e.g. landscaping timelines, Expedited Infill Pilot).

A preliminary assessment of these practices and resources indicates increased regulatory and procedural change, relative compliance, and enhanced awareness, education, and utilization. Additional data and analysis will support the upcoming Q2 2022 report.

Next Steps

Administration will explore and present in Q2 2022 possible tools to protect and/or encourage tree preservation on private property. Additionally, continued refinements and improvements to current practices and resources will be explored and implemented where possible.

Corporate Outcomes and Performance Management

Corporate Outcome(s): Edmonton is an environmentally sustainable and resilient city			
Outcome(s)	Measure(s)	Result(s)	Target(s)
City Plan (2.3.1.2): Encourage residential and non-residential redevelopment that contributes to the livability and adaptability of districts.	Implement tree and shrub planting requirements on private property	Implemented in 2016 as Bylaw 17672	Adoption as Bylaw
	Implement incentives for preserving trees on private property	Implemented in 2016 as Bylaw 17672	Adoption as Bylaw
	Create educational opportunities on tree protection	Implemented in 2016 (data results outlined in Attachment 2)	Creation of websites, brochures, webinars, and dedicated City staff
	Increased compliance and reduction in enforcement	Implemented in 2016 (data results outlined in Attachment 2)	18 month landscaping timeline for low density residential development

Attachments

1. Past Reports on Tree Protection on Private Property
2. Inventory and Effectiveness of Current Practices and Resources

Others Reviewing this Report

- D. Croft, Acting Deputy City Manager, Financial and Corporate Services
- H. Rai, Acting Chief Financial Officer
- G. Cebryk, Deputy City Manager, City Operations
- C. Owen, Deputy City Manager, Communications and Engagement
- A. Laughlin, Deputy City Manager, Integrated Infrastructure Services
- R. Smyth, Deputy City Manager, Citizen Services
- K. Fallis-Howell, Acting City Solicitor