

Bylaw 18303

Text Amendment to Zoning Bylaw 12800 to Update Amenity Area Regulations

Purpose

To revise amenity area requirements for residential uses in all standard zones in Zoning Bylaw 12800.

Readings

Bylaw 18303 is ready for three readings after the public hearing has been held. If Council wishes to give three readings during a single meeting, Council must unanimously agree "That Bylaw 18303 be considered for third reading."

Advertising and Signing

This Bylaw has been advertised in the Edmonton Journal on Friday, February 9, 2018, and Saturday, February 17, 2018. The Bylaw can be passed following third reading.

Position of Administration

Administration supports this Bylaw.

Previous Council/Committee Action

At the March 15, 2017, Urban Planning Committee, the following motion was passed:

That Administration prepare amendments to Zoning Bylaw 12800 as generally outlined in Attachment 3 and incorporate amendments as generally outlined in Approach 1 and 3 of Attachment 4 of the March 15, 2017, Sustainable Development report CR_2398rev, and return to a future City Council Public Hearing.

Report

Background

Amenity area is space provided for the active or passive recreation and enjoyment of the occupants of a residential development or, in the case of a non-residential development, the public. These spaces can include outdoor spaces such as backyards, balconies, or rooftop terraces, and indoor spaces such as gyms, swimming pools, or lounges.

Starting in mid-2015, Administration undertook a comprehensive review of Amenity Area requirements in Zoning Bylaw 12800 that included:

- a technical analysis and modeling of current regulations
- discussions with stakeholders to understand what was working and where improvements were needed

- an Insight Survey to understand Edmontonians' values and preferences for Amenity Areas
- research on regulations in other municipalities

The review found a number of challenges with the current amenity area regulations in Zoning Bylaw 12800. The regulations are dispersed across various sections of the Bylaw, making it challenging to determine what the requirements are for any given site. The regulations also create inconsistent standards across different areas of the city, with minimum requirements for one type of housing differing significantly depending on the zone in which it is located. There is additional inconsistency in requirements for private versus common amenity area across the city.

The analysis also found that in low density areas, minimum setbacks and maximum lot coverage regulations result in remaining open space that far exceeds the minimum required amenity area, rendering the amenity area requirements redundant. Administration further found that many other municipalities do not regulate minimum amenity areas for low density residential areas.

Proposed Direction

Based on technical analysis, research, consultation with a variety of stakeholders, and direction from Urban Planning Committee, Administration has developed proposed amendments to Zoning Bylaw 12800 that:

- Consolidate amenity area regulations into a single section
- Standardize the amenity area requirements for Row, Stacked Row, and Apartment Housing to ensure a consistent approach across the city
- Provide greater flexibility in the provision of private and common amenity area to meet a range of needs and preferences
- Remove inconsistent requirements for common amenity area and introduce a density incentive for providing common amenity area
- Remove amenity area requirements for single detached housing, semi-detached housing, and duplex housing to simplify regulations
- Reduce the minimum front setback for principal buildings and rear setbacks for detached garages in low density areas outside the Mature Neighbourhood Overlay to allow for the creation of larger rear yards
- Encourage the development of single-storey front verandas by allowing them to project into required front setbacks, and allowing a modest increase in site coverage for their provision.

Attachment 2 - Mark-up of Proposed Text Amendment, and Attachment 3 - Summary and Analysis of Proposed Amendments, provide additional information on the proposed amendments. Attachment 4 - Amenity Area Requirements in Other Municipalities provides a comparison of regulations in other Canadian municipalities.

Rooftop Terraces

Since presenting to Committee in March, Administration identified another amenity area related update that is required. On August 22, 2016, Bylaw 17727 was passed, creating a definition for rooftop terraces in Zoning Bylaw 12800. Administration has identified that the current definition of rooftop terraces unintentionally restricts recessed balconies on top of the first storey of homes, even though projecting balcony structures are permitted in these locations. The proposed bylaw would clarify the definition of rooftop terraces to ensure that it applies only to Amenity Area provided on the highest roof of the house. More information about the revised definition can be found in Attachment 3 - Summary and Analysis of Proposed Amendments.

Conclusion

Taken together, the proposed amendments provide clearer and more consistent amenity area regulations that align with the approach of other municipalities and with Edmonton's city-building objectives.

Policy

This proposed bylaw supports *The Way We Grow*, Edmonton's Municipal Development Plan:

- 4.1.1 Design new neighbourhoods to support the health and livability of our citizens.
- 4.4.1.1 Provide a broad and varied housing choice, incorporating housing for various demographic and income groups in all neighbourhoods.
- 4.2.1 Ensure that redevelopment in established neighbourhoods supports the health and livability of our citizens.
- 5.1.1 Embrace high quality urban design throughout Edmonton.

Corporate Outcomes

This bylaw contributes to the corporate outcome "Edmonton is attractive and compact" as it seeks to ensure that amenity areas are well designed and space is used efficiently.

Public Consultation

A draft of this report was circulated on November 10, 2017, to Edmonton Federation of Community Leagues, Urban Development Institute, Infill Development Edmonton Association, Canadian Home Builders Association - Edmonton Region, and other external stakeholders who have been involved in the development of these amendments. A summary of other consultation activities and feedback is provided in Attachment 5 - Summary of Public Consultation.

Attachments

1. Bylaw 18303
2. Mark-up of Proposed Text Amendment to Zoning Bylaw 12800
3. Summary and Analysis of Proposed Amendments
4. Amenity Area Requirements in Other Municipalities
5. Summary of Public Consultation