

Bylaw 18106

Text Amendment to amend Bylaw 18013, which amends the Mature Neighbourhood Overlay in Zoning Bylaw 12800

Purpose

To remove the opportunity for front driveway access where a lane exists.

Readings

Bylaw 18106 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 18106 be considered for third reading."

Advertising and Signing

This Bylaw has been advertised in the Edmonton Journal on Friday, June 23, 2017, and Saturday, July 1, 2017. The Bylaw can be passed following third reading.

Position of Administration

Administration supports this Bylaw.

Previous Council/Committee Action

At the May 29, 2017, City Council Public Hearing, the following motion was passed:

That Administration prepare amendments to Section 814.3(17) of Bylaw 18013 and return to the August 28, 2017, City Council Public Hearing.

Report

Background:

Over the last two years, Administration undertook a comprehensive review of the Mature Neighbourhood Overlay. This review included broad public engagement and resulted in an updated Overlay that supports a diversity of infill, while being responsive to neighbourhood context.

At the May 29, 2017, City Council Public Hearing, City Council approved the updated Mature Neighbourhood Overlay regulations. However, Council requested an amendment to the Overlay to address front driveways where a lane exists. The effect of the proposed amendment is to revert to the driveway access regulation that was presented at the February 1, 2017, Urban Planning Committee (Item 6.1).

Proposed Amendment:

The existing regulation provides conditions where front drive access is permitted when there is a lane. Regulation 17 in Bylaw 18013 states:

"Vehicle Access shall be provided as follows:

- a. where a Site is Abutting a Treed Landscaped Boulevard, and an Abutting Lane is present, any existing vehicle access from the front or flanking roadway shall be discontinued and any new vehicle access shall be from the Lane; or
- b. where a Site is Abutting a Lane, and there is no Treed Landscaped Boulevard, any existing vehicle access from the front or flanking roadway shall be discontinued and any new vehicle access shall be from the Lane unless 50% of the principal Dwellings on the blockface have vehicle access from the front or flanking roadway."

The proposed amendment is to remove front drive access. The proposed regulation states: "Regardless of whether a Site has existing vehicular access from a public roadway, other than a Lane, no such access shall be permitted to continue where an Abutting Lane exists."

This regulation would remove the ability to develop a front driveway in a mature neighbourhood, where a lane exists. The proposed regulation supports the general purpose of the Mature Neighbourhood Overlay to maintain "the pedestrian-oriented design of the streetscape."

Preventing front driveway access when there is a lane provides the following benefits to neighbourhoods:

- Increased walkability and safety on sidewalks
- More opportunity for front yard landscaping and boulevard trees
- More space for on-street parking

The proposed amendment to the Overlay would not affect homes with existing front driveway accesses. Administration would apply this regulation at the time of re-development, when a development permit is applied for. There is no requirement for landowners to remove their existing front drive access if they are not re-developing their property.

Administrative Amendment:

Bylaw 18106 also includes an administrative update to regulation 814.5.1 Proposed Variances to fix a minor error in the regulation by replacing 'and' with 'or'. As the regulations currently reads, an applicant would have to be requesting a variance to Section 814.3(1), 814.3(3), 814.3(5) and 814.3(9) in one development permit application for the Development Authority to follow the consultation regulations.

This small wording change will ensure that the Development Authority completes the requirements for development permits with a variance to any one of the listed sections of the Mature Neighbourhood Overlay.

Next Steps:

Council passed Bylaw 18013, which amends section 814 Mature Neighbourhood Overlay of Zoning Bylaw 12800, on May 29, 2017, with a future effectiveness date of

September 1, 2017. It is important to have the proposed amendments to the Overlay heard at this July 10, 2017, City Council Public Hearing, in order to incorporate them in time for the September 1, 2017, effectiveness date. If approved, Administration will be able to inform stakeholders of the proposed amendments as part of the information that will be shared over the summer months prior to September 1, 2017.

Policy

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

- 3.5.1.1 Support redevelopment and residential infill that contribute to the livability and adaptability of established neighbourhoods and which are sensitive to existing development.
- 4.2.1.1 Support neighbourhood revitalization, redevelopment and residential infill that contributes to the livability and adaptability of established neighbourhoods.
- 4.2.1.6: Optimize the use of existing infrastructure in established neighbourhoods.

Corporate Outcomes

This report contributes to the corporate outcomes “Edmonton is attractive and compact” and “Edmonton is an environmentally sustainable and resilient city” as it will facilitate efficient use of land in established areas of the city.

Public Consultation

Administration conducted extensive engagement as part of the Mature Neighbourhood Overlay Review. To ensure stakeholders were informed on this smaller amendment, Administration held discussions with the Edmonton Federation of Community Leagues and corresponded with the Urban Development Institute and Canadian Home Builders' Association. Along with these groups, Administration has also circulated the amendment to Infill Development in Edmonton Association, Commercial Real Estate Development Association and regional Municipalities.

The Belgravia Community League provided a letter of support for the amendment to remove front drive access where a lane exists.

Attachments

1. Bylaw 18106
2. Mark up of Proposed Text Amendment