

## HOMEOWNERS' ASSOCIATIONS - MAINTENANCE ON CITY LAND

### RECOMMENDATION

That the March 21, 2023, City Operations report CO01165, be received for information.

<b>Requested Council Action</b>	Information only		
<b>ConnectEdmonton's Guiding Principle</b>	<b>ConnectEdmonton Strategic Goals</b>		
<b>CONNECTED</b> This unifies our work to achieve our strategic goals.	<b>Climate Resilience</b>		
<b>City Plan Values</b>	PRESERVE.		
<b>City Plan Big City Move(s)</b>	Greener as we grow  Inclusive and Compassionate	<b>Relationship to Council's Strategic Priorities</b>	Climate adaptation and energy transition  Conditions for service success
<b>Corporate Business Plan</b>	Serving Edmontonians		
<b>Council Policy, Program or Project Relationships</b>	<ul style="list-style-type: none"> <li>• Bylaw 2202 - Parkland Bylaw</li> <li>• Bylaw 18825 - Public Tree Bylaw</li> <li>• Bylaw 5590 - Traffic Bylaw</li> </ul>		
<b>Related Council Discussions</b>	<ul style="list-style-type: none"> <li>• CS00619 Engagement with Homeowners' Associations as City Building Partners, Executive Committee, November 10, 2021</li> <li>• CS00619rev Engagement with Homeowners' Associations as City Building Partners, Urban Planning Committee, March 8, 2022</li> </ul>		

### Previous Council/Committee Action

At the March 8, 2022, Urban Planning Committee, the following motion passed:

## HOMEOWNERS' ASSOCIATIONS - MAINTENANCE ON CITY LAND

That Administration provide a report on the status of the implementation of public engagement, public communications, agreements in place and other items identified in the March 8, 2022, Citizen Services report CS00619rev Engagement with Homeowners' Associations as City Building Partners, including how City Standards are applied in the Homeowners' Association.

### Executive Summary

- Administration values the relationships with, and input from, Homeowner Associations (HOAs) as City processes and standards are created, refined and implemented.
- Some HOAs have requested maintenance agreements for mowing naturalized areas, particularly around stormwater management facilities which are naturalized according to the City's Design and Construction Standards.
- Administration is developing a Naturalization, Reclamation and Restoration Plan (NRRP), in parallel with the Greener As We Grow (GAWG) Capital Planning Project. These two planning efforts are closely linked, working to achieve The City Plan tree planting goal of two million trees and the Urban Forest Asset Management Plan target of 20 per cent canopy coverage.

### Report

HOAs may work with the City through maintenance agreements, which authorize community groups, including HOAs, to perform maintenance activities on public land or City assets. The City recently completed engagement with HOAs to gather feedback on operational service levels, processes around maintenance agreements and communication with the City.

Administration has also increased communications to Edmontonians about naturalization and service levels in parks and open spaces.

### Maintenance Agreements

Construction on public land must meet the City of Edmonton's Design and Construction Standards. Once construction is complete, public spaces are maintained by the City according to service levels, which are supported by the tax levy.

When HOAs desire architectural or aesthetic amenities or enhanced maintenance on public land that exceed the City's service levels, they may work with the City to achieve their desired upgrades or carry out enhanced maintenance themselves using volunteers, staff or contractors. If HOAs decide to use their own resources for enhanced maintenance, they are required to enter into an agreement with the City. A maintenance agreement authorizes HOAs to carry out additional or enhanced maintenance on City land or assets and outlines the services or activities that are permitted.

Administration received 16 maintenance agreement requests from HOAs between 2020 and 2022; one request in 2020, 10 in 2021 and five in 2022. In total, the City currently has 17 active maintenance agreements with HOAs. Four agreements are for enhanced landscape maintenance with provisions for mowing and turf, 12 agreements are to maintain enhanced amenities (e.g. gazebo or community garden) and one agreement is for enhanced waste collection.

## **HOMEOWNERS' ASSOCIATIONS - MAINTENANCE ON CITY LAND**

Over the past year, Administration made several improvements related to maintenance agreements with HOAs:

- The parkland use and permit website is a central location for requirements and digital intake forms for maintenance agreements, parkland licensing and permits and a list of parks and open spaces the City maintains.
- Standard templates for agreements promote consistency and ease of access. These standard maintenance agreement templates, applicable to HOAs, outline each party's responsibilities and reference City standards for base-level and enhanced maintenance.
- A centralized inventory of maintenance agreements enables effective management of existing agreements and approvals for new agreements.
- The City's Landscape Service Program was expanded and will be publicly available through the City website. The program helps community groups secure enhanced maintenance resources they might find difficult to obtain, or bridge the gap for some HOAs who need time to hire contractors. Though users will pay for services, the program focuses on recovering costs, not on generating profits. In 2022, three HOAs leveraged the Landscape Service Program. Administration will continue to assess the efficacy of the program and adjust as necessary to meet the needs of HOAs in Edmonton.

## **Naturalization and Maintenance Around Stormwater Management Facilities**

The City's Design and Construction Standards outline that a minimum of 65 per cent of the total area above the normal water line of any stormwater management facility shall be naturalized. The stormwater management facilities are owned by EPCOR and any development on the land must be compatible with the facility operation.

Naturalization around these facilities carries several important benefits:

- Protecting banks from erosion
- Capturing rainwater
- Reducing stormwater runoff to reduce the risk of flooding
- Providing a home for pollinators, birds and small animals

In 2020, the City stopped mowing around all stormwater management facilities as part of pandemic service level reductions. In 2021, as part of a Council approved budget reduction, Administration began a more planned approach to naturalization around these areas, converting approximately 80 hectares at 113 sites. At the April 4, 2022 City Council meeting, Administration was directed to pause naturalization around stormwater management facilities converted in 2021 and resume regular turf maintenance at these sites (Attachment 1).

Some HOAs have sought maintenance agreements to complete mechanical weeding and mowing in the areas outside of the naturalized boundary of stormwater management facilities. However, in alignment with the City's environmental goals and the Design and Construction Standards, mowing is not permitted in naturalized areas.

## **HOMEOWNERS' ASSOCIATIONS - MAINTENANCE ON CITY LAND**

### **Communication with Homeowners' Associations and Edmontonians**

In 2021, Administration increased parkland care communications. Communications focused on educating Edmontonians on the process and benefits of naturalization, where naturalization was occurring and about service levels in parks and open spaces. In 2022, communications raised awareness of program updates through a variety of channels. As one example of a communications tactic, print materials and signage increased awareness and understanding of sustainable green spaces and naturalization around stormwater management facilities.

For 2023, Administration will install interpretive signage at select naturalization sites, create awareness through the use of videos, social media and postcard mailers to educate residents in the vicinity of neighbourhood naturalization about the benefits of these sites.

### **City Standards and Homeowners' Associations**

Administration integrated the City's Design and Construction Standards into the maintenance agreement templates for HOAs. In accordance with the City's climate and environmental goals, the Design and Construction Standards mandate that developers naturalize areas around stormwater management facilities. These agreements include provisions for:

- Responsibilities to protect the natural environment and public land
- Guidelines around herbicides, pesticides and fertilizer use
- Insurance and liability
- Nesting and migratory bird protections
- Standards that align with Bylaw 2202 - Parkland Bylaw, Bylaw 18825 - Public Tree Bylaw and Bylaw 5590 - Traffic Bylaw

## **COMMUNITY INSIGHT**

### **Homeowners' Associations Access to City Services**

In January 2023, Administration sent a survey via email to 44 HOAs to determine their access to City services and ways the City can improve communication and engagement. Of the 44 HOAs, 11 responded and their feedback is provided in Attachment 2. Administration will consider this insight when looking at potential improvements to City processes and services. Administration also leverages ongoing feedback from HOAs through Council correspondence and/or 311 inquiries to further improve processes.

### **Engagement to Guide Naturalization and Tree Planning**

Administration is developing citywide plans for 2023 to 2030 around naturalization and tree planting. The new Naturalization, Reclamation and Restoration Plan (NRRP), is an integrated project that complements the Greener As We Grow Capital Planning Project. Informed by listening and learning from Edmontonians, these two plans support The City Plan tree planting goal of two million trees and the Urban Forest Asset Management Plan target of 20 per cent canopy coverage.

## **HOMEOWNERS' ASSOCIATIONS - MAINTENANCE ON CITY LAND**

The first phase of public engagement concluded in May 2022. An online survey provided insight into awareness and support for naturalization, boulevard and open space tree planting, and the use of naturalized and open spaces.

The final phase of engagement is planned for mid-2023 and will include HOAs, as a key stakeholder group, to gather feedback on the 'how' and 'where' of naturalization at a higher citywide level.

## **GBA+**

The City's GBA+ approach supports base-level maintenance services that are equitable for all Edmontonians, regardless of neighbourhood. However, enhanced landscape maintenance services are now available to the public, including HOAs, on a cost recovery basis.

The diverse nature of Edmonton communities suggests that the interests of neighbourhoods may vary significantly. By increasing awareness of City processes and making enhanced landscape maintenance service available publicly, any formal community group now has access to enhanced maintenance through the City. However, since enhanced landscape maintenance services are operated at a fee, affordability may impact uptake in different communities.

The existence of HOAs may create inequities of service across the City. HOAs are not mandated for all neighbourhoods and tend to exist where neighbourhood interest and resources are greater. Enhanced maintenance, regardless of being funded by HOAs or other groups, may create an appearance of inequity in City base-level services where the public is unaware of the process for the provision of enhanced services.

## **ATTACHMENTS**

1. Naturalization Around Stormwater Management Facilities 2020-2022
2. Homeowners' Associations Survey Summary