

Advancing Equity through Zoning

This attachment provides a summary of how a Gender-Based Analysis Plus (GBA+) lens was used throughout the Zoning Bylaw Renewal Initiative to consider the unintended social impacts of zoning regulations and take thoughtful and decisive action to foster more vibrant and inclusive communities within Edmonton. It also includes a summary of the key shifts proposed in the new draft Zoning Bylaw to advance equity.

A Need to Change

The primary purpose of zoning is to organize land uses and minimize conflicts between different activities. However, zoning has historically also been used to exclude certain segments of the population. While equity issues have been top of mind for planners for decades, they have typically been addressed through advocacy and programs, rather than regulatory reform. The Zoning Bylaw Renewal Initiative is an opportunity to reconsider how Edmonton's built form can help live out the values of The City Plan in a more equitable way.

GBA+ and Equity Toolkit

To ensure equity considerations were included in all aspects of the Zoning Bylaw Renewal Initiative, a GBA+ and Equity Toolkit was developed to provide guidance on how best to consider equity and diversity concepts while drafting regulations.

Administration used the toolkit as an opportunity to reflect and consider equity by:

- Acknowledging assumptions and biases while drafting regulations
- Identifying social inequities caused by zoning
- Listening to community perspectives
- Exploring equity measures that have already been, or can be, taken

Prior to developing the toolkit, Administration hosted Community Conversations with a variety of Edmontonians to understand how zoning and development impact people. Explicit attention was given to ensuring individuals from Black, Indigenous, racialized, underrepresented and marginalized communities were invited to participate. These conversations covered a wide variety of topics including:

- Ableism
- Affordable housing
- Aging-in-place
- BIPOC (Black, Indigenous and Persons of Colour) communities
- Climate justice
- Community participation
- Diverse housing
- Health
- Indigenous peoples mobility
- Newcomers
- Places of worship
- Public spaces
- Sexual identity
- Small businesses
- Women
- Youth

From January to June of 2021, Administration partnered with the University of Alberta's School of Urban and Regional Planning on a study funded by the Social Sciences and Humanities Research Council (SSHRC). The study focused on analyzing Edmonton's existing Zoning Bylaw (Bylaw 12800), exploring key amendments and sections identified by stakeholders, to understand how zoning tools have caused or helped address inequity within the city in the past. The study consisted of a thorough review of academic literature, best practices and relevant case law to explore the intersections of equity, human rights and land use regulation. The findings from Community Conversations and the SSHRC study were used to help develop the toolkit.

Administration used the GBA+ and Equity Toolkit while developing the draft Zoning Bylaw's regulations to consider the potential effects of how zoning may have historically impacted marginalized communities, such as restricting housing diversity and supply or limiting equitable access of commercial and community uses in residential neighborhoods.

Key Shifts to Advance Equity

To create a more equitable, livable and adaptable city for everyone, the new Zoning Bylaw proposes a number of key shifts to advance equity, including:

- Enabling more and diverse housing everywhere
- Ensuring regulations are drafted based on land use impacts
- Improving access to services and amenities
- Enhancing mobility options
- Supporting safety and comfort
- Using equitable and inclusive language throughout the bylaw
- Making zoning accessible with plain language, visuals, and new technology
- Changing how we notify

While these shifts are primarily rooted in land use, helping organize land and minimize conflicts between different activities, they are also intended to implement more equitable built form outcomes, as well as support easier access to the Zoning Bylaw and information about the land development process.

For each key shift, the table below **provides examples of proposed changes** in the draft Zoning Bylaw and the equity considerations that informed them. This list is not exhaustive.

Proposed Changes to Advance Equity

Enabling More and Diverse Housing Everywhere	
Proposed Change	Equity Considerations
Reduce the number of small-scale residential zones to support more housing forms everywhere, as of right.	<p>Many neighbourhoods in Edmonton are currently zoned to allow only a narrow range of housing types, such as single-detached housing and semi-detached housing. These housing forms do not meet the needs of all Edmontonians and may not be an affordable housing option for everyone. Overly restrictive residential zones can also lead to economic segregation.</p> <p>This proposed change is intended to support a greater diversity of housing types in Edmonton's residential neighbourhoods.</p>
Create a single Residential Use that identifies the activity as a place to live, rather than differentiating between the different types of structures.	<p>Each zone contains regulations that shape the built form of new residential development (e.g. maximum height, setbacks, density maximums). These regulations inform the 'box' in which residential development may occur.</p> <p>This new use recognizes that the space for someone to live in provides a similar function across different building types and living arrangements, and more easily supports the potential for all housing types to be built in neighbourhoods across the city, while reducing the potential for exclusion.</p>

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<p>Incentivize residential development with larger (3-bedroom) dwellings or dwellings that meet inclusive design standards by providing a greater Floor Area or Floor Area Ratio (FAR) bonus. The criteria for 3-bedroom dwellings in multi-unit buildings are proposed to be enhanced in order to better meet the needs of families with children.</p>	<p>This incentive is intended to foster more accessible and family-oriented residential development in higher-density areas.</p>
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Regulating Uses, Not the User	
Proposed Change	Equity Considerations
<p>Retire Supportive Housing and Lodging Houses as their own uses and instead incorporate them into the new Residential Use definition.</p>	<p>Historically, supportive housing and lodging housing (and previously group homes) have been regulated as distinct from other residential uses due in part to perceptions of the users of these housing forms, rather than land use impacts. However, the function of these developments and their land use impacts are similar to other residential uses.</p> <p>There is also a greater concentration of supportive housing and lodging houses in certain areas of the city. By including these activities within the Residential Use, they are proposed to be permitted in all zones where the Residential Use is permitted (with limited regulations in some zones). This will allow these types of housing to occur in most neighbourhoods in the city.</p>
<p>Retire Secondhand Stores and Pawn Stores as their own uses and incorporate them into the new Indoor Sales and Service Use definition.</p>	<p>Historically, pawn stores and secondhand stores have been regulated as distinct uses from other commercial uses due to perceptions of the users of these services or other aspects of social disorder rather than land use impacts.</p> <p>As the land use impacts associated with pawn stores and secondhand stores are similar to other retail and financial services, the additional regulations applied to these specific uses are proposed to be retired to ensure that regulations are applied equally.</p>

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Improving Access to Services and Amenities	
Proposed Change	Equity Considerations
Include Community Service as a permitted use in more zones.	This proposed change is intended to enable more equitable access to community, religious, social, arts, educational activities and shelters that provide services to Edmontonians.
Create criteria for Community Services, such as religious assemblies and child care services, so that they may be located within residential neighbourhoods as permitted developments.	Currently, religious assemblies and child care services are typically only allowed in small scale residential zones on a discretionary basis and limited by location or size. This proposed change is intended to improve equitable access to these services by allowing them to be located within more neighbourhoods.
Include Parks (private and public) as a new use in more zones.	This proposed change is intended to provide more opportunities for parks throughout Edmonton, offering Edmontonians more equitable access to parks as places for active and passive recreation.
Increase the allowable size of grocery stores in neighbourhood commercial and mixed-use zones and expand opportunities for urban agriculture.	The proposed changes are intended to reduce the potential for creating food deserts (areas with limited access to affordable and nutritious food) by expanding opportunities for the sale and production of fresh, healthy food.
Include Recycling Drop-off Centre and Indoor Self Storage as permitted uses in more zones.	The proposed changes are intended to expand opportunities for Edmontonians to access these services in closer proximity to where they live.

Supporting Safety and Comfort	
Proposed Change	Equity Considerations
Include Emergency Service as a permitted use in more zones.	This proposed change is intended to provide more opportunities for emergency services to locate throughout Edmonton.
Integrate Crime Prevention Through Environmental Design (CPTED) principles currently applied to Cannabis Retail Sales and Liquor Stores as regulations in multiple zones, specifically window transparency	This proposed change incorporates design considerations that work to provide visibility onto the street and into the store. This helps to support a safe environment for patrons and pedestrians.

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requirements and requiring main entrances for public access to a building to be visible from the street or parking lot.	
Require design elements for weather protection in multiple zones that also enhance the visibility of entrances.	This change is proposed to enhance safety and pedestrian comfort by ensuring weather protection for all individuals using the street.

Enhancing Mobility Options	
Proposed Change	Equity Considerations
Include Transit Facility as a permitted use in multiple zones.	This proposed change is intended to allow for development to integrate more easily with The City Plan's Mass Transit Network, thereby expanding opportunities for Edmontonians to access these services in closer proximity to where they live.
Increase the required width of pathways for non-residential and mixed use development from 1.5 m to 1.8 m, and apply the 1.8 m pathway requirement to larger multi-unit residential buildings.	This proposed change is intended to provide safe and convenient access for all people, including those with limited mobility.
Enhance bike parking requirements, including introducing inclusive bike parking regulations and requiring a barrier-free path of travel to bike parking.	This change is proposed to allow people to more conveniently access on-site bike parking while ensuring that a minimum number of bike parking spaces are designed to accommodate a variety of bikes, such as cargo bikes.

Using Equitable and Inclusive Language	
Proposed Change	Equity Considerations
Replace 'Development Officer' with 'Development Planner and remove the gendered term "he" with reference to this role.	There are a number of negative connotations associated with the word 'Officer'. In addition, the use of the word 'Planner' reflects the current professional requirement to hold some of these positions at the City of Edmonton and is more reflective of the work that is done in this role.
Replaced the term 'walkway' with 'pathway'.	This change is intended to reduce ableist language and recognize the variety of ways that people may use to get around a site.

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Remove the terms 'power' and 'master' from the bylaw.	Example text includes "The Development Officer may use variance power to...." This language creates a power dynamic (either real or perceived) over the applicant. The new wording is intended to reduce the 'us versus them' perception as much as possible.
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Making Zoning Accessible with Plain Language, Visuals and New Technology

Proposed Change	Equity Considerations
Use plain language and diagrams throughout the Zoning Bylaw.	The current Zoning Bylaw is very complex — the use of jargon, legal words, lack of illustrations, diagrams, tables and the poor user experience affects the way Edmontonians access and find information. In some instances, these barriers can exclude entire segments of the population from engaging with the bylaw. This proposed change is intended to make the bylaw easier to understand and communicate regulations and zoning concepts in more accessible ways.
Update the platform for displaying the Zoning Bylaw online.	The current tool for displaying the Zoning Bylaw online has limited functionalities and an outdated appearance that can negatively affect the way Edmontonians access and find information within the Zoning Bylaw. This proposed change is intended to improve the Zoning Bylaw's online navigation by creating a consistent appearance with additional features to assist users with interpretation and links to other relevant information.
Update the platform for the online Zoning Map, using colours in alignment with the Web Content Accessibility Guidelines (WCAG) 2.0 AA rating for users with visual impairment.	This proposed change is intended to ensure that the Zoning Map is accessible for individuals who are colour-blind.

Changing Development Notifications

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Proposed Change	Equity Considerations
<p>Expand notifications to municipal addresses for discretionary developments (currently referred to as Class B) and proposed rezoning amendments.</p>	<p>Notification of a proposed discretionary development or rezoning amendment is currently limited to property owners. However, renters may also be impacted by the proposed development. This change is intended to ensure that renters are notified of proposed discretionary developments and proposed rezoning amendments.</p>
<p>Retire notification letters for approved development permits for permitted developments (currently referred to as Class A) within the Mature Neighbourhood Overlay boundary.</p>	<p>Class A notification letters were added to the current bylaw as a process requirement in 2017, creating a geographic imbalance where only residents living within the boundary of the Mature Neighbourhood Overlay receive notification for permitted developments.</p> <p>Currently, there is perceived inequity when residents in one geographic area of the city receive information about a proposed development while residents in other areas do not. Additionally, notification of a permitted development gives an impression that an individual can influence a development permit decision that otherwise complies with the bylaw. Under the Municipal Government Act, permitted development must be approved by the City if the application complies with the bylaw and residents do not have a practical right to appeal this decision.</p> <p>Note: The draft Zoning Bylaw proposes to maintain the requirement to place a Development Permit notification sign on a Site within 14 days of Development Permit issuance and before any demolition takes place.</p>