

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

Purpose

To implement minimum tree and shrub planting requirements for low density residential development city-wide and create incentives to preserve mature trees and shrubs by crediting preserved landscaping towards required landscaping.

Readings

Bylaw 17672 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 17672 be considered for third reading."

Advertising and Signing

This Bylaw has been advertised in the Edmonton Journal on Friday, June 10, 2016, and Saturday, June 18, 2016. The Bylaw can be passed following third reading.

Position of Administration

Administration supports this Bylaw.

Previous Council/Committee Action

At the February 23, 2016, Executive Committee meeting, the following motion was passed:

1. That Administration prepare amendments to Zoning Bylaw 12800, as generally outlined in Attachment 1 of the February 23, 2016, Sustainable Development report CR_3117 (including the words Artificial Turf as an example), and return to a future City Council Public Hearing.
2. That Administration review the following section to consider including an additional requirement of shrubs: Page 3 of Attachment 1, Chart on section 1 - 13.0 m+ / Semi-Detached and Duplex

Report

Current landscaping regulations in Zoning Bylaw 12800 do not require trees and shrubs to be planted with Single Detached, Semi-detached, and Duplex housing in most residential zones. Landscaping requirements for these uses are limited to the seeding or sodding of all yards visible from a public roadway, other than a lane, within 18 months of occupancy. Alternative forms of landscaping, including hard decorative pavers, shale or similar treatments, or flower beds or cultivated gardens may be substituted for seeding or sodding. Further, landscaping regulations in Zoning Bylaw

12800 do not currently provide incentives to encourage the preservation of existing trees when redeveloping low density residential sites.

Continued modernization of Zoning Bylaw 12800 provides an opportunity to promote environmental stewardship, and ensure a reasonable standard of livability and appearance for development in our city. To achieve these outcomes, Bylaw 17672 proposes the following amendments:

- minimum tree and shrub planting requirements for Single Detached, Semi-detached, Duplex, Row Housing and Stacked Row Housing, not part of a Multi-unit Project Development, based on site width
- incentives to encourage the retention of existing trees and shrubs
- submission of a signed Construction Management Acknowledgement Form.

Minimum Tree and Shrub Planting Requirements

The current absence of tree and shrub planting requirements for low density residential development can result in sites that are developed or redeveloped with minimal landscaping. The proposed amendments ensure that minimum tree and shrub planting requirements apply relatively equally to all low density forms of development throughout the city. Preferences from public engagement initiatives and direction received at the February 23, 2016, Executive Committee meeting informed the proposed minimum planting requirements and ratio of deciduous to coniferous trees. For example, the amendment requires a single detached house on a site less than 10 metres in width to install a minimum of one deciduous tree, one coniferous tree and four shrubs. The planting requirements increase as a function of site width and number of dwellings on a site (excluding secondary suites, garage suites, and garden suites). The amendment also allows the Development Officer to alter the prescribed ratio of deciduous to coniferous trees, without incurring a variance. The complete details of the proposed planting requirements can be found in Attachment 2 (see Section 55.2 – Table 55.2(1)(d)).

Incentives for Preserving Trees on Private Residential Properties

For ease of development, sites are often cleared of existing trees prior to construction, a practice that mature area communities have identified as an area of concern as the City encourages more infill development. To provide an incentive to retain existing trees, the proposed amendment provides the opportunity to credit retained trees and shrubs against the proposed planting requirements. For example, retention of an existing deciduous tree with a minimum caliper of 200 millimetres will satisfy the requirement of two new trees. The complete details of the proposed incentives for preserving existing trees can be found in Attachment 2 (see Section 55.6).

Educational Opportunities for Preservation of Existing Landscaping

As a function of work undertaken to educate applicants of incentives to preserve existing landscaping, and ongoing efforts to support improving construction practices as presented to Executive Committee on October 5, 2015 (Item 6.11), the amendment requires the submission of a Construction Site Management Acknowledgement Form.

A draft of the Construction Site Management Acknowledgement Form, as seen in Attachment 3, ensures development permit applicants are aware of the City's regulations and informed of best construction practices, including the preservation of existing trees.

Further to immediate amendments to Zoning Bylaw 12800, Administration has undertaken additional proactive steps to increase awareness around the importance and opportunities for preserving existing trees and shrubs. Efforts include:

- adding a requirement for existing vegetation (trees and shrubs) to be shown on a Site plan for Development Permit applications, including demolitions and house combo permits
- publishing landscaping and tree protection brochures to educate applicants on how to protect private and public trees, including roots, during construction
- offering pre-application meeting for infill developments where the preservation of existing trees and shrubs will be discussed
- launching an updated Good Neighbour Guide and developing a new infill webpage highlighting the importance of preserving existing trees and shrubs.

Policy

Bylaw 17672 supports the following policies:

The Way We Grow, Municipal Development Plan, Bylaw 15100:

- 5.2, Enhance established neighbourhoods by ensuring the design of new development, infrastructure and community facilities makes a positive contribution to the neighbourhood
- 5.8, Encourage a sense of local identity and create connections to the city's cultural and historical roots through the conservation and preservation of significant structures, buildings, districts, landscapes and archeological resources

Urban Forest Management Plan, Edmonton's Urban Forest Management Plan:

- Objective 1, Promote planting, protection and preservation of trees on public and private land.

The Way We Green, Edmonton's Environmental Strategic Plan:

- Objective 3.6, The City protects, preserves, and enhances its urban forests

Corporate Outcomes

This report contributes to the corporate outcomes "Edmonton is an environmentally sustainable and resilient city" and "Edmontonians are connected to the city in which they live, work and play" as it provides a framework for greenfield and infill development that encourages diverse and attractive landscaping on private properties that reflects the unique landscape qualities of mature communities.

Public Consultation

Public consultation for this project was undertaken in a variety of ways:

- Information memos were provided to the Canadian Home Builders' Association – Edmonton Region, and the Edmonton Realtors' Association to provide advance notice of this work and offering to provide presentations to their memberships, and inviting members to attend the public open house or complete the Insight Community survey.
- On December 1, 2015, separate meetings were held with the Edmonton Federation of Community Leagues and the Infill Edmonton Development Association of Edmonton. Administration presented a variety of landscaping and tree retention options and participants provided feedback.
- On December 8, 2015, a public open house was conducted at the Santa Maria Goretti Center. Administration presented a variety of landscaping and tree retention options and participants reviewed the options, indicated their preferred options, and provided feedback on the consultation event.
- From December 7, 2015, through December 22, 2015, a public online survey was presented through the Edmonton Insight Community and on the project website. Data from 859 participants was collected and analyzed, and informed the proposed bylaw amendment. Survey results are included in Attachment 4 and Attachment 5.
- Following the February 23, 2016, Executive Committee meeting, a copy of the draft amendments were circulated to stakeholders to provide feedback. Feedback was used to further refine the draft regulations.

An internal circulation of the proposed amendments occurred in December 2015, and March 2016. No concerns or objections were received by Sustainable Development.

Attachments

1. Bylaw 17672
2. Mark-up of Proposed Text Amendment
3. Construction Site Management Acknowledgement Form
4. Insight Community Tree Planning Survey Results
5. Project Website Tree Planting Survey Results