

CHARTER BYLAW 20775

Zoning Bylaw Text Amendment to Minimum Tree Requirements for Small Scale Residential Development

Purpose

To amend the minimum tree requirements for small scale residential developments.

Previous Council/Committee Action

At the October 16 - 23, 2023 City Council Public Hearing, the following motion was passed:

That Administration prepare amendments to subsection 3.1.1 of section 5.6 of Charter Bylaw 20001 by deleting:

- “Where the Site Width is less than 8.0 metres - 1 tree and 4 shrubs”

And replacing it with:

- “Where the Site Width is less than 8.0 metres - 2 trees and 4 shrubs”

Readings

Charter Bylaw 20775 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 Charter Bylaw 20775 be considered for third reading.

Advertising and Signing

This Charter Bylaw was advertised in the Edmonton Journal on May 24, 2024, and June 1, 2024. The Charter Bylaw can be passed following third reading.

Position of Administration

Administration does not support this proposed Charter Bylaw.

Report

Previous Minimum Tree Requirements in Zoning Bylaw 12800

Prior to 2016, there were no minimum tree or shrub requirements in the Zoning Bylaw for small scale residential development in most residential zones. In efforts to promote environmental stewardship, and ensure a reasonable standard of livability and appearance for development in our city, Bylaw 17672 amended Zoning Bylaw 12800 and introduced minimum tree and shrub planting requirements for small scale residential development.

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These requirements were based on site width and type of housing (single detached housing, semi-detached housing, duplex housing and row housing), which was informed by public engagement findings and direction received at the February 23, 2016 Executive Committee Meeting. This included a minimum 2 tree and 4 shrub requirement for sites less than 10m in width.

Zoning Bylaw Renewal Landscaping Requirement Review

A review of minimum tree requirements was conducted in 2023 during the Zoning Bylaw Renewal Initiative. Development Permit Inspections for 138 low density residential infill properties identified challenges with meeting the minimum requirements and found that:

- 15 sites (11%) complied with the minimum number of trees required
- 41 sites (29%) complied with the minimum number of required deciduous trees
- 17 sites (12%) complied with the minimum number of required coniferous trees

Attachment 1 evaluates the viability of integrating trees within different small scale residential contexts. The analysis generally indicates limited space for trees in the front yard where the site width is less than 8.0 m. Sites with front drive access present the most difficulty. While these sites may accommodate up to one tree with a maximum spread of 3.7 m, the remaining selection would typically be limited to species with smaller canopies with a maximum spread of 1.5 m.

The requirement for two trees on smaller lots may also pose other challenges. Depending on their species, they may not survive their full life span due to insufficient root space. It may also limit opportunities for how residents use their private amenity space, particularly if spatial constraints require at least one of the trees to be located in the rear yard.

Residents may desire to incorporate various elements into their yard, such as planters, gardens, outdoor seating areas or play areas for children, while also needing to ensure there is enough space for the required number of shrubs. If there is a need to accommodate required trees in the rear yard, this may restrict the layout and usability of the yard space while increasing the probability of a tree being removed in the future.

Current Zoning Bylaw 20001 Requirement

Based on the low compliance, and space constraints on smaller sites, the Zoning Bylaw Renewal Initiative lowered the minimum tree requirements for sites less than 8.0 m in width. Changes also included a simplified approach in which requirements increase based on the width of the site for ease of implementation and enforcement.

Proposed Amendment

At the October 16 - 23, 2023 City Council Public Hearing, a motion was passed directing Administration to prepare amendments to increase the minimum tree requirements for small scale residential developments with site widths less than 8.0 m. Attachment 2, Charter Bylaw 20775,

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proposes an amendment to increase the minimum tree requirements and Attachment 3 provides a mark-up and rationale of the proposed amendment.

While acknowledging the importance of aligning with The City Plan's objective of planting two million new urban trees, it is essential to balance this with the City's redevelopment goals and ensuring that regulations and processes remain efficient and reflect site constraints. In the context of small scale residential development, it is suggested that the focus be on ensuring that each tree planted can thrive rather than maximizing the number of trees in a limited space.

It is the position of Administration that the proposed amendment would not achieve its intended outcome.

Related Reports

Other work related to increasing the urban tree canopy include:

- UPE01925 - Trees on Public & Private Property - This report is intended to provide a full picture of current programs, projects, and initiatives to support planting (expansion), maintenance, and retention of Edmonton's urban tree canopy on public and private property in alignment with The City Plan's goal of planting two million new urban trees. The report also outlines opportunities that may be explored to continue the advancement of achieving the City's tree canopy goals.

Community Insight

Recent and extensive public engagement to inform Zoning Bylaw 20001 was carried out as part of the Zoning Bylaw Renewal Initiative from 2018 through 2023. This included gathering feedback on the new landscaping section and tree requirements. If approved, the amendment would represent a change back to the development outcomes of Zoning Bylaw 12800.

Additional public engagement was not completed as the Zoning Bylaw Renewal Initiative engagement provided the needed public input. However, a draft version of this report and the proposed amendments was circulated to external stakeholders on March 13, 2024, for a three week period to gather additional targeted feedback. These external stakeholders included:

- Edmonton Federation of Community Leagues
- 170 Community Leagues
- Canadian Home Builders Association - Edmonton Region
- Urban Development Institute - Edmonton Region
- Infill Development in Edmonton Association
- YEGarden Suites

A summary of the comments from the circulation and from previous engagement done as part of the Zoning Bylaw Renewal Initiative are found in Attachment 4 - External Circulation Comments. The following external stakeholders responded:

- Three Community Leagues

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- Canadian Home Builders Association - Edmonton Region
- Urban Development Institute - Edmonton Region

Attachments

1. Modelling for Minimum Tree Requirements
2. Charter Bylaw 20775
3. Mark-up of Proposed Text Amendment to Zoning Bylaw 20001
4. External Circulation Comments