

## Bylaw 17554

### Text Amendment to Section 23 and 23A of the Edmonton Zoning Bylaw 12800 to Update Specified Penalties for Offences

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#### **Purpose**

To amend Section 23, Enforcement and Penalties, and Section 23A, Specified Penalties for Offences, of Zoning Bylaw 12800 to provide an expanded list of offences with penalties that are proportionate to the severity of the offence.

#### **Readings**

Bylaw 17554 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 17554 be considered for third reading."

#### **Advertising and Signing**

This Bylaw has been advertised in the Edmonton Journal on Friday, March 18, 2016, and Saturday, March 26, 2016. The Bylaw can be passed following third reading.

#### **Position of Administration**

Administration supports this Bylaw.

#### **Previous Council/Committee Action**

At the March 14, 2016, City Council Public Hearing, the following motion was passed:

That Bylaw 17554 be referred back to Administration in order to make corrections to Section 23A – Specified Penalties for Offences, complete re-advertising and return to the April 4, 2016, City Council Public Hearing.

#### **Report**

The proposed bylaw includes amendments to Section 23, Enforcement and Penalties, and Section 23A, Specified Penalties for Offences. The amendments are intended to improve compliance with Zoning Bylaw 12800 and development permit conditions by introducing:

- An expanded list of offences and penalties.
- Revised penalties that are proportionate to the severity of the offence.
- Increased penalties for more serious offences (including safety concerns).
- Reduced penalties for less serious offences.
- A new column with escalating specified penalties for offences that recur or continue after conviction or a guilty plea (a person can plead guilty by paying a ticket or appearing in court).
- Clarified and simplified language.

The current schedule of specified penalties was introduced in 2010, and sought to streamline and simplify offences and penalties. Edmonton has experienced considerable growth since 2010, and more effective enforcement of Zoning Bylaw 12800 is required in order to balance growth with sustainable design and orderly development. The proposed amendments create opportunities for more effective and flexible enforcement when voluntary compliance cannot be achieved. The proposed amendments also increase alignment with other Canadian municipalities, and will help achieve better construction practices and good development outcomes.

The proposed bylaw features a delayed implementation date of May 2, 2016, so that Administration can update the processes and complete training of staff.

### **Policy**

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

- Section 4.1, Developing and Planned Neighbourhoods
- Section 3.5, Established Neighbourhoods

*The Way We Live*, Edmonton's People Plan

- Objective 4.1, Edmontonians enjoy safety and security of person, place and community

### **Corporate Outcomes**

- This report contributes to the corporate outcome "Edmonton is attractive and compact" as an updated list of penalties and offences will help ensure good development outcomes and building practices in Edmonton.
- This report contributes to the corporate outcome "Edmonton is a safe city" because a more enforceable list of penalties and offences will help ensure compliance with Zoning Bylaw 12800.

### **Public Consultation**

Public consultation included gathering input and comments from external stakeholders including the Canadian Home Builders' Association – Edmonton Region, Edmonton Federation of Community Leagues, and the Urban Design Institute. Several Canadian municipalities were consulted to ensure alignment with the penalties and enforcement approaches of similar cities. Meetings were conducted to gather input from various internal stakeholders dealing with enforcement of City bylaws including Community Standards, Development Compliance, Residential Compliance Team, Community Peace Officers and Fire Rescue Services. Multiple internal and external circulations ensured that feedback was incorporated throughout the process of drafting the amendment.

### **Attachments**

1. Bylaw 17554
2. Mark-up of Proposed Text Amendment - Section 23
3. Markup of Proposed Text Amendment - Section 23A