

BYLAW 21017

Zoning Bylaw Text Amendments to Implement Landscape Securities Process Changes

Purpose

To amend Zoning Bylaw 20001 to enhance the effectiveness of the landscape security process, improve landscaping compliance outcomes and align with the City's climate resilience goals.

Readings

Bylaw 21017 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 21017 be considered for third reading.

Advertising and Signing

This Bylaw was advertised in the Edmonton Journal on January 17, 2025 and January 25, 2025. The Bylaw can be passed following third reading.

Previous Council/Committee Action

At the October 29, 2024, Urban Planning Committee meeting, the following motion was passed:

That Administration prepare amendments to Zoning Bylaw 20001, as generally outlined in Attachment 4 of the October 29, 2024, Urban Planning and Economy report UPE02420, and return to a future City Council Public Hearing.

Position of Administration

Administration supports this proposed Bylaw.

REPORT

The City of Edmonton requires landscaping for new multi-unit housing, cluster housing and non-residential developments. Trees, shrubs and other landscaping features contribute to a more climate-resilient environment by absorbing stormwater, reducing pollution and combating the urban heat island effect.

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To ensure developers install and maintain the minimum required landscaping stipulated in Zoning Bylaw 20001, the City collects landscape securities as a part of the development permit process. Once the security is collected, the amount is retained for two years and released upon reinspection at the end of that maintenance period. Should landscaping not be installed or maintained, Administration initiates an enforcement and procurement process to have the landscaping installed.

The Evolution of Landscape Securities

In the past, the City collected a full security amount before construction began. This process proved effective, as developers demonstrated 100 per cent compliance with providing securities. In 2017, the City made changes to reduce barriers to development by collecting a smaller security amount after construction was complete.

While well-intentioned, this change has had unintended consequences. The rate of voluntary security submission declined from 100 per cent to approximately 19 per cent. Furthermore, 67 per cent of sites developed and inspected under the current system did not comply with the required landscaping regulations on first inspection. These outcomes have led to increased enforcement, a reduced effectiveness of landscaping regulations in Zoning Bylaw 20001 and highlighted the need for a more effective approach.

Proposed Amendments

Bylaw 21017 proposes amendments to the landscape process to collect the full security amount before construction begins, similar to the process used before 2017. The proposed amendments include the following additional improvements to the landscape securities process:

- Security amounts based on bylaw minimums: The security amount will be based on 100 per cent of the value of the minimum landscaping requirements. This provides certainty to industry partners about required security amounts.
- Faster security release: Developers will get most of their security back (80 per cent) as soon as they finish installing the landscaping and pass an inspection. This rewards timely compliance and allows developers quicker access to their funds.
- Flexible payment options: A new landscape development bond model will be available as an alternative form of security. This will provide developers with more flexibility in how they submit securities.

The amending bylaw is provided as Attachment 1 and the red line version with rationale is provided as Attachment 2.

Implementation

This change would take effect on May 1, 2025. Implementation activities will include developing communications for industry associations to notify their members, changes to the self-serve

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portal to notify permit applicants, updates to the City's website and including information in the Building Edmonton Newsletter.

Community Insight

Engagement began in early 2023 to develop an updated, simplified and transparent process for administering landscaping securities. The work included two engagement sessions between City staff and industry stakeholders in January and February 2023. Industry stakeholders who were part of these initial sessions were interviewed in mid-2024 in a third round of engagement. A further opportunity for feedback was provided in August 2024. Attachment 3 provides additional details about the engagement process, including the results of the interviews.

Attachments

1. Bylaw 21017
2. Zoning Bylaw 20001 - Mark-up and Rationale
3. What We Heard Report - Landscape Securities Process Changes

Others Reviewing the Report

- M. Plouffe, Chief People Officer and City Solicitor