

Bylaw 17026

To Amend the Height and Grade Regulations in Zoning Bylaw 12800

Purpose

To change the definition for height, add a method to calculate grade, specify where height is measured to for different roof types, and to improve the consistent interpretation and application of Zoning Bylaw regulations in section 52.

Readings

Bylaw 17062 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 17062 be considered for third reading."

Advertising and Signing

This Bylaw has been advertised in the Edmonton Journal on Friday, June 19, 2015, and Saturday, June 29, 2015. The Bylaw can be passed following third reading.

Position of Administration

Administration supports this Bylaw.

Previous Council/Committee Action

At the March 24, 2015, Executive Committee meeting, the following motion was passed:

That Administration amend Bylaw 16733 and Bylaw 17062 to incorporate a maximum peak roof height limit that would apply to the Mature Neighbourhood Overlay areas, and would treat Mansard roof heights the same as flat roofs, and re-advertise the amended bylaws to return to the earliest possible City Council Public Hearing.

Report

The continued evolution of building design along with consumer preferences for a wider variety of roof types and home designs is in conflict with the existing Zoning Bylaw regulations. Construction methods and technologies have expanded design possibilities for new buildings and the current height and grade Zoning Bylaw regulations have not kept pace with the industry evolution.

Administration has made several changes to Bylaw 17062 as a result of direction provided by Executive Committee and stakeholders provided additional input.

Bylaw 17062 proposes the following amendments:

- relocating the regulations for maximum ridge height from the current definition for height into Section 52 - Height regulations
- increasing the maximum ridge height from 1.5 metres to 2.5 metres above the maximum height in the zone

- providing specific guidance for how to calculate the midpoint of different roof types, as per Executive Committee direction, and adding additional explanatory diagrams

The maximum ridge height regulation for 1.5 metres above the maximum height in the zone is currently in the Zoning Bylaw definition for height, Section 6.1(49). Current and previous versions of the proposed amendment deleted the definition for height, replacing it with "a vertical distance between two points". Consequently, there was no maximum ridge height proposed under a previous version of the amendment. The public engagement process identified concerns about removing the maximum ridge height. Executive Committee directed Administration to reinstate a maximum ridge height. The current version proposes a maximum ridge height as a regulation in Section 52.

Administration completed an analysis using data from the previous two years of development applications for single-detached dwellings in the Mature Neighbourhood Overlay boundaries and outside of the Mature Neighbourhood Overlay areas and found that a maximum midpoint to ridge height regulation of 2.5 metres would be sufficient to cover 99 percent of applications. In comparison, a maximum midpoint to ridge height regulation of 1.5 metres would be sufficient to cover 85 percent of applications. The difference between 85 percent and 99 percent represents approximately 1250 applications per year at current application rates. The proposed 2.5 metre maximum ridge height above the maximum height in the zone is in keeping with the goals set out at the initiation of the project. Zoning Bylaw 12800 is able to facilitate a greater variety of roof types and mitigate potential issues with unique building designs.

The existing Zoning Bylaw regulations completely exclude parapets from the calculation of height. The amendment proposes to include half of the height of the parapet. Stakeholders requested this change to address concerns with sun shadow impacts.

Policy

Bylaw 17062 supports the following policies in *The Way We Grow*, Edmonton's Municipal Development Plan:

- Plan to accommodate 1,000,000 to 1,200,000 residents by 2040 (Policy 3.2.1).
- Established neighbourhoods gain a greater portion of new growth, accommodating changes and growth with certainty (Policy 3.5.1).
- Ensure neighbourhoods have a range of housing choice (Policy 4.4.1).

The Way Ahead, City of Edmonton Strategic Plan, 2009-2018:

- The City supports innovation, productivity and technology commercialization (Policy 4.2/Goal 4).

Corporate Outcomes

This report contributes to the corporate outcome "Edmonton is attractive and compact" as it will allow a greater variety of roof types and pitches in the city, and will reduce barriers to construction of new residential units in new and mature areas of the city.

Public Consultation

Consultation with stakeholders has been ongoing since February 2013. On May 1, 2015, Administration distributed the revised bylaw for review as part of the usual procedure, including to builders, developers, architects, urban designers, drainage engineers, community leagues and Administration.

The comments received from this circulation are summarized as follows:

- clarification is required for when walkout basement method would apply
- include all of the parapet in the height calculation for flat roofs
- include none of the parapet in the calculation for flat roofs
- the maximum ridge height should not change from 1.5 metres
- the maximum ridge height should be increased to allow a variety of roof types
- the maximum ridge height should be eliminated
- the new diagrams are helpful and easy to understand

Attachments

1. Bylaw 17062
2. Mark-up Showing Proposed Amendments