

Bylaw 16733

To Amend the Height and Grade Regulations in Zoning Bylaw 12800

Purpose

The proposed amendments remove storeys as a measure for maximum height, provide for diversity in roof designs, respond to new construction technologies and techniques and improve the consistent interpretation and application of Zoning Bylaw regulations.

Readings

Bylaw 16733 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 16733 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 27, 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

Administration has made several changes to Bylaw 16733 as a result of direction provided by Executive Committee and stakeholder input.

Bylaw 16733 proposes the following amendments:

- Where building height is regulated in metres and in storeys, the maximum number of storeys is removed.
- For all zones where the maximum height is 14 metres Bylaw 16733 proposes to distinguish between flat, mansard and gambrel roof buildings, and pitched roof buildings, giving 14.5 metres for flat, mansard and gambrel roofs and 16 metres for gable and hip roofs.
- Clarifying how height is applied to agriculture and natural resource development uses.
- Using more specific wording regarding the main floor height above the sidewalk in downtown special area zones.

- Defined terms are capitalized throughout the bylaw including “grade” and “height”, and undefined terms are uncaptialized, including “building” and “structure”. Also replacing “building envelope” with “building form” to avoid confusion with home warranty programs.
- Updating images to reflect the regulation changes and improve resolution.

All zones and overlays in the Zoning Bylaw that regulate maximum height via storeys and via metres will have reference to storeys removed. Only the vertical distance in metres will be used to determine maximum height. This means that only the outside size of the building is regulated. For multi-unit developments such as apartment buildings, there are multiple redundant development regulations such as unit density, parking requirements, amenity area, and building code requirements that constrain development on a site. Removing storeys will also facilitate Class A walk out basement development, which means that walk out basements and drive under garages will be able to be built without special permission.

Increasing the maximum height for certain multi-unit development projects will bring Zoning Bylaw 12800 in line with current construction practices, particularly the additional height required for open-webbed floor trusses, engineered I-beams, and more challenging building sites.

The remainder of the changes are to improve the ability for consistent interpretation and ensure that diagrams and defined terms are used properly. The following previously recommended changes to the Mature Neighbourhood Overlay have been removed from the proposed bylaw:

- Deleting from Section 814.3(14) “The Floor Area of the upper half Storey of a 2 1/2 Storey building shall not exceed 50% of the structure’s second Storey Floor Area.”
- Deleting from Section 814.3(16) “The Basement elevation of structures of two or more Storeys in Height shall be no more than 1.2 metres above Grade. The Basement elevation shall be measured as the distance between Grade level and the floor of the first Storey.”

Policy

Bylaw 16733 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.

This report contributes to the corporate outcome “Edmonton Region is a catalyst for industry and business growth” as the changes to height from 14 metres to 14.5 metres for flat roofs and 16 metres for pitched roofs will enable more residential multi-unit construction, and more attractive building designs.

Public Consultation

Consultation with stakeholders has been ongoing since February 2013. On May 1, 2015, Administration circulated the proposed text amendment to builders, developers, architects, urban designers, drainage engineers, community leagues, and Administration.

The comments received from this circulation are summarized as follows:

- section 12.2 needs to specify whether it is finished grade or sub grade
- removing storeys is a great way to increase design flexibility and resolve some of the ongoing issues with walkout basement developments
- regulations that are linked to storeys (such as stepbacks) should be updated to metres
- more storeys may be possible within the same building size and maximum height
- changes to basement storeys and the floor area of the half storey should be reviewed at a later date as part of the Mature Neighbourhood Overlay review
- keeping the areas under the Mature Neighbourhood Overlay at 2.5 storeys instead of allowing 3 storeys creates barriers to infill development and incentivizes greenfield development at the edge of the city
- increasing the height for all roof types from 14 metres to 16 metres is too much
 - increasing the height for all roof types from 14 metres to 16 metres is not enough

Attachments

1. Bylaw 16733
2. Summary of Proposed Amendments