

Stakeholder Suggestions, Engagement Feedback and Next Steps

Engagement Approach

In 2019 and 2020, Administration hosted five in-person engagement workshops with stakeholders to discuss the stakeholder suggestions discussed at the April 23, 2019 Urban Planning Committee meeting in greater detail. In addition to the formal engagement process, additional comments were received from the Residential Infill Working Group (RIWG) via emails throughout the process. While these comments were not formal engagement, they provided additional perspectives which were included in review of all suggestions. Below is an overview of the engagement sessions hosted by Administration:

April 23, 2019 - Urban Planning Committee

This Committee meeting initiated the engagement conversations that would continue to transpire throughout 2019 and 2020. At this meeting, Residential Infill Working Group (RIWG) members presented nine community requests. Discussion at the meeting raised additional areas of interest that Urban Planning Committee directed Administration to explore. The submission of the stakeholder suggestions reflects the 'create' phase of the City's Public Engagement Spectrum.

Administration undertook engagement, review and analysis of the 13 stakeholder suggestions throughout 2019 and 2020. It should be noted that the Residential Infill Working Group does not consider suggestions 5, 12 and 13 as ones which they can initiate.

July 18, 2019 - Workshop #1 with RIWG

Administration hosted an in-person engagement workshop with the members of RIWG to better understand infill concerns and to clarify the stakeholder suggestions further. Clarifications, intentions, motivations, and preliminary ideas for each of the stakeholder suggestions were explored. The stakeholder suggestions were translated and prioritized into a set of 13 stakeholder suggestions at this workshop. The translating exercise provided greater clarity to the stakeholder suggestions and provided more manageable actions for Administration to consider moving forward. RIWG stakeholders provided Administration with supplemental information for consideration of the stakeholder suggestions. This engagement session reflects the 'Refine' phase of the City's Public Engagement Spectrum.

August 12, 2019 - Workshop #2 with RIWG

Administration hosted a second in-person engagement workshop with members of RIWG to intentionally allow time to discuss the stakeholder suggestions that

relate to the Safety Codes Act (including the National Building Code - Alberta Edition) and Administration's implementation of it. RIWG stakeholders provided Administration with supplemental information for consideration. This engagement session reflects the 'Advise' phase of the City's Public Engagement Spectrum.

August 2019 - February 2020

Utilizing the engagement feedback and supplemental information received through in-person engagement workshops with RIWG, Administration collaborated with internal teams to develop an initial proposed set of actions that could be explored. A memorandum was submitted to City Council on November 29, 2019 outlining the progress on engagement. During this time period, additional correspondence and supplemental information was received from RIWG stakeholders for consideration. Where possible, Administration strived to direct engagement feedback to in-person workshops to maintain a transparent and consistent engagement approach among all stakeholders.

February 6, 2020 - Workshop #3 with RIWG

Administration hosted a third in-person engagement workshop with RIWG to discuss the initial proposed actions that Administration could explore in response to the stakeholder suggestions received at the April 23, 2019 Urban Planning Committee meeting. At this workshop, stakeholder suggestions one through six of 13 were discussed in detail. The City's current practices and initial responses for each suggestion were presented.

The engagement feedback from the February 6, 2020 workshop has been summarized into the following engagement themes below:

- Better education and training for builders and subcontractors is required, especially for excavation-related processes.
- Improved education for neighbours of infill, including information about rules, responsibilities and points of contact for infill construction.
- More information should be shared at the permitting process stage, including site elevations, excavation depths and soil structure.
- Complete enforcement of infill sites for Safety Codes related concerns, pursuant to applicable Acts, Legislation, etc.,.
- Improved customer experience for placing complaints through 311, especially for Safety Codes related concerns.
- Improved data reporting for infill construction enforcement, including for Safety Codes related concerns.
- Improved processes for undertaking reviews of Business Licences for infill-related enforcement.
- Improved customer experience for placing complaints for damage to private property as a result of infill construction, including the routing and tracking of complaints to appropriate City teams, including Safety Codes.

The feedback received from this session was used to refine Administration's proposed actions in response to the stakeholder suggestions. This engagement session reflected the 'Refine' phase of the City's Public Engagement Spectrum.

February 12, 2020 - Workshop #1 with CHBA, IDEA and YEGarden Suites

Administration hosted an in-person engagement workshop with infill industry members to discuss the initial proposed actions that Administration could explore in response to the stakeholder suggestions received at Urban Planning Committee. At this meeting, all 13 stakeholder suggestions were discussed in detail. The City's current practices and initial response for each suggestion were presented. Feedback from infill industry members for each suggestion was collected and verified for accuracy.

The engagement feedback from the February 12, 2020 workshop has been summarized into the following engagement themes below:

- Continued collaboration with the City to support education and training of builders to improve construction practices.
- Improved education for neighbours and information to connect with builders directly to discuss concerns.
- Balance between being risk tolerant and risk averse, as being risk averse leads to greater costs and reduced affordability for homeowners.
- Improved complaint routing and consistent inspection processes could improve efficiency for Safety Codes resources.
- Improved enforcement tracking that also illustrates how infractions are resolved by builders to show a more complete picture of infill construction.
- Improved information for builders to connect with neighbours of infill development sites to support positive relationship building.

The feedback received from this session was used to refine Administration's proposed actions in response to the stakeholder suggestions. This engagement session reflected the 'Refine' phase of the City's Public Engagement Spectrum.

March 11, 2020 - Workshop #4 with RIWG

Administration hosted a workshop with members of RIWG to discuss the initial proposed actions that Administration could explore in response to the stakeholder suggestions received at Urban Planning Committee. At this meeting, stakeholder suggestions seven through thirteen were discussed in detail. The City's current practices and initial response for each suggestion were presented.

The engagement feedback from the March 11, 2020 workshop has been summarized into the following engagement themes below:

- Improved customer experience for placing complaints for infill construction-related concerns, including damage to private property, as well as improved routing and tracking of complaints to appropriate City teams.
- Complete enforcement of infill sites for Safety Codes related concerns, pursuant to applicable Acts, Legislation, etc.,.
- Improved data reporting for infill construction enforcement, including for Safety Codes and Lot Grading related concerns.
- Improved education for neighbours of infill, including information about rules, responsibilities and points of contact for infill construction.
- Improved information and user interface for retrieving On-Street Construction and Maintenance (OSCAM) Permit information.
- Improved relationships with community leagues and organizations to enable broader sharing of information to neighbours.

The feedback received from this session was used to refine Administration's proposed actions in response to the stakeholder suggestions. This engagement session reflected the 'Refine' phase of the City's Public Engagement Spectrum.

Additional Information

On March 30, 2020, Administration received further written communication from the Residential Infill Working Group which provided additional clarity to the 13 suggestions and the March 11 workshop engagement feedback.

In response to the Covid-19 pandemic, City Council and Urban Planning Committee meetings were temporarily postponed. As a result, this Urban Planning Committee Report, CR_8099 - Infill Compliance Team Annual Update, was postponed from May 22, 2020 to January 19, 2021. During this time, Administration moved forward on several actions that responded to the stakeholder suggestions to better improve the infill construction experience for neighbours of infill. These activities are noted in Table 1 - Stakeholder Suggestions, Feedback and Proposed Next Steps by Administration below.

STAKEHOLDER SUGGESTION # 1
<p>Require that a Development and/or Safety Codes Officer review building permit applications to ensure they include a design for excavation depth, which in previously disturbed soil must not exceed 1.5 m without engineered underpinning, shoring or bracing as required by Alberta Occupational Health and Safety (OH&S) Code.</p>
Administration's Response
<p>Safety Codes reviewed the current building permit application process and confirmed that excavation depth is able to be verified through the existing plans examination review process.</p> <p>In addition to current practice, Safety Codes is working with OH&S to explore the referral of building permit applications for upcoming construction with proposed excavation depths in excess of 1.5m. This may include the auto notification to OH&S for these applications.</p> <p>The City of Edmonton continuously reviews and updates educational materials relating to the Building Permit process, ensuring that pertinent rules and regulations regarding infill construction are publicly available. The City will continue to work with the Canadian Home Builders Association - Edmonton Region (CHBA-ER) and the Infill Development Edmonton Association (IDEA) to align information about excavation best practices to ensure consistency.</p> <p>As part of the Expedited Infill Pilot program, the Guaranteed Review Stream Pilot for Building Permits for low density residential infill homes has been launched. Opportunities to tie compliance performance with this process will be considered, similarly to the current Expedited Infill Pilot program.</p>

STAKEHOLDER SUGGESTION # 2
Review the merits of a Field Risk Assessment of neighbouring properties to identify existing potential for risk
Administration's Response
<p>The City will continue to conduct Footing and Foundation inspections for all infill developments.</p> <p>When an inquiry is received, a Safety Codes Officer will continue to attend the site and investigate for any unsafe conditions and may utilize enforcement measures available through the Safety Codes Act. When warranted, the City will additionally refer instances to the OH&S.</p> <p>The City currently considers risk through the building permit application process for infill developments. If a potential concern is identified at the application stage, additional information may be requested at the discretion of the Safety Code Officer in consideration of the Safety Code Act. For this reason, a formal Field Risk Assessment will not be requested at this time.</p> <p>The City will continue to explore educational opportunities to better inform both neighbours and builders of the rules, regulations and best practices for infill development.</p>

STAKEHOLDER SUGGESTION # 3
<p>Ensure Municipal Building & Safety Codes Officers inspect and enforce the Alberta Building Code or Safety Code as their jurisdiction allows and the Province has accredited the Municipality to ensure it is done.</p>
Administration's Response
<p>The City of Edmonton will continue to enforce the Safety Codes Act as required through accreditation and in alignment with an approved Quality Management Plan outlining obligations. Business practice currently exceeds the Quality Management Plan and operates through a risk management model focusing on frequent challenges and higher risk scenarios. Administration will continue to adhere to the approved Quality Management Plan in reflection of the November 3, 2017, letter from Peter Thomas of the Provincial Safety Codes Council to ensure compliance.</p>

STAKEHOLDER SUGGESTION # 4
<p>Collect information about infill construction damage to private property, provide special training for developers, builders and trades who cause such damage, and monitor their infill projects more closely</p>
Administration's Response
<p>The City has reviewed and adjusted 311 scripts to ensure inquiries and complaints are directed, recorded and managed appropriately, including for damage to private property. This update will ensure that eligible complaints for damage to private property will be directed to the Safety Codes team for their consideration and inspection. The City will continue to monitor and make improvements to this changed process as needed. In addition, compliance activities by the Safety Codes team, including those regarding private property damage resulting from infill development, will be included in the proposed publicly-available Infill Compliance Team Data Dashboard. (Please see Attachment 7 - Infill Compliance Team Data Dashboard for further details)</p> <p>The City will continue to provide training for builders to ensure they are aware of the rules, regulations and legislation pertinent to infill construction, including excavation. Presentations throughout the 2020 Industry Insights Symposium provided interactive educational opportunities for builders to refresh their knowledge about the rules and regulations for infill development.</p> <p>Through the Expedited Infill Pilot, additional opportunities to learn about gaps or refinements needed for infill construction practices will be considered by the City for future improvements.</p> <p>As part of the Expedited Infill Pilot program, the Guaranteed Review Stream Pilot for Building Permits for low density residential infill homes has been launched. Opportunities to tie compliance performance with this process will be considered, similarly to the current Expedited Infill Pilot program.</p>

STAKEHOLDER SUGGESTION # 5
Revoke or don't renew business licenses if patterns of damage to private property persist
Administration's Response
<p>Administration currently undertakes Business Licence Reviews in accordance with the Business Licence Bylaw No. 13138 when enforcement agencies identify non-compliance concerns. The Business Licence Review adds to the options of tools the City can use to address infill construction issues. Administration monitors and may amend these processes and procedures if needed.</p> <p>The City will continue to explore with the province how the provincial builder licencing program may be utilized to address builders who contravene the pertinent conditions of the program membership.</p>

STAKEHOLDER SUGGESTION # 6
<p>Ensure Edmonton 311 immediately refers complaints relating to potential Alberta Building Codes or Safety Codes violations to a Municipal Safety Codes officer to inspect in a timely manner</p>
Administration's Response
<p>The City of Edmonton will continue to host internal training between teams (including: 311, Infill Liaison Team, Safety Codes Team, and Infill Compliance Team) to ensure that all employees understand the referral process, including the proper routing of an inquiry or complaint.</p> <p>Safety Codes has reviewed and updated 311 scripting to ensure adequate/appropriate routing of Safety Code related inquiries, including inquiries regarding damage to private property. These scripts and processes will continue to be monitored and changes will be made as the need arises. This change will hopefully reduce timelines for inspection and enforcement action by the Safety Codes team.</p> <p>Data related to the complaints and enforcement action related to infill construction excavation and private property damage will be documented and publicly available through the proposed Infill Compliance Team Data Dashboard (Please see Attachment 7 - Infill Compliance Team Data Dashboard).</p> <p>Working with the Edmonton Federation of Community Leagues (EFCL) and other stakeholders, the City of Edmonton will continue to assist in the development and promotion of educational materials and messaging to help residents better understand how to log their concern/inquiry to 311 in order to ensure accurate, relevant, and timely referrals to respective City of Edmonton teams. This tactic helps to realize one of the options identified in the 2019 Infill Compliance Team report: "Leverage infill-related public engagement to advise residents of the regulations and how to make an effective infill complaint." Undertaking this update to the City of Edmonton's infill educational material is part of the tactic to realize Action 9 in the Infill Roadmap: "Better inform residents on how they can effectively participate in the planning process."</p>

STAKEHOLDER SUGGESTION # 7
<p>Change Edmonton 311 policy to ensure the type, severity, and number of complaints of damage to neighbouring homes and property are both received and documented</p>
Administration's Response
<p>As identified in Administration's proposed approach for Suggestion 6 above, 311 scripts related to infill construction private property damage have been reviewed and revised to ensure the most current and accurate information is being provided, and to ensure infill complaints and inquiries are being routed and tracked appropriately.</p> <p>The Safety Codes team will continue to respond to and track infill construction complaints (including those related to private property damage). Administration will include enforcement data from the Safety Codes team in the Infill Compliance Team Data Dashboard. Administration will explore the possibility of providing information on infractions for private property damage that have been remedied by the builder.</p>

STAKEHOLDER SUGGESTION # 8
Collect and make public on the 311 Open Data portal the types and occurrences of complaints of private property damage reported
Administration's Response
As identified in Administration's proposed approach for Suggestions 6 and 7 above, Administration is pursuing the development of the Infill Compliance Team Data Dashboard that will provide the public with enforcement data for the Infill Compliance Team. This will generally reflect what is already published in the annual Infill Compliance Team reports, as well as include data from other enforcement teams, including Safety Codes and Lot Grading.

STAKEHOLDER SUGGESTION # 9
Send the Neighbours of Infill Checklist when mailing a Class A Development Notification
Administration's Response
<p>The Neighbours of Infill Brochure and Neighbours of Infill Checklist have been consolidated into one document, eliminating redundancies and supporting clarification on what neighbours can do, what builders must do, and what the City is responsible for. Through the consolidation process, opportunities to improve the content was explored to support both neighbours and builders of infill homes. This document will continue to be made available online.</p> <p>Undertaking this update to the City of Edmonton's infill educational material was part of the tactic to realize Action 9 in the Infill Roadmap ("Better inform residents on how they can effectively participate in the planning process").</p> <p>As the Zoning Bylaw Renewal project advances, changes to the notification processes may be recommended. The consolidation of the Neighbours of Infill Brochure and Checklist content may be incorporated in a different manner as explored through that project.</p>

STAKEHOLDER SUGGESTION # 10
Require Worksite Code of Conduct signage and OSCAM Permit numbers to be displayed in addition to Development Permit signage
Administration's Response
<p>As outlined in the 2018 Infill Compliance Team Report, the following option: "Refine the development permit notification sign content to identify the builder as the first point of contact," has been explored and enacted. This change will help to continue to encourage neighbours and builders to have respectful relationships and to relay any concerns before, during, and after construction.</p> <p>The Infill Liaison Team will continue to encourage the distribution of the Worksite Code of Conduct sign through tactical and targeted outreach to builders. In addition, the sign will continue to be publicly available on the City's website for builders to view, make copies and post on their sites.</p> <p>Approved OSCAM permits are currently publicly available through the City of Edmonton's Open Data Portal. Additionally, OSCAM related information may be requested with 311 Agents. Administration will explore the opportunity of providing more information about the OSCAM permit information online, including the possibility of site-level information for approved permits, as well as conditions.</p> <p>As OSCAM permits (required for each day of road right of way use) are temporary in nature and may be obtained multiple times throughout construction, posting OSCAM permit numbers on Development Permit Notification signage would be problematic as the notice signs are printed and erected at the very beginning of construction.</p>

STAKEHOLDER SUGGESTION # 11

Ask the Infill Liaison and Infill Compliance Teams to consider the merits of working with Parkallen to develop Community Infill Teams that can assist in increasing the effectiveness of delivering proactive solutions that improve the infill experience for everyone including providing City developed information to better orient neighbours and developers on what kinds of infill development practices should be expected and what to do if problems occur.

Administration's Response

The City's Infill Liaison Team will continue to work with internal and external stakeholders to host a variety of educational events to support improved knowledge of the development and construction processes. In addition, the team will continue to meet with community members and organizations to share the latest available information and education materials about infill development and related city-building initiatives.

The City of Edmonton's Infill Liaison Team will continue to work with external stakeholders, including the Edmonton Federation of Community Leagues (EFCL), as well as residents and builders to explore updates to relevant infill educational materials. Updating infill related educational materials and ensuring their availability to the public helps support Action 9 in the Infill Roadmap: 'Better inform residents on how they can effectively participate in the planning process.'

The City of Edmonton will continue to host educational opportunities with relevant industry associations (e.g. IDEA, CHBA) to bring a variety of infill builders together to share their experiences with Administration, and so builders can get up to speed on the most current infill education materials available (Note: these opportunities may be altered due to the recent events surrounding COVID-19). This was realized this year through the 2020 Industry Insights Symposium.

This tactic helps to realize one of the options identified in the 2019 Infill Compliance Team report: 'Annual industry education sessions to address historic enforcement issues and trends with key participants in the development process.'

STAKEHOLDER SUGGESTION # 12
Provide information to neighbours of infill on how to address construction damage to their property with the developer/builder
Administration's Response
<p>Administration is further exploring educational opportunities to provide additional information and guidance to builders and the public about infill construction practices. A recent update to the Construction Site Management Practices Acknowledgement Form includes providing the applicant's contact information so that neighbours may contact the applicant directly early on in the development process. In addition, the update includes the ability for Administration to share the signed Construction Site Management Practices Acknowledgement Form publicly.</p> <p>The City of Edmonton will explore co-sponsoring a learning opportunity with EFCL and the Mediation and Restorative Justice Centre to share valuable tips and insights into the reconciliation process.</p> <p>The City has updated 311 scripts to share contact information for Civil Claims Duty Counsel, where people can obtain free legal advice for civil matters. Information about contacting home insurance companies has also been included in case of damage to private property as a result of infill construction. Administration will review and update 311 scripts to provide information to builders about how to contact the registered owner of a property so that builders can get in contact with rental property owners.</p> <p>As noted in Suggestion 6, working with the Edmonton Federation of Community Leagues (EFCL) and other stakeholders, the City of Edmonton will continue to review and update educational materials and messaging to help residents better understand how to log their concern/inquiry to 311 in order to ensure accurate, relevant, and timely referrals to respective City of Edmonton teams. This tactic helps to realize one of the options identified in the 2019 Infill Compliance Team report: "Leverage infill-related public engagement to advise residents of the regulations and how to make an effective infill complaint."</p>

STAKEHOLDER SUGGESTION # 13
For a more complete look at infill construction issues, include information on drainage and damage to private property in the annual report.
Administration's Response
The 2019 Infill Compliance Team Annual Report has been supplemented with infill enforcement data for the Safety Codes and Lot Grading teams. This data, in addition to the other Infill Compliance Team data, will be incorporated into the Infill Compliance Team Data Dashboard moving forward.