

ZONING BYLAW RENEWAL INITIATIVE

2018 & 2019 PUBLIC ENGAGEMENT EVENTS: WHAT WE HEARD

Edmonton

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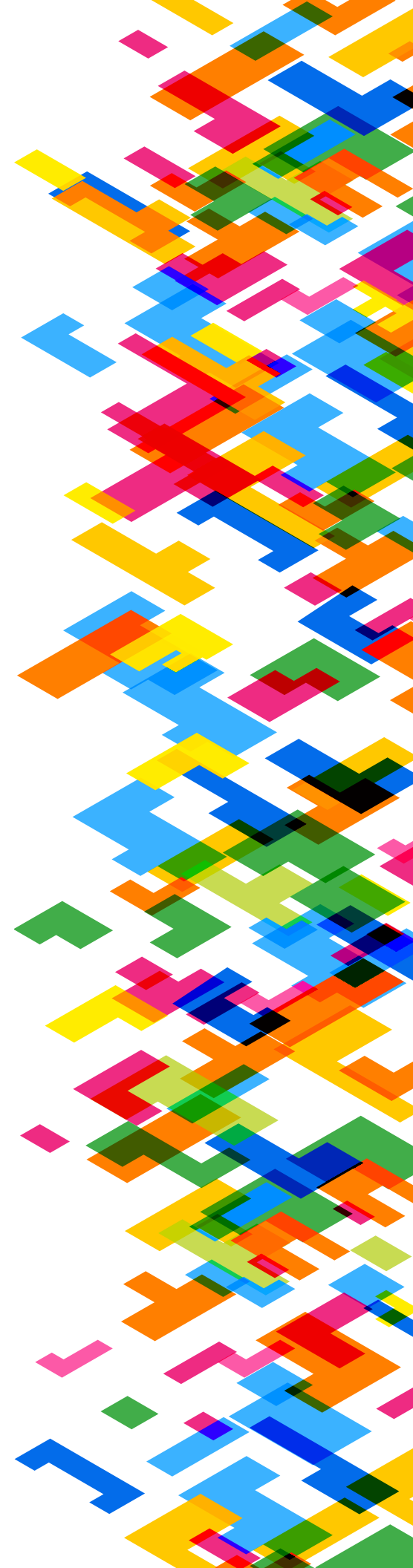
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1. ENGAGEMENT OVERVIEW

1.1. Project Overview: Project Phase I, Stage I of Engagement

The City is conducting a complete review and renewal of Edmonton’s Zoning Bylaw. The [Zoning Bylaw Renewal Initiative](#) is a multi-year comprehensive overhaul of Edmonton’s Zoning Bylaw that includes rethinking how, what and why the City regulates zoning and land development. Renewing the bylaw provides the opportunity to align our city-building tools from strategy to regulation and ensure all Edmontonians and property owners have the necessary tools to build the city envisioned in ConnectEdmonton and as described in The City Plan.

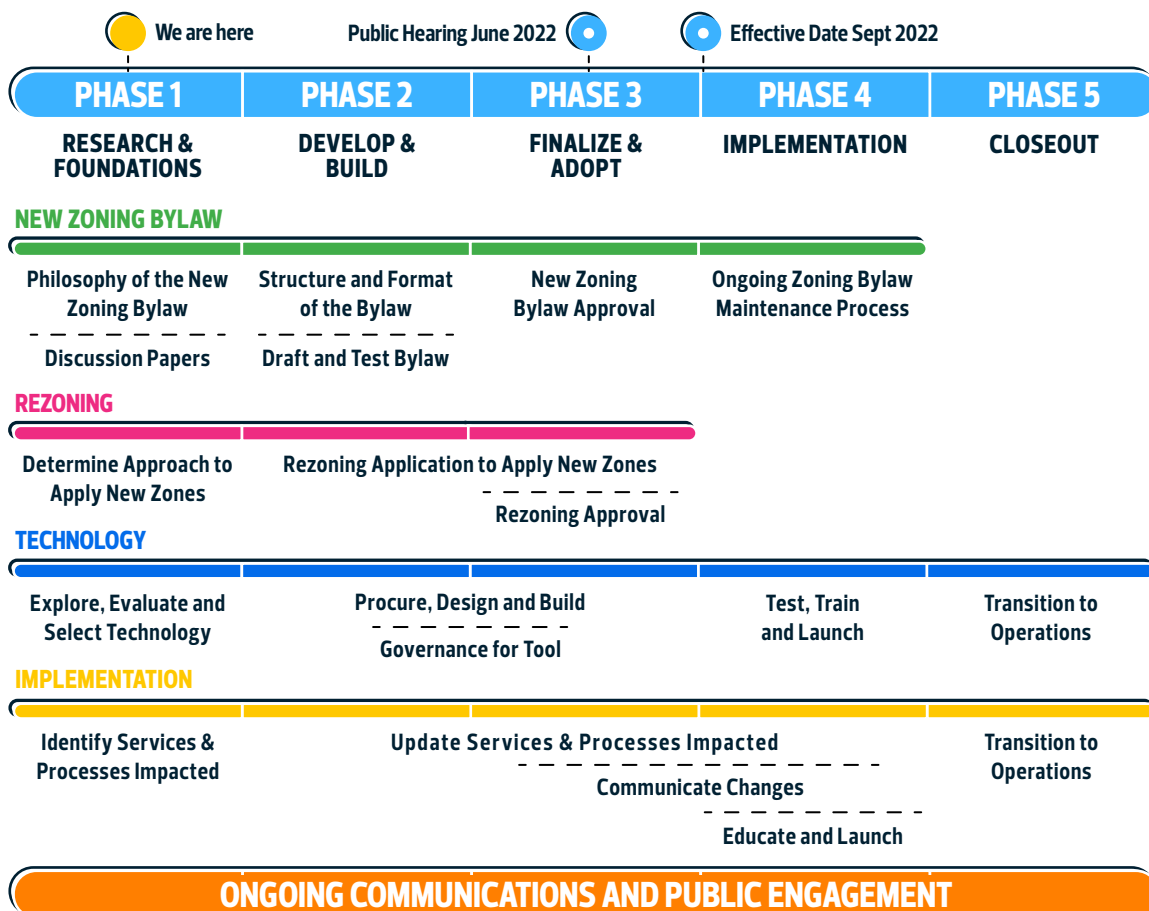
Zoning allows City Council to set rules for where new buildings should go and their basic form, what types of buildings they can be, what activities and businesses can happen there. Zoning guides growth in an orderly way to minimize conflicts between different activities and can improve the safety, public health, and welfare of its citizens and

environment. The Zoning Bylaw is an important legal document that has the power to shape the physical form and how we live in (or engage with) our city.

Phase I, Research and Foundations, sets the project up for success. In Stage I of engagement (spanning 2018–2019), broad questions were asked to develop an understanding of our community’s interactions with the current Zoning Bylaw, and aspirations for the new Zoning Bylaw.

Engagement began in 2018 to understand how residents and applicants interact with the bylaw and to gather input on the prospect of renewing the Zoning Bylaw. In 2019, input was gathered to help refine the direction of the Zoning Bylaw Renewal Initiative, including whether simplification and consolidation of the bylaw is needed, what to regulate, and what changes are desired in a new Zoning Bylaw.

Fig 1. General Timeline Zoning Bylaw Renewal Initiative



1.2. Engagement Objectives

Phase I, Stage I communications and engagement objectives were to:

- + Build awareness of the Zoning Bylaw Renewal Initiative
- + Help inform the direction and philosophy of the Zoning Bylaw Renewal Initiative
- + Gather and consider input on preferences between a form-based, use-based, or performance-based bylaw
- + Introduce an ongoing conversation around what to regulate and not regulate
- + Understand the typical resident's user experience with the bylaw
- + Understand and consider current barriers to accessing the Zoning Bylaw and the current notification processes
- + Build an email contact list for the Zoning Bylaw Renewal Initiative

Outcomes of these objectives are described in [Section 4, What We Heard](#) of this document.

1.3. Strategy

Initial engagement began in 2018 through project attendance at Engage Edmonton pop-up events. To introduce the project and build an email contact list, Engage Edmonton events offered exposure to interested and engaged Edmontonians across the city. These events were also a good opportunity to demonstrate connections between the Zoning Bylaw Renewal Initiative and other related projects, such as The City Plan.

In 2019, conversations continued in more detail, ranging from in-depth workshops, partnered engagement with The City Plan project, and a general survey. Providing a range of tactics allowed exposure to a larger audience. Information collected about current user experiences and potential approaches to zoning provided a foundation for the philosophy and structure of the new Zoning Bylaw and the basis to propose specific directions on a variety of topics. The work of drafting the proposed directions for the new Zoning Bylaw and then the bylaw itself started in 2020 and will continue through 2022.

2. AUDIENCE

Table 1. Public Engagement Audience

Industry/Stakeholders	<p>Industry groups who have reached out and inquired about the status of the new Zoning Bylaw and current engagement</p> <p>The City Plan Stakeholder Group, formed on the Integral City Model of engaging Public Institutions, Business, and Civil Society (including community groups) - 80+ members</p>
General Public	<p>Includes past participants who expressed interest in continuing to engage in the Zoning Bylaw Renewal Initiative (via newsletter sign-up)</p> <p>General public advertised to via social media, Engage Edmonton promotions, and survey promotions</p>

3. DESCRIPTION OF ENGAGEMENT ACTIVITIES

Table 2. Description of Engagement Activities

Date (Location)	Audience (attendance)	Event/Format	General Questions
October 11, 2018 (Southgate Centre)	General Public (32 participants)	<p>Engage Edmonton Pop-up Sessions</p> <p>Participants used sticky notes and spoke to project team members to share their feedback on how they interacted with the Zoning Bylaw.</p>	<ul style="list-style-type: none"> + What aspects of the Renewal project are of interest to you? + How would you like to be involved in the project? + What resources do you need to participate effectively?
October 25, 2018 (Londonderry Mall)	General Public (35 participants)		
October 30, 2018 (West Edmonton Mall)	General Public (43 participants)		
November 8, 2018 (Mill Woods Town Centre)	General Public (15 participants)		
November 15, 2018 (Edmonton Tower)	General Public (73 participants)		

Date (Location)	Audience (attendance)	Event/Format	General Questions
January 31, 2019 (Canadian Home Builders' Association – Edmonton Region and Urban Development Institute – Edmonton Region)	Industry (13 participants)	Facilitated Workshop	<ul style="list-style-type: none"> + What does a successful zoning bylaw look like? + What are important things for us to regulate? + What are less important things for us to regulate? + What information do you want to know about development happening in your area? + How would you like to learn about it? How should this information be shared with residents? + What are you looking for in a commercial / mixed-use zone? + What are you looking for in an industrial zone? + Are there challenges in the existing ZB? What are they? + What types of Uses belong in this type of zone? + What criteria did you use? + Are there Uses that don't fit in this type of zone?
March 27, 2019 (Infill Development in Edmonton Association and Edmonton Federation of Community Leagues)	Industry (12 participants)		
June 15, 2019 (Deep Dive workshop)	Open Invite (Public) (21 participants)		
June 26, 2019 (Small Businesses and Indigenous Businesses)	Industry (10 participants)		
June 27, 2019 (Multicultural Health Brokers)	Stakeholders (11 participants)		
July 3, 2019 (Edmonton Youth Council)	Stakeholders (25 participants)		
July 16, 2019 (NAIOP (Commercial Real Estate Development Association) Industrial Workshop)	Industry (9 participants)		
August 20, 2019 (NAIOP (Commercial Real Estate Development Association) Mixed-use Commercial Workshop)	Industry (32 participants)		

Date (Location)	Audience (attendance)	Event/Format	General Questions
May 3, 2019 (Jane's Walk – A Re-buildable City: Edmonton's Zoning Bylaw Renewal (co-lead with The City Plan project))	General Public (20 participants)	Pop-up Engagement Event Participants engaged in several activities through workshop sessions to discuss the preferred grouping and simplification of land uses. Sticky notes and photographs were used to capture group feedback. Participants engaged through pop-up events had the opportunity to record which types of development regulations mattered most to them by placing dots on a regulation worksheet.	<ul style="list-style-type: none"> + What is your preference between a form-based, use-based, or performance-based bylaw? + What should the new Zoning Bylaw regulate and not regulate? + What are current barriers and what direction should a new Zoning Bylaw take?
June 6 – 18, 2019 (The City Plan – Zoning Bylaw Joint Engagements (5 events city-wide))	General Public (54 participants)		
July 21, 2019 (Downtown Quarters Farmers Market)	General Public (27 participants)		
July 26 – 27, 2019 (K-Days)	General Public (57 participants)		
July 30, 2019 (Edmonton Service Centre)	General Public (16 participants)		
August 12 – 30, 2019 (Zoning Bylaw Renewal Project Survey)	General Public (187 participants)	Online Survey	<ul style="list-style-type: none"> + Do you support or oppose Administration's goal of reducing the complexity of the bylaw and rethinking what we regulate? + Would you support or oppose grouping land uses with similar impacts into broader categories? + What is your preferred approach to zoning? + What are your suggestions to improve on the clarity of language for the Zoning Bylaw? + What information do you want to know about development happening in your area?
Total number of activities: 26	Total number of participants: 692		

Fig 2. Pop-up Engagement Event



4. WHAT WE HEARD ABOUT...

This section summarizes all of the above engagement activities into **general themes**. A summary of each theme is included to **highlight the major findings** of what we heard under each topic.

4.1. The direction and philosophy of the Zoning Bylaw Renewal Initiative

Designing a new Zoning Bylaw

Edmontonians were asked about the approach that they'd like to see for a new Zoning Bylaw. This will help inform the approach the project team will take in writing new zones and development regulations and guide the type of development that gets built. Respondents from the workshops and pop-up sessions indicated that a building's appearance and its impact on surrounding neighbours are the most important aspects that a Zoning Bylaw should regulate. These findings indicate that a hybrid approach is preferable to incorporate aspects of both form-based and performance-based Zoning Bylaw styles, resulting in a custom made-in-Edmonton approach.

Respondents indicated that externalities from new development are important to regulate where possible and should be considered in the new Zoning Bylaw. Some impacts identified include how new development affects stormwater runoff, fire hazards in drier climates, and that the new bylaw should include regulations to increase climate resilience (reduced hardscaping, encourage biodiversity through landscaping, etc.).

The option to implement a purely use-based zoning bylaw, or a zoning bylaw that focuses on the activities occurring within a building, was less favoured by respondents. The project team will take these preferences into consideration when selecting a format for the new Zoning Bylaw.

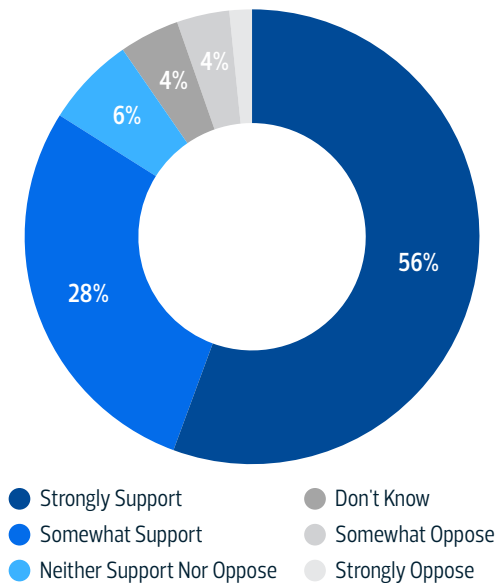
A need for simplification, consolidation, and flexibility in industrial zoning

Industry stakeholders identified that they desire fewer zones and need increased certainty from industrial zones. These zones need to be more flexible and adaptable to accommodate Edmonton's varied energy service market. Simplified zones are required for low-impact industrial services such as storage yards for fleet vehicles, pipe laydown, and construction equipment. Participants noted that developers may be unsure of what the specific use of the property will be. They need a flexible zone so they may construct buildings to house a range of uses.

Reducing complexity and rethinking what we regulate

Fig 3. Online Survey Question – Complexity of the Zoning Bylaw

Do you support or oppose Administration's goal of reducing the complexity of the bylaw and rethinking what we regulate? Why?



187 Responses were collected in August 2019

A majority of respondents to the survey felt that the current Zoning Bylaw (Bylaw 12800) is too difficult to use and understand in its current state. Simplification and streamlining of zones and regulations is desired to encourage a bylaw that is easier for all users to understand. Respondents noted that it would be beneficial to include graphics to explain complex planning concepts and provide explanations.

A theme of reducing red-tape and complexity emerged in the responses, with respondents asking for simpler development permit processes which would result in decreased timelines to receive a permit. Respondents voiced concerns related to over-simplification of regulations leading to the creation of "grey areas" where regulations are open to interpretation. Striking a balance between simplifying regulations and enforceability is key to creating effective regulations in the Zoning Bylaw.

The "Other" response category includes concerns around increased density and associated development issues in mature neighbourhoods, suggestions for improvements to regulations, and community standards concerns.

Quotes:

"Anytime something complex can be broken down and easier to understand, that's a good thing. It's also beneficial to occasionally consider what areas need more or less regulation. Doing things one way just because that's the way they've always been done isn't going to advance or improve anything."

"There are too many exceptions to the standard rules to know what applies to a specific site."

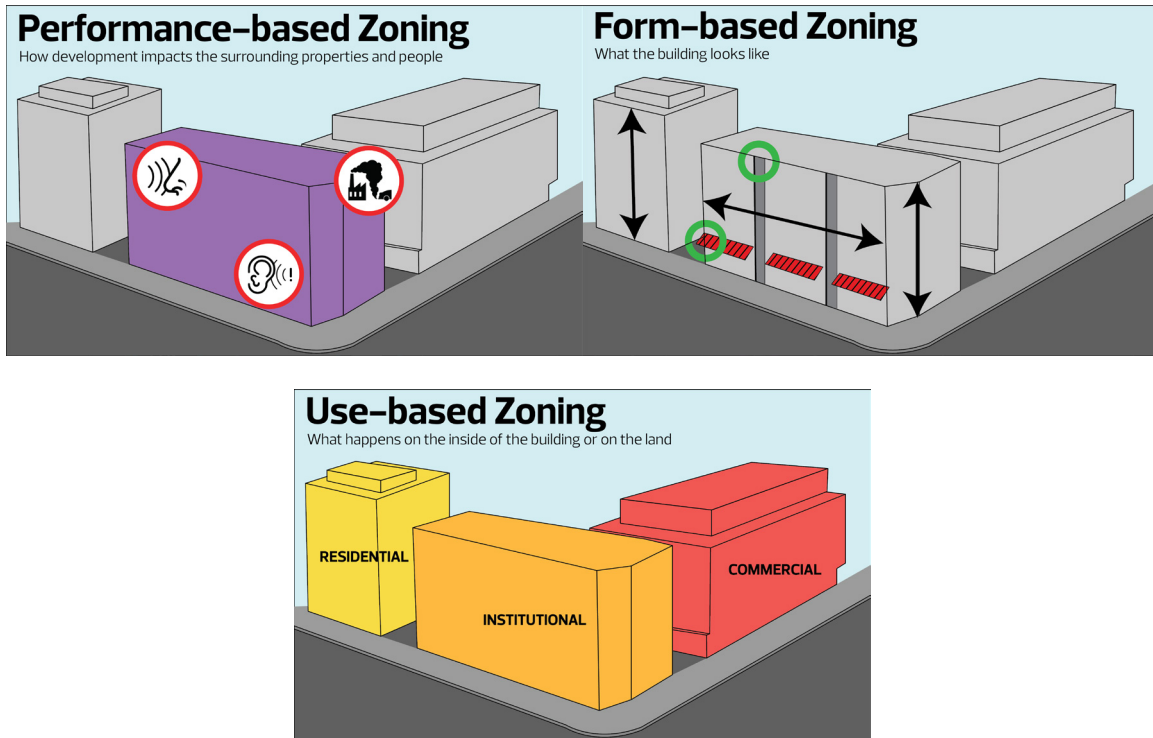
"The bylaw is very difficult to navigate. It over regulates in some areas and under regulates in others. The lack of a consistent approach to regulations is frustrating, time wasting and expensive."

4.2. Preferences between a form-based, use-based, or performance-based bylaw

Preference on approach to zoning

Fig 4. Online Survey Question – Preference on approach to zoning

Online Survey Question: Please choose from the following three options your most preferred approach to zoning to your least preferred approach to zoning.



187 survey participants responded to this question. Comments may be recorded into multiple categories.

Table 3. Results Online Survey Question – Preference on approach to zoning

	Form-based Zoning	Use-based Zoning	Performance-based Zoning
First Choice	23%	21%	56%
Second Choice	29%	41%	30%
Third Choice	48%	38%	14%

Form-based zoning

43 survey participants selected form-based zoning as their first choice. Respondents who selected form-based zoning as their preferred approach commented that this approach allows for flexible designs and may achieve a cohesive look within neighbourhoods. The potential for a mix of uses that form-based zoning permits was seen as desirable, with many commenting that encouraging mixed-use development will improve neighbourhood walkability and reduce car dependency. While participants who selected this approach agreed with the principles of form-based zoning, concerns were also raised around the need to ensure compatibility between different uses in mixed-use settings.

Use-based zoning

38 survey participants selected use-based zoning as their first choice. Survey participants that selected use-based zoning as their first choice indicated that they preferred and appreciated the certainty that the current use-based zoning framework provides. Some respondents felt the purpose of the Zoning Bylaw is to separate land uses. Some feedback in the "Other" category include concerns related to redevelopment in established neighbourhoods and considerations for housing seniors.

Performance-based zoning

104 survey participants selected performance-based zoning as their first choice. Survey respondents who selected performance-based zoning felt that impact to surrounding properties is the most important aspect to regulate. Regulating negative externalities increases certainty for existing property owners and maintains a standard quality of life. Respondents also commented that this approach takes into consideration the needs of existing residents and provides a holistic approach to new development, assessing various impacts. Responses in the "Other" category include perspectives on specific development examples, and other development issues such as parking.

Quotes:

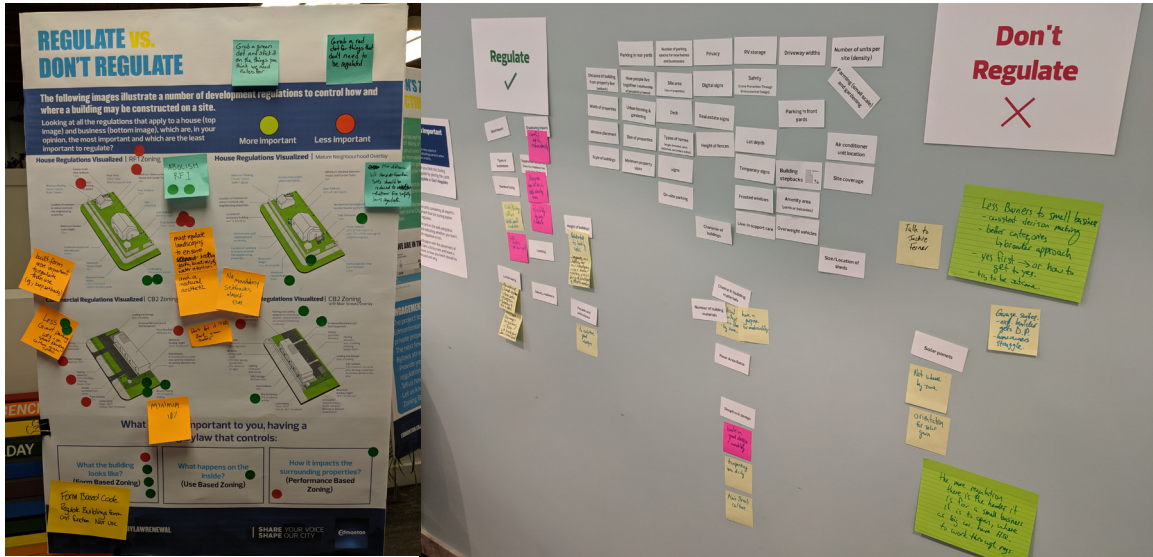
"We need to mix uses. Not separate them! The world is also changing fast. We can't anticipate how people are going to live and work in 10 years, let alone 30 or 40. Making sure that buildings engage the street, encourage interaction, negative impacts are mitigated make more sense than trying to separate uses. Separate uses also really undermine certain groups of people more than others, namely women, children, seniors, people with limited incomes and those with limited mobility."

"I do not care what's happening on the inside if it doesn't have a major impact on the surrounding neighbourhood."

"I think it is important that streets appear to have a cohesive form. The activities that are colocated do not need to share the same function, and this does not allow for a neighbourhood in which all services are available locally."

4.3. What to regulate and not regulate

Fig 5. Regulate/don't regulate activities during engagement



What to regulate and not regulate

Online Survey Question: If you feel there is an element related to what development the zoning bylaw should or should not regulate, please feel free to add it in the space below and explain why.

112 survey participants responded to this question. Multiple development aspects were recorded and sorted into Regulate, Don't Regulate, and Other.

Some topics that were commonly recommended to regulate include floor area, landscaping, maximum density, architectural design, height, side yards, and outdoor lighting and signage. Some topics that were commonly suggested to not regulate include privacy screening, site coverage, window locations, and parking spaces, as well as some topics including landscaping, maximum height, and maximum density, which had mixed opinions from respondents. There was not consistent agreement on topics to regulate and not regulate, and these topics will be explored further through future engagement.

4.4. The user experience with the current Zoning Bylaw

Reducing Barriers and Streamlining Regulations

Members of the small business community noted that more regulations can be a barrier for small businesses, especially in comparison to larger companies with more resources to navigate the regulations and development process. This carries a financial cost as well. Consistency, a broader approach with fewer categories, and guidance on how to achieve the desired outcomes would help to reduce barriers.

Development industry representatives noted that they would like to see a shift in the way development is regulated, with a focus on essential regulations including height, density and signs.

1) Minimum on-site parking requirements have since been removed from Zoning Bylaw 12800. New changes to enable Open Option Parking are effective as of July 2, 2020. For more information, visit <https://www.edmonton.ca/offstreetparking>

Concerns about excessive current parking requirements and restrictions on land uses

Stakeholders stated that minimum requirements for parking spaces were too high¹. They noted that the developer/business owner is taking on the risk of opening a new business. They should assume the risk if they desire to provide less parking than required by the Zoning Bylaw. The City introduces unnecessary roadblocks in the development process by requiring minimum parking requirements and prohibiting certain uses in a zone.

4.5. Current barriers to accessing the Zoning Bylaw and the current notification process

Simplification of zoning regulations

Through pop-up events, workshops and surveys, residents stated that existing zoning regulations are difficult to understand or interpret. Many felt that the language used in the bylaw is too technical and that graphics should be used to help illustrate planning concepts.

Complexity of the Zoning Bylaw

Participants stated that the document structure and user interface of the current Zoning Bylaw is difficult to navigate. As an example, it was noted that the development of a simple structure like a deck requires the applicant to cross-reference many sections of the Zoning Bylaw to determine the appropriate dimensions. This sentiment was further captured in survey responses.



Language of the Zoning Bylaw

Online Survey Question: Please provide any suggestions you have to improve on the clarity of language for the Zoning Bylaw.

111 survey participants responded to this question. Comments may be recorded into multiple categories.

Table 4. Results Online Survey Question – Language of the Zoning Bylaw

Suggestions	Number of Responses
Support use of plain language principles in developing a new Zoning Bylaw	60
Concerns regarding interpretation and enforcement of regulations. Simplified regulations may be vague and open to interpretation	38
Other	12
Include diagrams to describe regulations	9
Provide an interpretation guide or use a sidebar to include more information or rationale for regulations	6
The existing regulations should be kept to retain clear interpretation	5
No Comment	3

A majority of survey respondents were receptive to the idea of using plain language principles to draft regulations in the new Zoning Bylaw. Participants commented that the plain language version of the sample regulation was easier to understand compared to the existing Zoning Bylaw text. However, concerns were noted around the potential for regulations to be misinterpreted because they are not specific enough.

Multiple respondents cautioned against creating “grey areas” where regulations would be open to interpretation as they may not be prescriptive

enough. An approach to mitigate these concerns was also brought forward by survey participants through suggestions for developing a Zoning Bylaw interpretation guide which would provide additional clarification for plain language regulations.

Responses in the “Other” category include suggestions for formatting text, including use of bullet points and capitalization of terms. Other responses included specific changes to the example text.

Notifications

Online Survey Question: What information do you want to know about development happening in your area?

124 participants responded to this question.

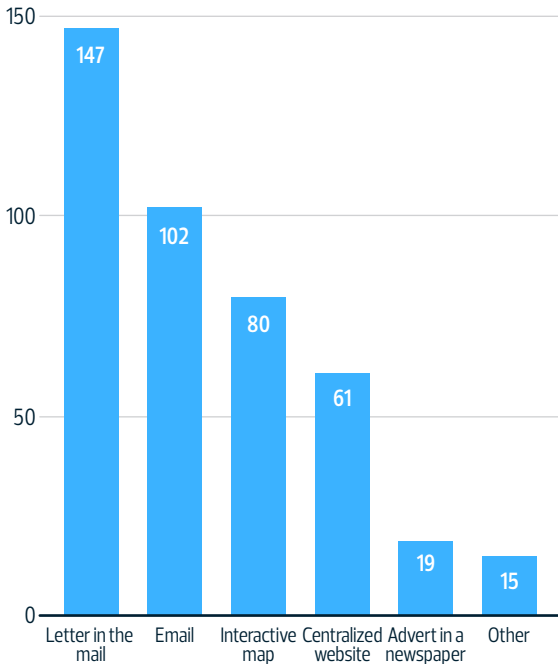
Table 5. Results Online Survey Question – Notifications

Sample responses representing common sentiments	
Provide elevation drawings of proposed developments	Habitable space within the development (maximum number of people)
Exact location of development	What, Where, and When. Those are the key things I would want to know
Provide multiple notification formats	The specific use and size of the development

Online Survey Question: How would you like to be notified about development happening in your area?

187 participants selected multiple options.

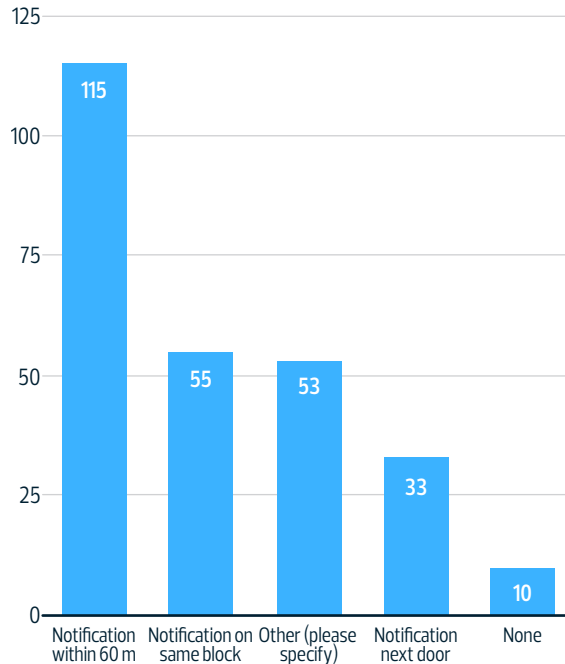
Fig 6. Results Online Survey Question 2 – Notifications



Online Survey Question: What distance from a proposed development do you think residents should be notified?

187 participants selected multiple options.

Fig 7. Results Online Survey Question 3 – Notifications



5. NEXT STEPS

5.1. How this information has and will be used

This information will be used to refine the philosophy and structure of the new Zoning Bylaw, to draft a series of discussion papers on specific aspects of the new Zoning Bylaw, and to inform the drafting of the new Zoning Bylaw itself. Data collected from this stage of engagement will continue to be referenced throughout the project as it is relevant to all subsequent stages.

Some responses collected concerning parking minimums have subsequently been addressed through the removal of parking minimums from the Zoning Bylaw, effective July 2, 2020.

5.2. Future engagement opportunities

Public and Stakeholder engagement will continue throughout the Zoning Bylaw Renewal Initiative (anticipated adoption of the new Zoning Bylaw is in 2022). Engagement on the discussion papers is occurring from July through October 2020. Feedback on these discussion papers will further inform the philosophy and specific aspects of the new Zoning Bylaw.



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