

IS ZONING A BARRIER TO THE CITY WE WANT?

By Trevor Illingworth and Jennifer Renner



SUMMARY

With many Canadian municipalities undertaking zoning reform in the midst of a housing crisis, Edmonton appears to be a step ahead. For the past decade, Edmonton has been working to support more housing choice and density throughout the city by gradually amending the City's zoning bylaw. Most recently, the City of Edmonton completely rewrote its zoning bylaw for the first time in over 60 years, with a focus on simplification, equity, and a permissive approach to housing and business. Edmonton can serve as a case study for zoning reform, demonstrating the value in incremental progress and calculated risk taking.

SOMMAIRE

Alors que de nombreuses municipalités canadiennes entreprennent une réforme du zonage en pleine crise du logement, Edmonton semble avoir une longueur d'avance. Au cours de la dernière décennie, Edmonton s'est efforcée de favoriser un plus grand choix et une plus grande densité de logements dans toute la ville en modifiant progressivement son règlement de zonage. Plus récemment, la ville d'Edmonton a entièrement réécrit son règlement de zonage pour la première fois en plus de 60 ans, en mettant l'accent sur la simplification, l'équité et une approche permissive en matière de logement et de commerce. Edmonton peut servir d'étude de cas pour la réforme du zonage, en démontrant la valeur de la graduation des progrès et de la prise de risque calculée.

In 2024, Edmonton's new Zoning Bylaw came into effect after years of engagement, technical analysis and testing. While the bylaw made a number of big moves aimed at supporting a more streamlined development process, business friendliness, and more equitable outcomes, its changes to residential neighbourhoods have attracted the most attention. Now, up to eight dwellings of any type can be developed on any interior lot city-wide, and more on corner lots, making Edmonton a leader in its embrace of housing density and diversity.

While Edmonton's new bylaw opens the door for more housing opportunities throughout the city, its creation did not happen overnight. Through a mix of administrative initiative, political support and even encouragement, and the steady rise of an engaged and forward-thinking segment of civil society, the City of Edmonton has spent the better part of a decade embracing progressive approaches to zoning while chipping away at the regulatory barriers standing in the way of the long-term vision for the city.

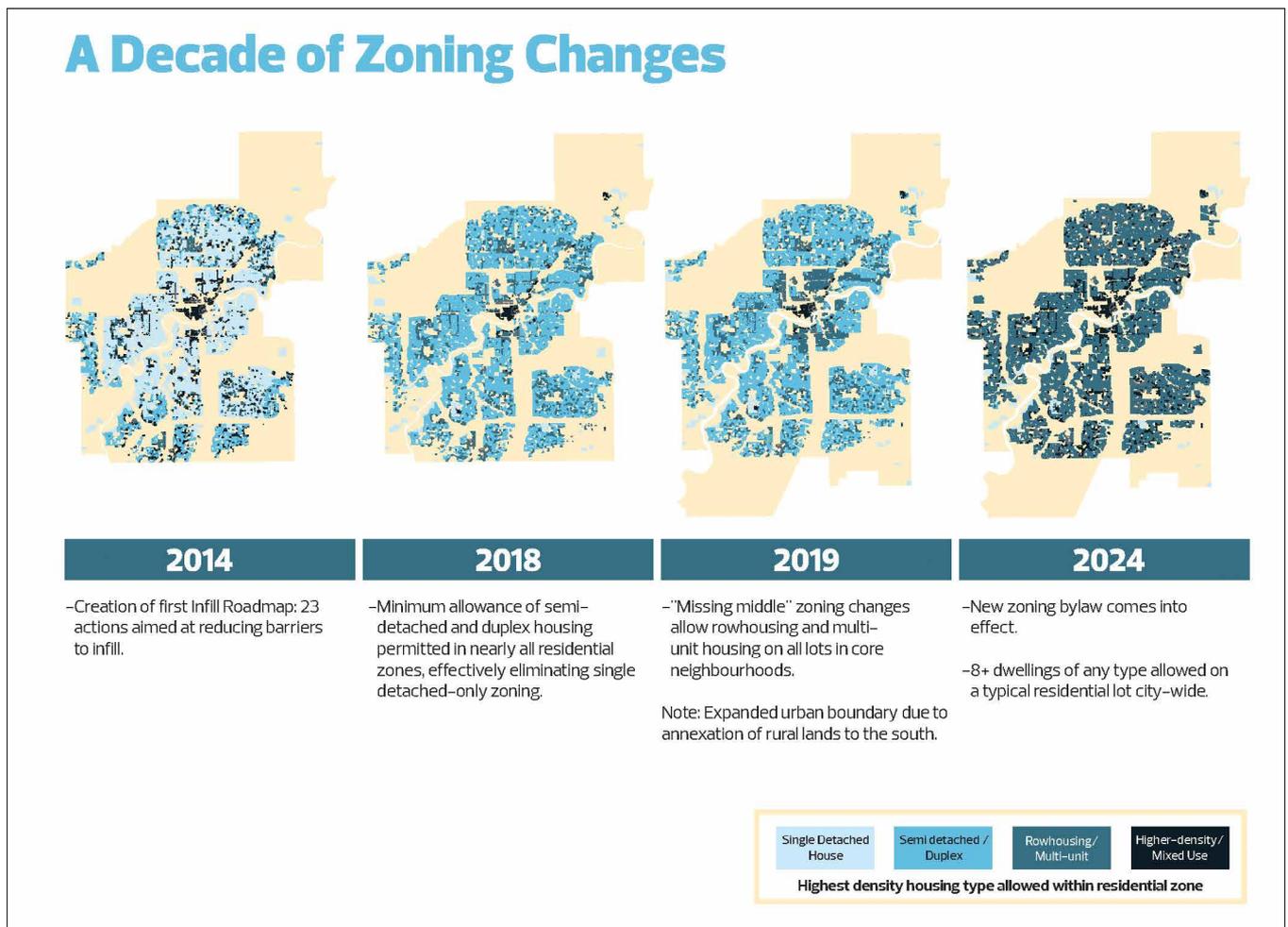
A DECADE OF REDUCING AND REMOVING ZONING BARRIERS

Post-2010, as Edmonton's population approached one million residents, it became increasingly clear that its built form was out of step with its ambitions to become a more compact big city. The word

'barrier' was frequently used when discussing Edmonton's long-term growth and housing goals, and the barrier in question, more often than not, was zoning.

While as in most cities, incremental infill has been progressing for years, Edmonton had not made a serious and deliberate attempt to remove barriers to infill until creating the first Infill Roadmap in 2014 – an action plan aimed at supporting more opportunities for infill in Edmonton's established neighborhoods. A number of the roadmap's 23 actions were zoning changes, which led to changes like allowing 25-foot-wide lots, and more opportunities for garden suites – relatively modest changes that were nonetheless a big step for Edmonton at the time.

Following the success of the first Infill Roadmap, a second roadmap was developed in 2018. The second Infill Roadmap directed zoning changes which allowed duplexes and semi-detached houses in nearly all established neighbourhoods, effectively eliminating single detached-only zoning throughout much of the city. Further changes in 2019 allowed small-scale multi-unit housing throughout the neighbourhoods experiencing much of the city's infill. Then, in 2020, Edmonton made waves by becoming the first major municipality in Canada to eliminate minimum parking requirements city-wide.



Mapping by Stephen Cooke, City of Edmonton.



Also in 2020, Edmonton passed The City Plan, a combined Municipal Development Plan and Transportation Master Plan. The City Plan targets 50 per cent of new dwellings to be added as infill, establishing a mandate for the City to further remove zoning barriers to housing opportunity throughout the fabric of Edmonton's neighbourhoods and setting the foundation on which Edmonton's new Zoning Bylaw was built.

BUILDING THE NEW ZONING BYLAW

Zoning bylaws can contain thousands of regulations, each of which directly impacts what one can do on their property. That is thousands of decisions to make, and thousands of opportunities to shape the future of the city. But each of those decisions also has the potential to impact stakeholders in different ways; the same regulation meant to achieve a specific design outcome may impact the time, cost or predictability of the development process – all of which may impact the cost of housing.

When it comes to the comprehensive re-write of a zoning bylaw, we are describing a project with thousands of opportunities to directly impact the economy, the environment and the way residents experience their city. Put this way, it seems clear that such a project presents an opportunity not only to engage core stakeholders, but also to reach out to new audiences in unique and creative ways. Building a progressive tool requires progressive tactics.

TALKING ABOUT ZONING

Fostering public interest in zoning is difficult. After all, technical regulations about setbacks and landscaping requirements don't inherently interest people. Individuals don't tend to take interest in zoning until it directly impacts them – often not until development is proposed right next door.

The Zoning Bylaw Renewal sought to draw people in by focusing the conversation on city-wide impacts, connecting the everyday rules for development to the future-focused aspirations expressed in The City Plan. To do this, zoning needed to become real and accessible to the public. Communications needed to not only educate people on what zoning is, but also on why the way we zone land can be problematic, and how the new bylaw aims to address those issues.

A number of communications and engagement tactics were used to foster a city-wide conversation about zoning and its impacts. From a made-in-Edmonton comic book featuring a group of young city builders, to an animated video series, to more technical zone-testing workshops drawing on community and industry stakeholders, all Edmontonians were encouraged to dig in and learn more about zoning and land-use planning.

MAKING SPACE FOR CONVERSATIONS ABOUT ZONING

In order to better understand the impacts of zoning and land development on marginalized communities, the project team conducted a series of community conversations with members of traditionally underrepresented populations. Those conversations laid the foundation for a Gender-based Analysis Plus (GBA+) and Equity Toolkit, which the team developed to help embed equity considerations in the regulation writing process.

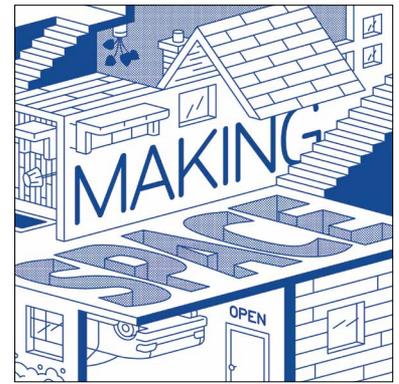
But the Community Conversations also told *individual stories* about the negative social impacts of development decisions.

They put a name and face to the unintended outcomes of zoning, helping create a tangible 'why' for the changes proposed through the Zoning Bylaw Renewal. Those stories deserved to be told.

To help people better understand why and how Edmonton's zoning and land development practices are changing, the Zoning Bylaw Renewal launched *Making Space*, the City of Edmonton's first-ever podcast series. The five-episode series explores how people engage with land and development, encouraging Edmontonians to consider how plans, policies and regulations shape experiences and the urban environment.

Each episode focuses on a specific zoning or planning concept that has impacted actual people in Edmonton. The podcast format allowed for people with the lived experiences to share their stories, giving the human impact of technical regulations.

To further the public discourse, the City of Edmonton also hosted a panel discussion with individuals who took part in the podcast episodes. City builders from across Edmonton were invited and the event was live streamed on Facebook and Youtube, giving members of the public the opportunity to participate and ask questions.



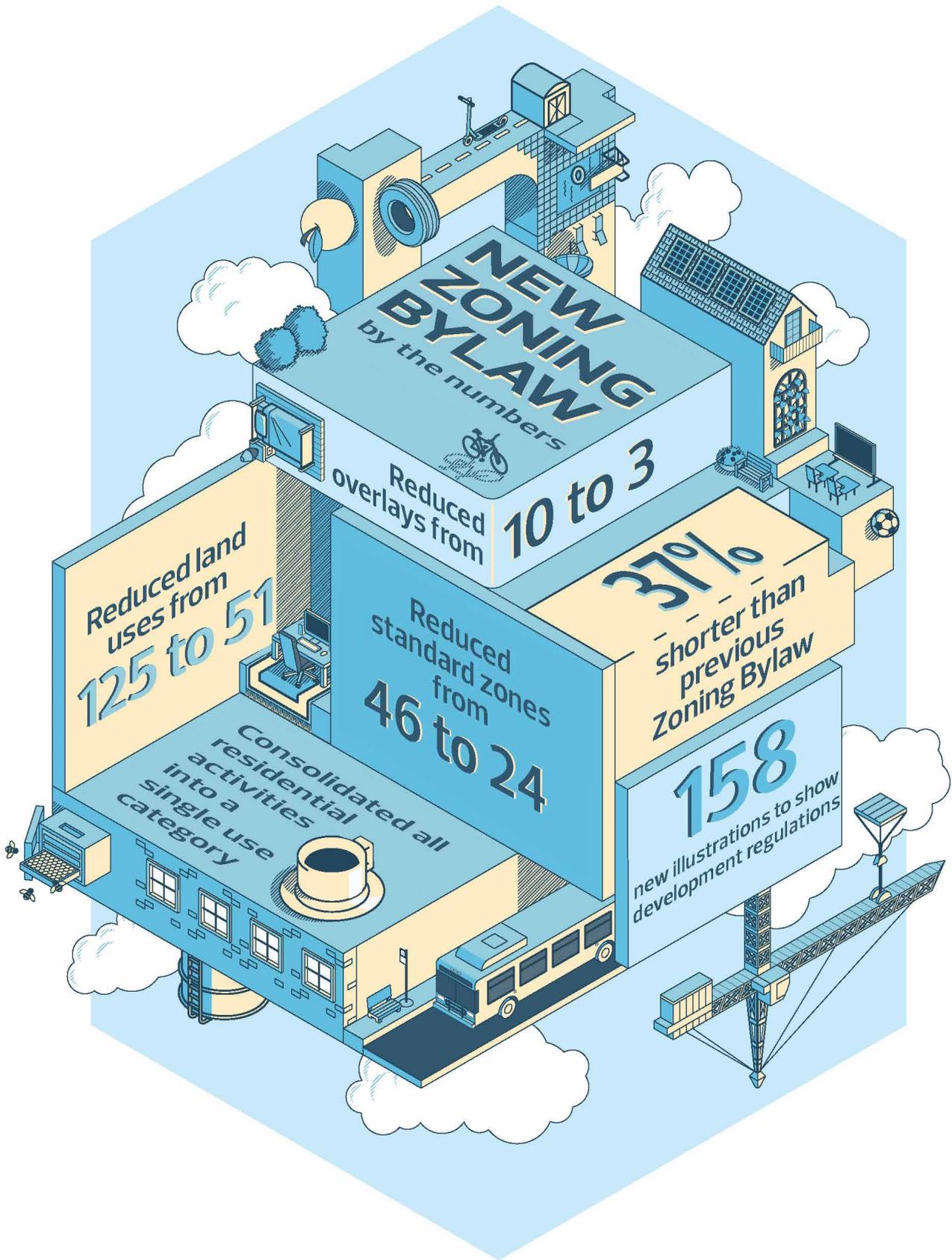
Panel Discussion for Making Space Event.

A SIMPLER BYLAW

Whether the goal is to reach a wide range of audiences or to remove barriers to achieving long range planning outcomes, one theme emerged time and again throughout this work: simplify. With zoning, simplicity is far from simple. It takes a deliberate effort.

With this in mind, the Zoning Bylaw Renewal Initiative began with a clear statement of intent to guide its direction and decision-making: to create a simpler bylaw that is accessible, more adaptable and inclusive. While any zoning bylaw must be clear and





enforceable, planners set out to write regulations using plain(er) language, organized with more tables, and augmented with more illustrative diagrams.

A zoning bylaw becomes increasingly complex with time as it is amended to close loopholes, mitigate risks, and anticipate various contexts across a city. These issues may be addressed with additional regulation, but the cumulative impact of many such regulations can come at a cost: increased review times, the need for rezonings, variances, and the possibility of appeals.

The alternative is sometimes choosing not to regulate something, but the trade-off with this focus on simplification is that one must accept a degree of risk. This means accepting that where a risk is low or unlikely to occur, that loophole may not need to be closed.

In trying to find the minimum critical structure of a zoning bylaw for Edmonton, planners pushed for the fewest zones and uses necessary to support a functional bylaw. Specialized zones and uses tend to do one thing well while limiting future options should needs change. This can reduce business opportunity and housing choice in certain areas, again making zoning a barrier to a thriving, more livable city.

The consolidation process was not linear – writing, refining and engaging on early drafts of the bylaw inevitably revealed compelling reasons for why a particular use or zone is still necessary. Nevertheless, the result was still a drastically simplified bylaw.

ZONING BYLAW BY THE NUMBERS

Zoning bylaws are all about numbers, aren't they?

For starters, Edmonton's new Zoning Bylaw is 37% shorter than the previous bylaw by word count. To minimize the layers of regulation the number of overlays was reduced from ten to three, with a focus on retaining overlays necessary to ensure health and safety, such as the floodplain overlay.

The core of Edmonton's previous zoning bylaw was its 46 standard zones, 14 of which were residential. Zones allowing forms like row housing and multi-unit housing in particular were still limited to a cluster of fairly centralized neighbourhoods, and there were no true mixed-use zones.

After looking at rezoning trends, reducing redundancies, and finding opportunities for zones to incorporate a broader range of activities, those 46 standard zones were reduced to 24 in the new bylaw. This includes just four residential zones and two mixed use zones.

The former bylaw also contained 125 uses, many of which had similar land use impacts, or were for niche or antiquated uses. By consolidating activities with shared land use impacts, planners were able to consolidate the 125 uses down to a lean 51. For example, a new 'Indoor Sales and Service' use was created, which consolidated 20 former uses into one. This allows more adaptability for shifting business models and a greater range of activities to be captured in any given use, creating greater flexibility and reducing the likelihood that an applicant will require a change-of-use permit when shifting business operations.

The other noteworthy use consolidation was the creation of a single, fully inclusive 'residential' use. This big move, as much symbolic as functional, was based on the premise that the functions within a home are largely the same regardless of what type of home it may be, and impacts are more a question of building form and scale. Thus the 'residential' use includes all housing forms, from secondary suites and single detached to multi-unit housing, and including living arrangements such as supportive housing and rooming houses. Housing diversity is now the default setting in Edmonton.

CONCLUSION

The Zoning Bylaw Renewal Initiative was a five-year project that will have lasting impacts on Edmonton's built form. But despite the official project timeline, it took a full decade of progressive zoning change to lay the groundwork for what became a simpler, more adaptable bylaw highlighted by one of the most permissive approaches to housing diversity in the country. Still, the work is not done. City building is a long game and the decisions made today will play out in Edmonton's neighbourhoods for decades to come. Planners will continue to monitor development outcomes and propose amendments to the new Zoning Bylaw. And that bylaw may in time grow in size and complexity, just like the previous one. By raising the bar on housing diversity, and writing more adaptable bylaws, we can reasonably expect that the zoning barriers of the past will be much harder to find.

Trevor Illingworth RPP, MCIP has spent his 14-year planning career in the public sector. He is currently a Senior Planner with the City of Edmonton's Zoning Bylaw team, where he shepherded in amendments to remove minimum parking requirements and most recently led the creation of Edmonton's new Zoning Bylaw. **Jenny Renner** is a communications professional, recently-turned urban planning enthusiast. During her five years with the City of Edmonton, she helped lead the Zoning Bylaw Renewal Initiative's communications and marketing, and created *Making Space*, Edmonton's award-winning podcast series about land-use planning. ■



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