
Inquiry - Landscaping after Home Construction

Recommendation

That the report of the General Manager, Community Services Department, dated November 5, 2018, be received as information.

Topic and Purpose

This report is provided in response to a Notice of Motion dated April 24, 2017, regarding options to ensure the completion of front yard landscaping for one-unit, two-unit, and semi-detached dwellings in all Saskatoon neighbourhoods.

Report Highlights

1. City of Saskatoon (City) Bylaw No. 8770, Zoning Bylaw, includes landscaping requirements for most land uses, though one-unit, two-unit, and semi-detached dwellings are exempt.
2. Based on a recent analysis, the Hampton Village, Stonebridge, and Willowgrove neighbourhoods include 230, 236, and 24 one-unit dwelling sites, respectively, where front yard landscaping has not been completed.
3. The majority of local developers currently offer incentives to facilitate the completion of front yard landscaping within a timely manner in new growth areas.
4. A review of practices utilized by other Canadian municipalities indicates that most do not include regulations for landscaping for low-density forms of residential development.
5. A number of options to ensure or encourage the timely completion of front yard landscaping for low-density residential development forms and to proactively mitigate property maintenance issues are outlined.

Strategic Goals

This report supports the City's Strategic Goals of a Culture of Continuous Improvement and Quality of Life. The Administration has reviewed several options to regulate front yard landscaping for low-density forms of residential development with the objective of facilitating landscaping completion within a timely manner to improve the general amenity of a neighbourhood.

Background

At the April 24, 2017 City Council meeting, the following Notice of Motion from Councillor Jeffries was approved:

“That Administration report back with options to ensure that landscaping is completed in front yards in Saskatoon, including areas outside of Saskatoon Land neighbourhoods.”

This report is submitted in response.

Report

Regulatory Framework

Bylaw No. 8770, The Zoning Bylaw, includes landscaping requirements for commercial, industrial, institutional, and medium- to high-density residential uses; however, low-density forms of residential development (one-unit, two-unit, and semi-detached dwellings) are not regulated.

For land uses that require landscaping, the Zoning Bylaw establishes landscaping standards that include acceptable forms of ground cover, a defined numbers of trees and shrubs based on site dimensions, and completion time frames based on site or building occupancy.

Other bylaws, including Bylaw No. 8175, The Property Maintenance and Nuisance Abatement Bylaw, 2003, and Bylaw No. 9455, The Building Bylaw, 2017, include provisions that address yard maintenance and unsightliness due to waste and construction materials, though neither specify requirements for landscaping completion.

Front driveway width and size is an item that also closely relates to front yard landscaping. Bylaw No. 4785, Sidewalks – Private Crossings Over (Private Crossing Bylaw), includes provisions on maximum driveway size for the portion of the driveway that extends to the city boulevard. The Private Crossing Bylaw generally restricts maximum crossing size in residential areas to 20 feet. The Administration has a review and permitting process for all driveways where curb alterations are required. Neighbourhood areas with vertical or straight-faced curbing require a Crossing Permit, whereas areas with rolled curbing do not. In new suburban growth areas, vertical curbing is generally only used in residential areas where lots are designed to accommodate detached garages with rear lane access.

The majority of single-family lots in suburban growth areas that are intended to accommodate front-loading attached garages feature rolled curbs and, as a result, are not subject to Administration's crossing review process. However, as no review or permitting process exists in the majority of cases, the Administration acknowledges that there are many sites that exceed the allowable crossing size. This results in properties where a significant portion of the front yard is comprised of asphalt and/or concrete.

New Neighbourhood Analysis of Landscape Completion

In December 2016, the Saskatoon Land Division conducted inspections in several new growth areas, including the Hampton Village, Stonebridge, and Willowgrove neighbourhoods to quantify the number of single-family lots where landscaping was not complete. The Administration also completed a follow-up survey in June 2018 on the same suburban growth areas. Vacant lots and sites actively under construction were omitted from the totals. The results are identified in Table 1.

Table 1 – One-Unit Dwelling Sites without Completed Front Yard Landscaping

Neighbourhood (Total Number of Sites)	Inspection Year	
	2016	2018
Hampton Village (1,851)	330	230
Stonebridge (2,655)	427	236
Willowgrove (1,763)	24	24

The Hampton Village and Stonebridge neighbourhoods were not at full build-out and included significant construction activity during the time frames that the surveys were conducted. In this respect, it is difficult to define the extent of the issue in all three neighbourhoods. Willowgrove is arguably the neighbourhood that best captures an accurate rate of landscaping completion within a new growth area as it neared full build out in 2013/2014 and would have the highest degree of sustained occupancy. In Willowgrove, the figures in Table 1 indicate that 98.6% of residential sites are landscaped, though it may take a few years from the completion of home construction and subsequent occupancy.

Review of Common Practices

The Administration undertook a review of common practices utilized by other Canadian municipalities to regulate the completion of front yard landscaping within prescribed time frames. A summary of this review is provided in Attachment 1.

Of the municipalities reviewed, the City of Edmonton has the most comprehensive process and requires the submission of a landscaping plan, as well as a review and inspection of completed landscaping. In Edmonton, the landscaping component is part of the building permit process, and landscaping completion is the responsibility of the building permit applicant. A letter of credit may be required at the building permit stage as a means of security to ensure landscaping completion.

The City of Calgary includes regulations for front yard landscaping for lower-density residential development forms, though this is limited to areas of the city that are viewed as being culturally or architecturally significant.

Of the cities reviewed, most do not establish landscaping requirements for low-density residential properties.

Landscaping and the Local Development Industry

Currently, most local land developers in the City offer incentives to encourage early completion of front yard landscaping. Early completion of landscaping adds value to the neighbourhood as a whole and helps to market a neighbourhood's future lot releases. A summary of current developer incentives related to landscaping are as follows:

- Dream Development – currently offers lot purchasers in the Brighton neighbourhood a basic front yard landscaping package at no charge, with upgrades available for a fee.
- Arbutus Properties– currently completes front yard landscaping for all lot purchasers within its development area in the Rosewood neighbourhood.
- Saskatoon Land Division – implemented a rebate program in 2016 to encourage front yard landscaping within a timely manner for lots purchased within its development areas.
- Boychuk Homes – offers financial incentives to complete front yard landscaping in select neighbourhood areas that feature a high degree of visibility.

As the local land development industry has largely moved toward an incentive-based landscaping model, it is anticipated that the number of properties where landscaping has not been completed in developing neighbourhoods will be minimal. Current developer initiatives do not resolve landscaping issues in neighbourhoods that were developed prior to the offering of current developer initiatives. However, additional provisions or regulations for landscaping would arguably not apply to these existing sites.

Options

The Administration has identified a number of options to encourage the completion of front yard landscaping with new developments. The financial implications for each option are addressed in the Financial Implications section of this report.

a) Implementation of Landscaping Requirements within the Zoning Bylaw

The Zoning Bylaw includes landscaping requirements which arguably could be extended to include landscaping requirements for low-density forms of residential development. Amendments to the Zoning Bylaw would be required to outline landscaping standards for low-density residential development, this may include adopting a building permitting process similar to that utilized in Edmonton where landscaping is part of the overall proposal

It is noted that the implementation of new landscaping regulations would apply to one-unit, two-unit, and semi-detached dwelling sites on a city-wide basis. However, the administration of such provisions would only apply to new home construction, occurring after policy implementation.

The landscaping regulations in the Zoning Bylaw are administered by the Planning and Development Division, which has identified a number of considerations related to the implementation of landscaping requirements within the Zoning Bylaw as outlined below:

- Any change to an approved landscaping plan would require additional plan review; landscaping details are elements that frequently change.
- The implementation of landscaping requirements would render a high number of properties in the City as non-conforming.
- Between 2013 and 2017, the City issued an average of 1,281 Building Permits for new one-unit and two-unit dwellings per year. During this same period, the City issued an average of 150 Building Permits per year for new industrial, commercial, and high-density residential developments; these developments require landscaping review. The inclusion of a plan review and inspection

process will require additional staffing resources to meet service level expectations.

- In general, the wide variety of lot types that exist in the city, including pie-shaped lots, reverse-pie lots, and narrow lots, make the efficient and practical regulation of landscaping difficult (e.g. identifying an appropriate standardized set of landscape requirements).

Concerns have also been identified in relation to the inability to effectively enforce potential landscaping standards particularly in cases where homeowners may not be able to complete landscaping due to cost. Potential means of enforcement, including monetary penalization, would do little to achieve compliance if cost is already an issue.

Consultation was undertaken with the Saskatoon and Region Home Builders' Association and the local development industry with a specific focus on potential bylaw provisions to regulate landscaping for low-density residential development forms. In general, this concept was not supported by the industry. Further detail on this consultation is provided in Attachment 2.

b) Focused Property Maintenance Enforcement Efforts

The Property Maintenance and Nuisance Bylaw, 2003, establishes requirements related to ensuring buildings and sites are properly maintained. Presently, property maintenance investigations primarily occur through a complaint-driven process and may address items such as overgrown grass and weeds.

Through the implementation of a pilot program, a dedicated inspector could be assigned to property investigations in new growth areas with a mandate to proactively investigate bylaw contraventions, rather than relying on property complaints to initiate investigation (additional resources would be required).

This option does not ensure front yard landscaping completion, though it does serve to improve the overall amenity of a neighbourhood.

c) Achieving Landscaping Completion through Public/Industry Education

“Good Neighbour Guides” are an educational approach used by municipalities that provide the public with information on responsibilities within their neighborhoods. The guides provide information to address commonly occurring issues, including details on landscaping, with a focus on public education rather than enforcement. Staff in the Community Standards Division are currently working to compile a Good Neighbour

Guide for Saskatoon, and information about property maintenance and landscaping will be included in this guide.

The Administration could develop guidelines/educational information with the objective of facilitating landscaping completion, which includes the following information:

- proper landscape species selection in consideration of local climate;
- best practices for conventional forms of soft landscaping and xeriscaping; and
- information of relevant civic initiatives, including the Community Tree Planting Program, Driveway Crossing Standards, and information on composting and sustainable lawn care practices.

It is noted that the development of a detailed educational document that focuses on appropriate lot grading and stormwater management practices has been proposed as part of the Administration's drainage regulation review. Inclusion of the landscaping component within this document closely aligns with this initiative.

The Administration could partner with the Saskatoon and Region Home Builders' Association and the local development industry to assist in the distribution of this information. Additionally, this information would also be made available as a print and website resource. Print resources could be distributed via targeted mail-outs to neighbourhoods that have a high number of properties where landscaping has not been completed.

d) **Status Quo**

The Administration could retain the "status quo" approach in which new neighbourhood landscaping is driven by developer-based incentives, with property maintenance investigations undertaken on a complaint-driven basis.

Public and/or Stakeholder Involvement

Stakeholder involvement has occurred with the Saskatoon and Region Home Builders' Association and the local development industry. Input received from these stakeholders has been included in Attachment 2.

Communication Plan

Communication and engagement will continue with the Saskatoon and Region Home Builders' Association and development community once a preferred option has been selected. The Good Neighbour Guide, in both print and digital formats, will be a key tool in educating the public on best practices and supports available, and a promotional and

distribution plan will be developed to ensure this information reaches the impacted areas.

Financial Implications

The projected financial implications for each option are outlined below:

a) Implementation of Landscaping Requirements within the Zoning Bylaw

Implementation and administration of landscaping requirements for low-density forms of residential development would require a minimum of 2.0 full time equivalents (FTE) at an estimated operating cost of \$170,000 per year.

Additional FTEs may also be required in the event that a review and inspection process for driveway crossings in areas with rolled curbs is desired.

The Administration notes that a cost-recovery method could be explored to recoup a portion of these costs through the addition of a landscaping application fee or increases to the Building Permit fee structure.

b) Focused Property Maintenance Enforcement Efforts

Estimated operating costs for the dedication of 1.0 FTE assigned solely to proactively investigating property maintenance concerns in new growth areas are estimated at \$85,000.

c) Achieving Landscaping Completion through Public/Industry Education

Production (printing) costs associated with the development of this document could be completed utilizing existing capital funding that has been allocated for the Administration's drainage regulatory review as both of these items significantly overlap. The guide will be compiled and designed in-house.

d) Status Quo

No additional costs would be incurred in maintaining the status quo. A collaborative initiative between the Saskatoon Fire Department and the Community Standards Division is underway with a Bylaw Inspector conducting lower-risk property maintenance inspections such as overgrown grass and weeds. Based on recent inspection data, the Administration incurs approximately \$15,000 per year in staff costs related to investigations that focus on grass and weed growth. This figure includes inspector costs only and does not include other staffing charges (e.g., solicitors and dispatch) for other staffing functions that might also participate in the current enforcement process.

Other Considerations/Implications

There are no options, policy, environmental, privacy, or CPTED implications or considerations.

Due Date for Follow-up and/or Project Completion

Project follow-up and/or completion is dependent on City Council direction. In the event that the implementation of landscaping regulations for low-density housing forms within the Zoning Bylaw is desired, a report will be forwarded to the Municipal Planning Commission and then to City Council for a public hearing.

Public Notice

Public notice, pursuant to Section 3 of Policy No. C01-021, Public Notice Policy, is not required at this time.

Attachments

1. Review of Common Practices
2. Consultation Summary

Report Approval

Written by: Matt Grazier, Bylaw Compliance Manager, Community Standards
Reviewed by: Jo-Anne Richter, Acting Director of Community Standards
Approved by: Randy Grauer, General Manager, Community Services Department

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