

APPROVED

As to Form _____
CITY SOLICITOR

Bylaw 16733

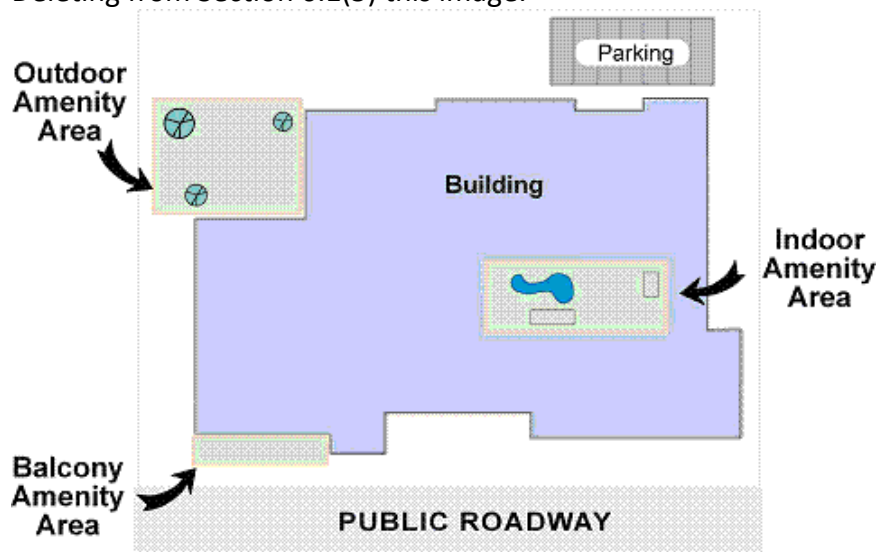
A Bylaw to amend Bylaw 12800, as amended,
The Edmonton Zoning Bylaw
Amendment No. xxxx

WHEREAS City Council at its meeting of February 22, 2001, gave third reading to Bylaw 12800, as amended; and

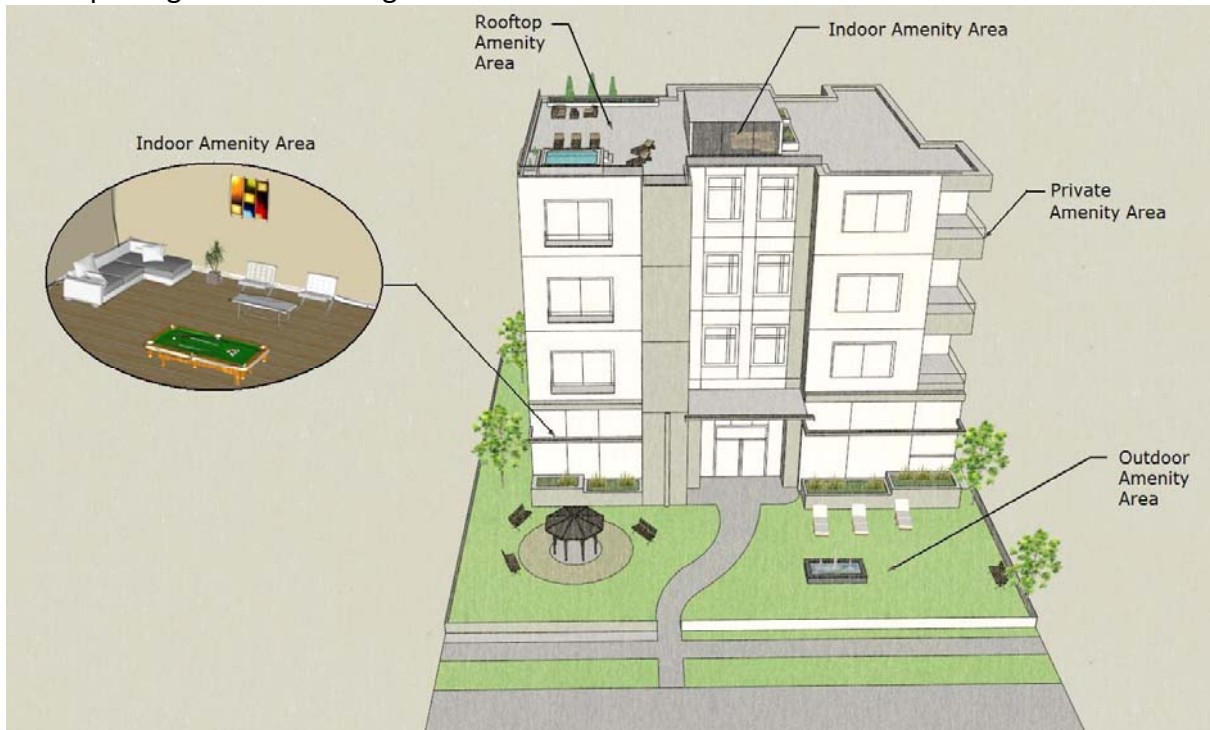
WHEREAS Council considers it desirable to amend the text of the Edmonton Zoning Bylaw;

NOW THEREFORE after due compliance with the relevant provisions of the Municipal Government Act RSA 2000, ch. M-26, as amended, the Municipal Council of the City of Edmonton duly assembled enacts as follows:

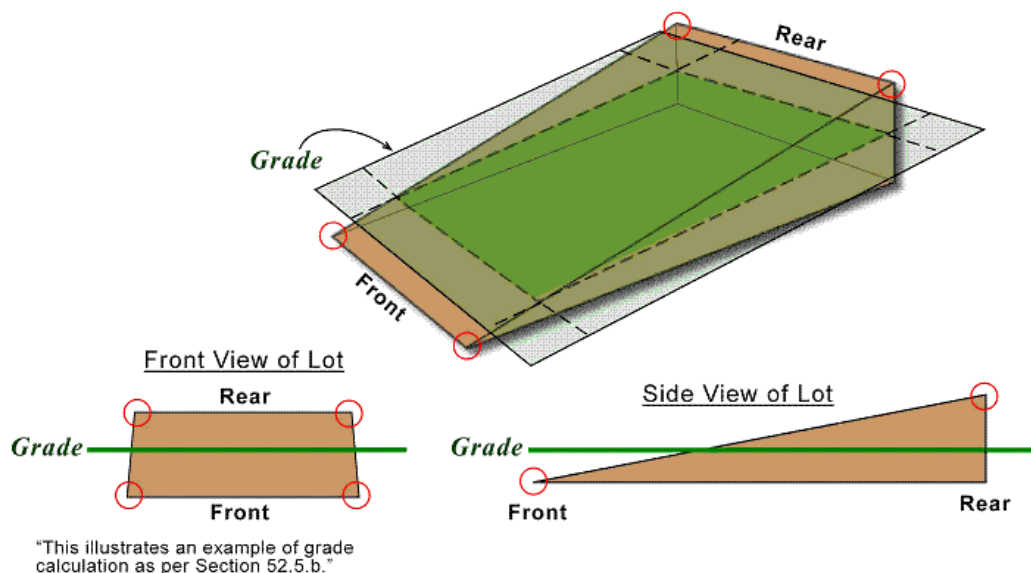
1. Bylaw 12800, as amended, The Edmonton Zoning Bylaw is hereby further amended by:
 - a. Deleting from Section 6.1(5) this image:



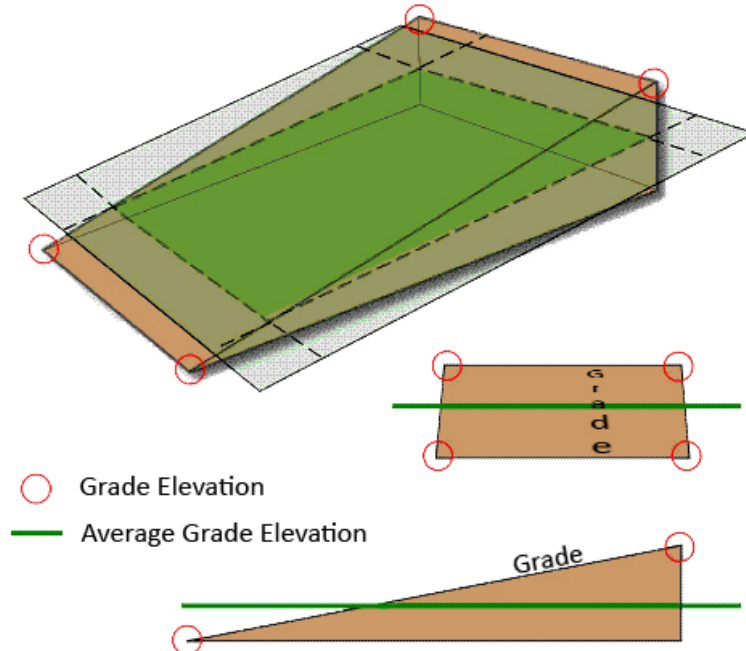
and replacing it with this image:



- b. deleting from Section 6.1(10) "Basement means the portion of a building or structure which is wholly or partially below grade, having above grade no more than 1.83 m of its clear Height which lies below the finished level of the floor directly above;" and replacing it with "Basement means the portion of a building between the top of the floor on the level at or nearest Grade and the top of any floor below the level of the building at or nearest Grade."
- c. deleting from Section 6.1(42) Grade "means a geodetic elevation from which the Height of a structure is measured, calculated in accordance with Section 52." and replacing it with "means the slope or surface gradient of the finished ground surface".
- d. Deleting from Section 6.1(42) Grade this image:



and replacing it with this image:



- e. Deleting from Section 6.1(47) Half Storey in its entirety, and renumbering accordingly.
- f. Deleting from Section 6.1(49) Height in its entirety, and replacing it with: "Height means a vertical distance between two points".
- g. Deleting from Section 810.4(a) "Geodetic elevation is the elevation of a point and its vertical distance, determined by employing the principles of geodesy above or below an assumed level surface or datum"
- h. Adding alphabetically in Section 6.1 "Grade Elevation means the Height of a specific point on Grade above assumed sea level in reference to a known geodetic datum" and renumbering accordingly.
- i. Deleting from Section 6.1(98) "Storey means that portion of a building, which is situated between the top of any floor and the top of the floor next above it. If there is no floor above, the Storey is the portion of the building, which is situated between the top of any floor and the ceiling above it. If the top of the floor directly above a Basement is more than 1.83 m above grade, such Basement shall be considered a Storey for the purpose of this Bylaw;" and replacing it with "Storey means a level of a building situated between the top of any floor and the next floor, ceiling or roof immediately above it."
- j. Deleting from Section 12.2(16) "which has a Height of less than 0.6 m ," and replacing it with "which has a Height of less than 0.6 m above Grade,"
- k. Adding to the end of subsection 14.2 "The preliminary engineering study provides a screening-level estimation of potential wind conditions. If the preliminary Wind Impact Statement indicates that uncomfortable or dangerous wind conditions may result from the building design, the City may require the applicant to submit a detailed Wind Impact Study for proposed buildings taller than six storeys in order to quantify these conditions or refine any conceptual mitigation measures using physical scale model tests.
The preliminary or detailed Engineering Study shall use the following set of criteria to

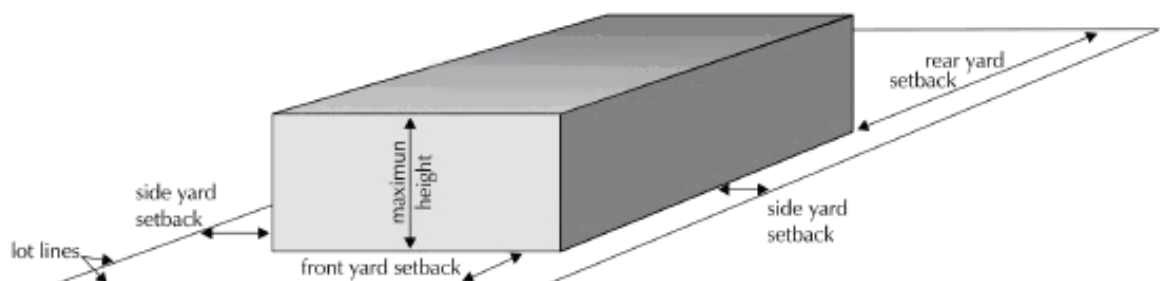
determine the relative level of pedestrian wind comfort for activities such as sitting, standing, or walking.

Comfort Category	Description
Sitting	Calm or light breezes desired for outdoor restaurants and seating areas where one can read a paper without having it blown away
Standing	Gentle breezes suitable for main building entrances and bus stops
Strolling	Moderate winds that would be appropriate for window shopping and strolling along a downtown street, plaza or park
Walking	Relatively high speeds that can be tolerated if one's objective is to walk, run or cycle without lingering
Uncomfortable	Strong winds of this magnitude are considered a nuisance for most activities, and wind mitigation is typically recommended
Unsafe	Excessive gust speeds that can adversely affect a pedestrian's balance and footing. Wind mitigation is required.
Notes: (1) Safety based on wind speeds not exceeding 9 hours annually or 0.1% of the time for 24 hours a day.	

This study shall be evaluated based on the difference in wind speeds between the initial Site condition and the Site condition with the proposed building massing. The Development Officer may require changes to the building design to mitigate wind speeds, or implement the recommendations of the Preliminary or Detailed Engineering study”.

- I. Adding to the end of subsection 14.3 “This study shall be evaluated based on the difference in shadowing between the allowable three-dimensional building massing, and the proposed three-dimensional building massing.”

ILLUSTRATION OF BUILDING MASSING



- m. Adding at the end of the list in Section 14 “

14.x Drainage Information

1. The Development Officer may require an applicant for a Development Permit to submit any information relating to the proper drainage of water from a Site, including but not limited to lot grading plans, drainage plans, flood control plans, on-site water storage plans, or similar plans, drawings or engineering reports that, in the opinion of the Development Officer, are required to determine if the Site is suitable for the full range of uses contemplated in the Development Permit application.

- n. Adding at the end of the list in Section 50.6(1) “where applicable, be in accordance with the most current City Policy C471 - Policy for Siting Telecommunications Facilities”
- o. Deleting Section 52 (Height) in its entirety, and replacing it with the following:

[see attached for now]
- p. Deleting from Sections 50.3(2), 50.4(2)(a) “nor one Storey”
- q. Deleting from Sections 110.4(5), 115.4(4), 120.4(6), 130.4(2), 140.4(9), 150.4(4), 155.3(11)(b), 160.4(3), 220.4(14), 220.4(14)(a)(i), 310.4(8), 570.4.1(2), 571.4.1(2), 572.4.1(2), 573.4.1(2), 814.3(13), “nor 2 1/2 Storeys”
- r. Deleting from Sections 170.4(11), 210.4(11), 210.4(11)(a)(i), 220.4(14), 220.4(14)(a)(i), 823.3(1)(e), 823.3(1)(e)(iv) “or 2½ Storeys”
- s. Deleting from Sections 330.4(9), 400.4(5), 823.5(2)(a) “ nor three Storeys”
- t. Adding after Sections 110.4(5), 115.4(4), 120.4(6), 130.4(2), 140.4(9), 150.4(4), 155.3(11)(b), 160.4(3), 310.4(8), 330.4(9), 400.4(5), 570.4.1(2), 814.3(13), 823.3(1)(e)(iv), and 823.5(2)(a) “The total number of Storeys shall not exceed 2, except that the Development Officer may permit an increase to this maximum if the proposed development satisfies the conditions in Section 52.4” and renumbering accordingly.
- u. 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.” and renumbering accordingly.
- v. Deleting from Sections 110.4(5), 115.4(4), 120.4(6), 130.4(2), 140.4(9), 150.4(4), 155.3(11)(b), 160.4(3), 170.4(11), 210.4(11), 210.4(11)(a)(i), 220.4(14), 220.4(14)(a)(i), 240.4(4), 310.4(8), 570.4.1(2), 571.4.1(2), 572.4.1(2), 573.4.1(2), 610.4(5), 620.4(5), 630.4(5) “10.0 m” and replacing it with “10.0 m, except that the Development Officer may permit an increase to this maximum if the proposed development satisfies the conditions in Section 52.4”
- w. Deleting from Section 570.3.1(4) “10.m” and replacing it with “10.0 m, except that the Development Officer may permit an increase to this maximum if the proposed development satisfies the conditions in Section 52.4
- x. Deleting from Section 155.3(11)(a), “12.0 m nor 3 Storeys for Row Housing, and” and replacing it with “12.0 m, except that the Development Officer may permit an increase to this maximum if the proposed development satisfies the conditions in Section 52.4”
- y. Adding after Section 155.3(11)(a), “The total number of Storeys shall not exceed 3, except that the Development Officer may permit an increase to this maximum if the proposed development satisfies the conditions in Section 52.4” and renumbering accordingly.
- z. Deleting from Table 165.4(2)(iv) “3 Storeys”
- aa. Deleting from Table 165.4(2) “Site Area, Site Dimensions Building Height” and replacing it with “Site Area, Site Dimensions, Building Height and Building Storeys”
- bb. Adding a fifth column “(v) Maximum number of Storeys” to Table 165.4(2) as follows:

	(v) Maximum number of Storeys
(a) Row Housing internal Dwelling	3
(b) Row Housing end Dwelling	3
(c) Semi-detached Housing, per Dwelling	3
(d) Stacked Row Housing Development	3

- cc. Adding after the note “1. Note: exceptions may apply to Bare Land Condominium Units as part of a Multi-unit Project Development. See Section 165.5.” in Table 165.4(2) the following “The total number of Storeys shall not exceed 3, except that the Development Officer may permit an increase to this maximum if the proposed development satisfies the conditions in Section 52.4”
- dd. Deleting from Sections 170.4(2), 340.4(6), 823.3(1)(f), 823.5(3)(a) “ nor four Storeys”
- ee. Deleting from Section 210.4(4) “ nor 4 Storeys”
- ff. Adding after Section 170.4(2), 210.4(4), 340.4(6), 823.3(1)(f), 823.5(3)(a) “The total number of Storeys shall not exceed 4” and renumbering accordingly.
- gg. Deleting from Sections 170.4(2), 210.4(4), 340.4(6), 823.3(1)(f), 823.5(3)(a), 815.3(2) “14.0 m” and replacing it with “16.0m”
- hh. Deleting from Section 320.4(6) “The maximum Building Height shall be 14.0 m.” and replace it with “The maximum Building Height shall not exceed 16.0 m.”
- ii. Adding after Section 340.4(6) “The total number of Storeys shall not exceed 4 except for Hotel Developments and Apartment Hotels, which shall not exceed 9.” and renumbering accordingly.
- jj. Deleting from Section 350.4(6) “The maximum Building Height shall be 14.0 m, except the maximum Height for a Hotel or Apartment Hotel which shall be 30.0 m .” and replacing it with “The maximum Building Height shall not exceed 16.0m, except the maximum Height for a Hotel or Apartment Hotel which shall not exceed 30.0 m .”
- kk. Deleting from Section 815.3(2) “or four Storeys and when a fourth Storey is constructed, at least 50% of the upper Storey shall be set back a minimum of 2.0 m from the front wall of the building. In the case of a Corner Lot, this Setback shall apply to both street facing façades. Where the development abuts a property where Single Detached Housing is a Permitted Use, the entire fourth Storey shall be set back a minimum of 2.0 m adjacent to the property where Single Detached Housing is a Permitted Use” and replacing it with “When a fourth Storey is constructed, at least 50% of the upper Storey shall be Stepback a minimum of 2.0 m from the front wall of the building. In the case of a Corner Lot, this Stepback shall apply to both street facing façades. Where the development abuts a property where Single Detached Housing is a Permitted Use, the entire fourth Storey shall be Stepback a minimum of 2.0 m adjacent to the property where Single Detached Housing is a Permitted Use.”
- ll. Deleting from Section 220.4(6), 360.4(5) “ nor six Storeys”
- mm. Adding after Section 220.4(6) “The total number of Storeys shall not exceed 6” and renumbering accordingly.

nn. Adding after Section 360.4(5) “The total number of Storeys shall not exceed 6, except the total number of Storeys shall not exceed 10 if the requirements of subsection 360.4(5) are met” and renumbering accordingly.

oo. Deleting from Section 370.4(10)(a) “or ten Storeys”

pp. Adding after Section 370.4(10)(a) “The total number of Storeys shall not exceed 10, except the total number of Storeys shall not exceed 14 if the requirements of subsection 370.4(10)(c) are met” and renumbering accordingly.

qq. Deleting from Section 370.4(10)(b) "or fourteen Storeys"

READ a first time this _____ day of _____, A. D. 2011;

READ a second time this _____ day of _____, A. D. 2011;

READ a third time this _____ day of _____, A. D. 2011;

SIGNED and PASSED this _____ day of _____, A. D. 2011.

THE CITY OF EDMONTON

MAYOR

CITY CLERK