

Bylaw 16733

A Bylaw to amend Bylaw 12800, as amended,
The Edmonton Zoning Bylaw
Amendment No.1800

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:

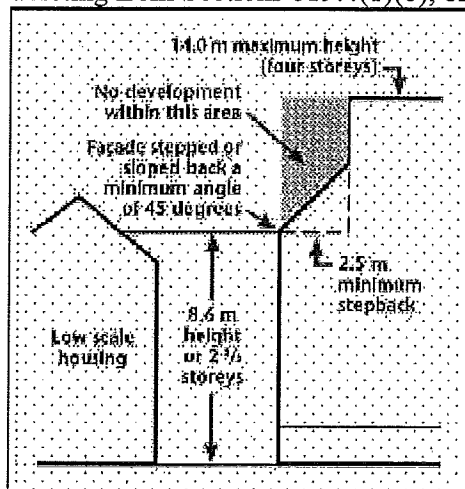
1. Bylaw 12800, as amended, The Edmonton Zoning Bylaw is further amended by:
 - a. deleting from Sections 6.1(10), 6.1(33), 6.1(35), 6.1(49), 6.1(79), 6.1(93), 6.1(98), 6.1(110), 6.2(19), 7.2(10), 7.4(39), 12.2, 13.4, 42, 46, 47, 48.3.4, 50, 54.2, 54.7, 55, 80, 86, 160, 170, 250, 310, 330, 340, 360, 570, 571, 572, 573, 574, 815, 816, 819, 821, 823.3, 910, 910.5, 910.6, 910.7, 910.8, 910.9, 910.10, 910.11, 910.12, 940.5, 940.6, 940.8, 940.9, 950.7, 960.4, 960.5, 980, 995, Schedule 59B, Schedule 59C, Schedule 59F, Schedule 59I, and Glossary, all instances of "grade" and replacing it with "Grade";
 - b. deleting from Sections 6.1(70), 6.1(93), 12.3, 14.8, 42, 44, 50, 52, 54.4, 80.2, 115, 130, 155.13, 170, 240.4(4), 230, 310.4(8), 320.4(6), 330.4(9), 360, 420.4, 430.4(6), 510, 531, 540, 553, 570, 571, 572, 573, 860.3, 910.5, 910.9, 910.10, 910.11, 920.8, 920.9, 940.5, 940.6, 940.7, 940.8, 940.9, 950.7, 960.5, 960.4(l), 960.6, 970.6, 970.9, 980, 990.4(e), 995, Schedule 59D, Schedule 59E, Schedule 59F, Schedule 59G, Schedule 59I, Schedule 59J, and Schedule 59k, all instances of "Building" and replacing it with "building", except where capitalization is appropriate for a subsection title or the beginning of a sentence;
 - c. deleting from Sections 6.1(70), 50, 980, and 995, all instances of "Structure" and replacing it with "structure", except where it forms part of "Area Structure Plan", "Platform Structure" or "Sign Structure";
 - d. deleting from Section 7.2(7) all instances of "above-grade" and replacing it with "above Grade";
 - e. deleting from Section 12.2(16) "0.6 m ," and replacing it with "0.6 m above finished ground or 0.7 m above subgrade at all of the outermost corners of the proposed structure,";

- f. deleting from Sections 50.3(2) and 50.4(2)(a) “nor one Storey”;
- g. adding Section 50.6(1)(f) “where applicable, be in accordance with the most current City Policy C471 - Policy for Siting Telecommunications Facilities.”;
- h. deleting from Sections 54.1, 320, 910.9, and 920.10 all instances of “at-grade” and replacing it with “at Grade”;
- i. deleting from Section 55.3(1)(h) “existing and final Site grading, including the established lot boundaries, elevations, berming shown in half-metre contours, direction of Site drainage, proposed catch basin rim elevations, top and bottom of retaining wall elevations and existing elevations of plant material to be retained;” and replacing it with “existing grading and final Site grading, including the direction of Site drainage, and berming shown on a grading plan in 0.5 m contours; and the geodetic elevations of proposed catch basin rim, the corners of the Lot(s), the top and bottom of retaining walls, and of the plant material to be retained”;
- j. deleting from Sections 110.4(5), 115.4(4), 120.4(6), 130.4(2), 140.4(9), 150.4(4), 160.4(3), 310.4(8), 570.4.1(2), 571.4.1(2), 572.4.1(2), 573.4.1(2), 814.3(13), 950.6(3)(b), 950.7(3)(b), 950.8(3)(e), 980(5)(i), and 995.4(h) “nor 2½ Storeys”;
- k. deleting from Sections 110.4(5), 115.4(4), 120.4(6), 130.4(2), 140.4(9), 150.4(4), 160.4(3), 240.4(4), 310.4(8), 570.4.1(2), 571.4.1(2), 572.4.1(2), 573.4.1(2), 950.6(3)(b), 950.7(3)(b), 950.8(3)(e), and 960.4(4)(l)(vi) “10.0 m” and replacing it with “10.0 m, in accordance with Section 52.”;
- l. deleting from Section 155.4(11) “The maximum building Height shall not exceed: a. 12.0 m nor 3 storeys for Row Housing, and b. 10.0 m nor 2 ½ storeys for all other uses.” and replacing it with “The maximum building Height shall not exceed: a. 12.0 m for Row Housing; and b. 10.0 m for all other uses; in accordance with Section 52.”;
- m. deleting from Table 165.4(2)(iv) “3 Storeys”;
- n. deleting from Sections 170.4(2), 819.4(1)(a), 821.3(4), and 823.5(3)(a) “nor four Storeys”;
- o. deleting from Sections 170.4(2), 320.4(6), 815.3(2), 823.3(3)(1)(f), 823.5(3)(a), 960.4(4)(d), 960.4(4)(l)(vi) “14.0 m” and replacing it with “14.5 m for flat, mansard and gambrel roofs, or 16.0 m for a roof type with a pitch of 4/12 (18.4 degrees) or greater, in accordance with Section 52.”;
- p. deleting from Sections 170.4(11), 819.4(1)(b), 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), 960.4(4)(l)(vi) “or 2½ Storeys”;
- q. deleting from Section 210.4(4) “14.0 m nor 4 Storeys. Floor Area may be developed in attic areas as additional space to a Dwelling, and not counted as a Storey, provided the additional Floor Area creates architectural interest to the design of the building and the development is within the maximum allowable Height. In cases where dormers or other windows are proposed, the development shall be considered a Discretionary Development.” and replacing it with “The maximum Height shall not exceed 14.5 m for flat, mansard and gambrel roofs, or 16.0 m for a roof type with a pitch of 4/12 (18.4 degrees) or greater, in accordance with Section 52.”;
- r. deleting from Section 220.4(6), 360.4(5), 819.3(4), and 821.3(4) “nor six Storeys” and replacing it with “, in accordance with Section 52.”;
- s. deleting from Section 240.4(4) and 320.4(6) “be” and replacing it with “not exceed”;

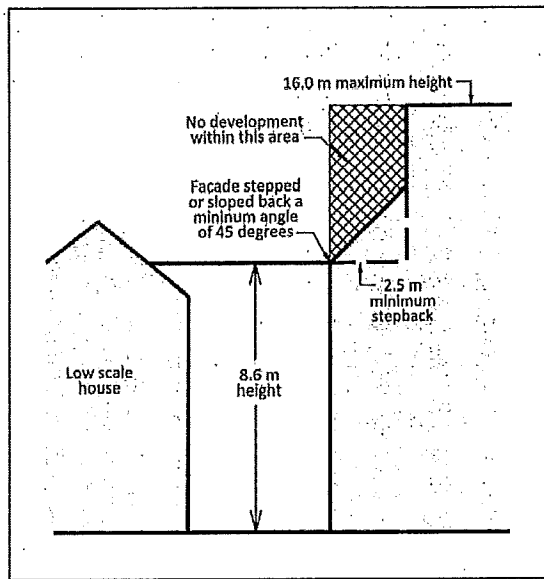
- t. deleting from Section 250.4(3)(a) "The foundation or basement shall not exceed 1.0 m above grade" and replacing it with "The Height of the finished level of the floor that is directly above Grade of the Mobile Home Lot, and the Grade of the Mobile Home Lot within a Mobile Home Subdivision shall not exceed 1.0 m";
- u. deleting from Sections 330.4(9), 980(5)(g), 980(5)(h), and 995.4(h) "12.0m nor 2 ½ Storeys" and replacing it with "12.0 m, in accordance with Section 52.";
- v. deleting from Section 330.4(9) "nor three Storeys";
- w. deleting from Sections 340.2(1) and 340.2(13) " , to a maximum Height of 14.0 m";
- x. deleting from Section 340.3(2) "Apartment Hotels, to a Height greater than 14.0 m" and renumbering accordingly;
- y. deleting from Section 340.3(14) "Hotels to a Height greater than 14.0 m" and renumbering accordingly;
- z. deleting from Section 340.4(6) "The maximum Building Height shall not exceed 14.0 m nor 4 Storeys except for Hotel Developments and Apartment Hotels" and replacing it with "The maximum building Height shall not exceed 14.5 m for flat, mansard and gambrel roofs, or 16.0 m for a roof type with a pitch of 4/12 (18.4 degrees) or greater, except the maximum Height for a Hotels or Apartment Hotels Use shall not exceed 30.0 m, in accordance with Section 52. A Hotels or Apartment Hotels Development exceeding 16.0 m in Height shall be a Class B Discretionary Development.";
- aa. deleting from Sections 340.5(2)(b) and 360.4(3) "14.0 m" and replacing it with "16.0 m";
- bb. 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 . Hotel or Apartment Hotel Developments exceeding 14.0 m in Height shall be a Class B Development." and replacing it with "The maximum building Height shall not exceed 14.5 m for flat, mansard and gambrel roofs, or 16.0 m for a roof type with a pitch of 4/12 (18.4 degrees) or greater, except the maximum Height for a Hotels or Apartment Hotels Use shall not exceed 30.0 m, in accordance with Section 52. A Hotels or Apartment Hotels Development exceeding 16.0 m in Height shall be a Class B Discretionary Development.";
- cc. deleting from Section 360.4(5) "nor 10 Storeys";
- dd. deleting from Section 370.4(10)(a) "or ten Storeys";
- ee. deleting from Section 370.4(10)(b) "or fourteen Storeys";
- ff. deleting from Sections 400.4(5) and 823.5(2)(a) "nor three Storeys" and replacing it with "in accordance with Section 52";
- gg. deleting from Section 571.3(1)(4) "Height shall 10,0 m unless otherwise approved by the Development Officer where deemed appropriate for the Use and having regard to the Height allowed in adjacent Zones." and replacing it with "Height shall not exceed 10.0 m, in accordance with Section 52. The Development Officer may, notwithstanding subsection 11.4, grant a variance to permit a greater Height for a building where deemed appropriate for the proposed Use and having regard to the Height allowed in adjacent Zones.";
- hh. deleting from Sections 572.3.1(5), 573.3.1(5) "The maximum Building Height shall be 10.m, except in the case of buildings or structures Accessory to a Farm, other than a single detached Dwelling." and replacing it with "Height is not restricted for buildings or structures for

Agricultural and Natural Resource Development Uses. Excluding buildings or structures for Agricultural and Natural Resource Development Uses, the maximum building Height shall not exceed 10.0 m, in accordance with Section 52.”;

- ii. deleting from Sections 610.4(5), 620.4(5), 630.4(5) “The maximum building Height shall be 10.0 m, except in the case of buildings or structures Accessory to a Farm, other than a single detached Dwelling.” and replacing it with “Height is not restricted for Buildings or structures for Agricultural and Natural Resource Development Uses. Excluding buildings or structures for Agricultural and Natural Resource Development Uses, the maximum building Height shall not exceed 10.0 m, in accordance with Section 52.”;
- jj. deleting from Section 812.1 “through the regulation of building Heights and elevations, openings into buildings, Uses of portions of buildings, Grades and Landscaping in addition to the requirements of the underlying Zone in their vicinity.” and replacing it with “The Overlay regulates building Height, the location and geodetic elevation of openings into buildings, the Use in portions of buildings, the design Grade of the Site, and Landscaping, to mitigate the potential negative effects of a flood event.”;
- kk. deleting from Section 814.3(13) “8.6 m” and replacing it with “8.6 m, in accordance with Section 52.”;
- ll. 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 “The Floor Area of the fourth 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.”;
- mm. deleting from Sections 816.3(2) “ or six Storeys” and replacing it with “in accordance with Section 52”;
- nn. deleting from Sections 819.4(1)(b), 823.3(1) this image:



And replacing it with this image:



- oo. deleting from Section 823.3(1) "Building Envelope" and replacing it with "Building form";
- pp. deleting from Section 823.3(3)(1)(f) "nor four Storeys. Any loft or usable space developed in attic areas as additional space to a Dwelling shall be deemed a Storey." and replacing it with "in accordance with Section 52.";
- qq. deleting from Section 823.3(3)(1)(g) "Any Basement development which contains a Habitable Room shall be deemed a Storey of development. Where the Basement does not contain a Habitable Room the floor of the ground Storey shall not be constructed more than 1.2 m above Grade." and renumbering accordingly.;
- rr. deleting from Section 823.5(3)(b) "Any Basement or attic development which contains a Habitable Room shall be deemed a Storey of development.";
- ss. deleting from Section 860.3(5) "or 6 Storeys" and replacing it with "in Height, in accordance with Section 52.";
- tt. deleting from Sections 910.5(5)(a)(ii)(E), 910.6(5)(a)(ii)(D), 910.9(5)(a)(iii)(E) and 910.11(5)(a)(ii)(C) "The ground floor elevation shall not exceed the elevation of the abutting public sidewalk by" and replacing it with "The geodetic elevation of the top of the floor on the level that is directly above Grade shall not exceed the geodetic elevation of the abutting public sidewalk by";
- uu. deleting from Sections 910.5(5)(a)(ii)(E), 910.6(5)(a)(ii)(D), 910.8(5)(a)(ii)(C), 910.9(5)(a)(iii)(E), 910.10(5)(a)(ii)(C) and 910.11(5)(a)(ii)(C) " , at the discretion of the Development Officer where the grade or other site conditions require greater grade separation";
- vv. deleting from Section 910.7(5)(d)(v) "At least 80% of the floor elevation of the ground (first) floor shall be no higher than 0.75 m above the mean Grade of the adjacent public sidewalk or public park, at the property line." and replacing it with "The geodetic elevation of the floor that is directly above Grade shall not exceed the geodetic elevation of the abutting public sidewalk by more than 0.75 m, for a minimum of 80% of the building Frontage.";

- ww. deleting from Sections 910.8(5)(a)(ii)(C) and 910.10(5)(a)(ii)(C) "Ensure that, for non-residential uses, the ground floor elevation does not exceed the elevation of the abutting public sidewalk by" and replacing it with "For non-residential uses, the geodetic elevation of the top of the floor on the level that is directly above Grade shall not exceed the geodetic elevation of the abutting public sidewalk by";
- xx. deleting from Sections 910.8(5)(c)(ii), 910.10(5)(b)(iv) and 910.11(5)(b)(iii) "They shall ensure adequate privacy through the provision of screening and at least a 0.75m grade separation above the adjacent City sidewalk." and replacing it with "To ensure adequate privacy, the applicant shall provide screening to indicate separate individual access to each unit.";
- yy. adding directly after Sections 910.8(5)(c)(ii), 910.10(5)(b)(iv) and 910.11(5)(b)(iii) "The geodetic elevation of the floor that is directly above Grade shall be greater than the geodetic elevation of the abutting public sidewalk by at least 0.75 m." and renumbering accordingly;
- zz. deleting from Section 910.12(4)(b)(i) ", nor 60 storeys" and replacing it with ", in accordance with Section 52.";
- aaa. deleting from Sections 940.5(5)(d), 940.7(3)(a) and 940.9(5)(d) "The maximum Building Height shall not exceed 12.0 m nor 2½ storeys, provided that no eave line shall be higher than 9.0 m from Grade." and replacing it with "The maximum building Height shall not exceed 12.0 m, in accordance with Section 52, and provided that no eave line shall have a Height greater than 9.0 m from Grade.";
- bbb. deleting from Section 940.6(5)(l) and 940.8(3)(a) "The maximum Building Height shall not exceed 18.0 m nor 4 storeys, provided that no eave line shall be higher than 14.0 m from grade. Floor Area may be developed in attic areas as additional space to a Dwelling, and not counted as a Storey, provided the additional Floor Area creates architectural interest to the design of the building and the development is within the maximum allowable Height. In cases where dormers or other windows are proposed, the development shall be considered a Discretionary Development." and replacing it with "The maximum building Height shall not exceed 18.0 m, in accordance with Section 52, provided that no eave line shall have a Height greater than 14.0 m from Grade. In cases where dormers or other windows are proposed, the development shall be considered a Discretionary Development.";
- ccc. deleting from Section 950.4(3)(c) "12 storeys nor 45.0 m" and replacing it with "45.0 m, in accordance with Section 52.";
- ddd. deleting from Sections 819.4(1)(a) and 950.5(3)(b) "14 m" and replacing it with "14.5 m for flat, mansard and gambrel roofs, or 16.0 m for a roof type with a pitch of 4/12 (18.4 degrees) or greater, in accordance with Section 52";
- eee. deleting from Section 950.5(3)(b) "nor 4 storeys plus a loft , which must be integrated with the top storey. Floor Area may be developed in attic areas as additional space up to 50% of the Dwellings, and not counted as a storey, unless the additional Floor Area creates architectural interest to the design of the building and the development is within the maximum allowable Height,";
- fff. deleting from Section 950.5(3)(r) "10 m or 2 1/2 Storeys" and replacing it with "10.0 m, in accordance with Section 52,"; and

ggg. deleting from Section 960.4(4)(d) “nor 4 habitable storeys plus a loft, which must be integrated with the top storey. Development of a habitable basement will count as a storey. Floor Area may be developed in attic areas as additional space up to 50% of the Dwellings, and not counted as a storey, unless the additional Floor Area creates architectural interest to the design of the building and the development is within the maximum allowable Height.”

READ a first time this	8th	day of	July	, A. D. 2015;
READ a second time this	8th	day of	July	, A. D. 2015;
READ a third time this	8th	day of	July	, A. D. 2015;
SIGNED and PASSED this	9th	day of	July	, A. D. 2015.

THE CITY OF EDMONTON


MAYOR


CITY CLERK