

ZONING BYLAW RENEWAL INITIATIVE

DISCUSSION PAPER



SPECIAL AREA ZONES

Edmonton

August 2020 | edmonton.ca/ZoningBylawRenewal

These papers were created in 2020 to support Phase 1 of engagement. The content of these documents is subject to change as the draft Zoning Bylaw continues to be refined.



HOW TO USE THE DISCUSSION PAPERS

The discussion papers provide an entry point into the world of zoning by breaking it out into understandable parts and allowing Edmontonians to select topics that interest them. They explore various aspects of zoning and the new Zoning Bylaw, and provide the preliminary thinking and direction for the approach it may take. Please refer to the [Overview and Philosophy of the New Zoning Bylaw](#) for more information.

These papers are a **first attempt** at exploring potential directions for new zoning regulations. All Edmontonians – from developers to residents – are encouraged to explore the topics that interest them and provide feedback through the [Engaged Edmonton](#) platform. Information gathered through the discussion paper conversation will be used to help inform how the new Zoning Bylaw will be written.

TOPICS



**PHILOSOPHY OF THE
NEW ZONING BYLAW**



NODES & CORRIDORS



RESIDENTIAL ZONES



**COMMERCIAL &
INDUSTRIAL ZONES**



**AGRICULTURE &
RURAL ZONES**



**OPEN SPACE &
CIVIC SERVICES ZONES**



SPECIAL AREA ZONES



**DIRECT CONTROL
ZONES**



**NOTIFICATIONS &
VARIANCES**



OVERLAYS



SIGNS



**CLIMATE RESILIENCE &
ENERGY TRANSITION**



ECONOMY



TABLE OF CONTENTS

Conversation Starter	4
Introduction	5
What are Special Area Zones?	6
How are Special Area Zones Used in Edmonton?	7
How Other Cities Zone for Special Areas	9
Issues with Special Area Zoning	9
Considerations for the Future of Special Area Zoning	12
Considerations for Existing Special Area Zones	13
Next Steps	15
Get Involved!	16

LIST OF FIGURES

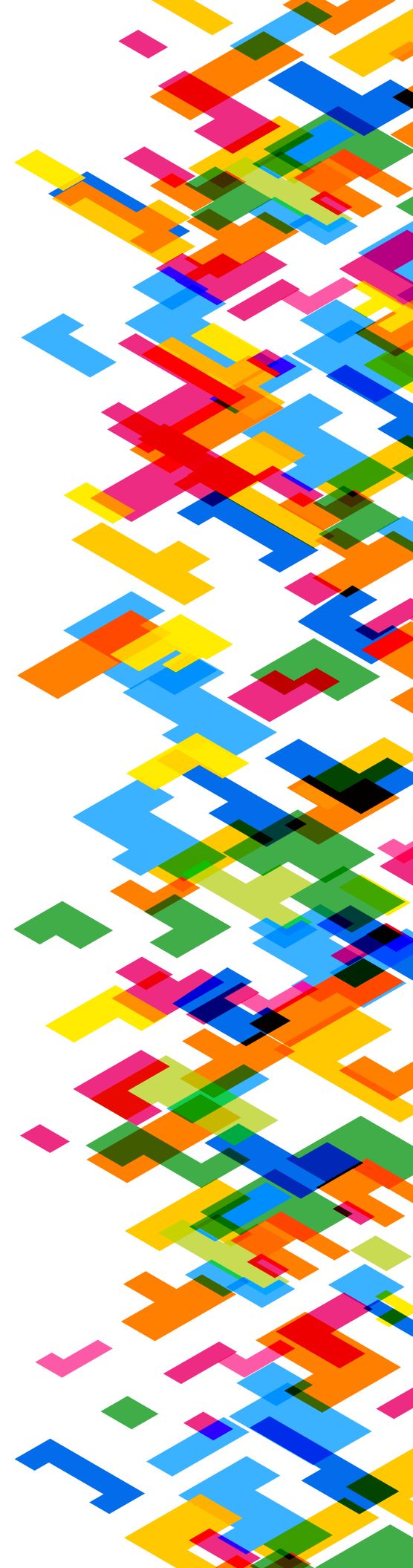
Fig 1. Special Areas Zoning Map	8
Fig 2. Special Areas added to the Zoning Bylaw, 2001-2019	10

LIST OF TABLES

Table 1. Retaining Existing Special Area Zones	14
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APPENDICES

Appendix 1 General Descriptions of Existing Special Area Zones	17
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CONVERSATION STARTER

How should the new Zoning Bylaw address Special Area zones?

The purpose of a Special Area zone is:

- + to achieve an objective of an Area Structure Plan or Area Redevelopment Plan; and
- + to enable development which is not possible using the suite of standard zones available

This paper shows that the new Zoning Bylaw can address Special Area zones by

- 1** Drafting **new standard zones**

 - Assessing existing Special Area zones to determine **which elements support the goals of the new Zoning Bylaw** and should be incorporated into standard zones.
- 2** Rezoning existing **Special Area zones** to align with the new Zoning Bylaw

 - Rezoning Special Area zones **to the closest equivalent standard zone depending on:**
 - + Complexity and Intended Purpose of Zone
 - + Legal Non-conformity
 - + Analysis of Existing Special Area zones and Statutory Plans
- 3** Retaining existing Special Area zones due to **their complexity or fulfillment of a unique purpose**

 - - + 910. Special Area Downtown
 - + 970. Special Area Edmonton Energy and Technology Park
 - + 997. Special Area Blatchford
 - + 1000. Special Area Edmonton South
 - + Other complex or unique Special Area zones, subject to review
- 4** Amending preserved **Special Area zones** to align with the new Zoning Bylaw

 - - + Assessing retained Special Area zones to determine which elements can be amended to align with the new Zoning Bylaw

INTRODUCTION

The Zoning Bylaw is the instruction manual on how to build and use land in our city. It works to bring higher level policies and plans that direct growth and change in Edmonton into reality through the application of development regulations. Within the Zoning Bylaw, there are a number of Special Area zones which differ from the standard residential, commercial and industrial zones located throughout the city. **These zones help to enable development which is not possible using the suite of standard zones available.**

Administration has heard from the public and industry stakeholders that the current Zoning Bylaw is overly long and complex, and a simpler approach is desired. The new Zoning Bylaw will simplify zones by consolidating uses and streamlining regulations to create a more user-friendly bylaw. The result will be standard zones that allow a greater range of uses and development forms, **which may reduce the need for new Special Areas and make many of the existing Special Area zones redundant.**

To address this redundancy and support a more user-friendly Zoning Bylaw, each Special Area zone will be reviewed to determine which zones should be retained in the new Zoning Bylaw and which can be consolidated and simplified into new standard zones. Factors guiding these decisions include the complexity and uniqueness of the Special Area zone, **whether the zone is still required to achieve the objectives of a statutory plan, and whether the zone's uses and regulations can or should be incorporated into a standard zone.**

Takeways

1. Special Area zoning is a useful and necessary tool **when a standard zone cannot meet the development needs of an area.**
2. Edmonton's outdated and inflexible Zoning Bylaw, coupled with an ongoing desire for new and innovative development outcomes, **have led to increased usage of Special Area zones over time.**
3. The new Zoning Bylaw should support flexibility and adaptability by:
 - **Creating flexible and adaptable standard zones** to reduce the need for Special Area Zones
 - **Rezoning some Special Area zones to proposed standard zones** in the new Zoning Bylaw

WHAT ARE SPECIAL AREA ZONES?

Special Area zones are used for areas planned to have special or unique development outcomes which cannot otherwise be achieved through the standard zones in the Zoning Bylaw. These zones are created to achieve the planning objectives in a defined geographic area, as established through a statutory plan such as an Area Structure Plan or Area Redevelopment Plan.

Special Area zones contain development regulations which differ from standard zones and **are tailored to allow a specific set of uses and development forms.** For example, a Special Area zone may allow for greater height, different setbacks, or innovative design outcomes that would not otherwise be possible. In some cases the regulations may differ only slightly from the next closest standard zone.

Because they can be created and applied to a limited area, Special Area zones provide a zoning option that can more easily meet the development needs of that area without affecting development city-wide, as a standard zone would. Compared to Direct Control zones, Special Area zones are not bound by a contract with City Council and can therefore be more easily updated to remain current or to meet the City's strategic goals. More information about Direct Control zones can be found in the [Direct Control Zones discussion paper](#).

Standard Zones

Standard zones include residential, commercial, industrial and other activity types widely located throughout the city. These zones create consistency of development forms and certainty about the types of development that can be constructed within neighbourhoods. An example of a standard zone is the RF1 Single Detached Residential, which is the most commonly applied zone in Edmonton.

HOW ARE SPECIAL AREA ZONES USED IN EDMONTON?

There are currently **64 unique Special Area zones** in Edmonton contained within 16 Special Areas, highlighted in [Fig 1](#). **These zones are predominantly found in the suburban areas of the city**, in developing and planned neighbourhoods. Special Area zones accommodate varying intensities of residential, commercial and industrial development in newer neighbourhoods.

The Zoning Bylaw allows for the use of a Special Area zone in the following circumstances:

- + When it is required in order **to achieve an objective of an Area Structure Plan or Area Redevelopment Plan**; and
- + When conventional zoning or other zoning regulations **could not appropriately or adequately deal with the special or unique attributes of a specified geographic area**.

Special Area zones provide an option to assist new trends and innovative development not otherwise permitted in standard zones. For example, reverse housing is a recent trend in Edmonton where the front of the house faces a pedestrian walkway or laneway, rather than a main road. Certain zones within the Heritage Valley Special Area have been created to enable this housing form.

In some cases, building trends which once required a Special Area zone become more widely applied across the city over time. For example, some Blatchford Special Area zones contain regulations allowing Blatchford Accessory Suites – a housing form which allows a basement suite to be located in a row house development. When these regulations were established in 2014, basement suites were not permitted in row houses, making Blatchford Accessory Suites an innovative housing form. However, recent Zoning Bylaw updates have normalized this housing form across several of Edmonton's standard zones. See [Appendix 1](#) for a complete listing and general purpose of Edmonton's existing Special Areas.

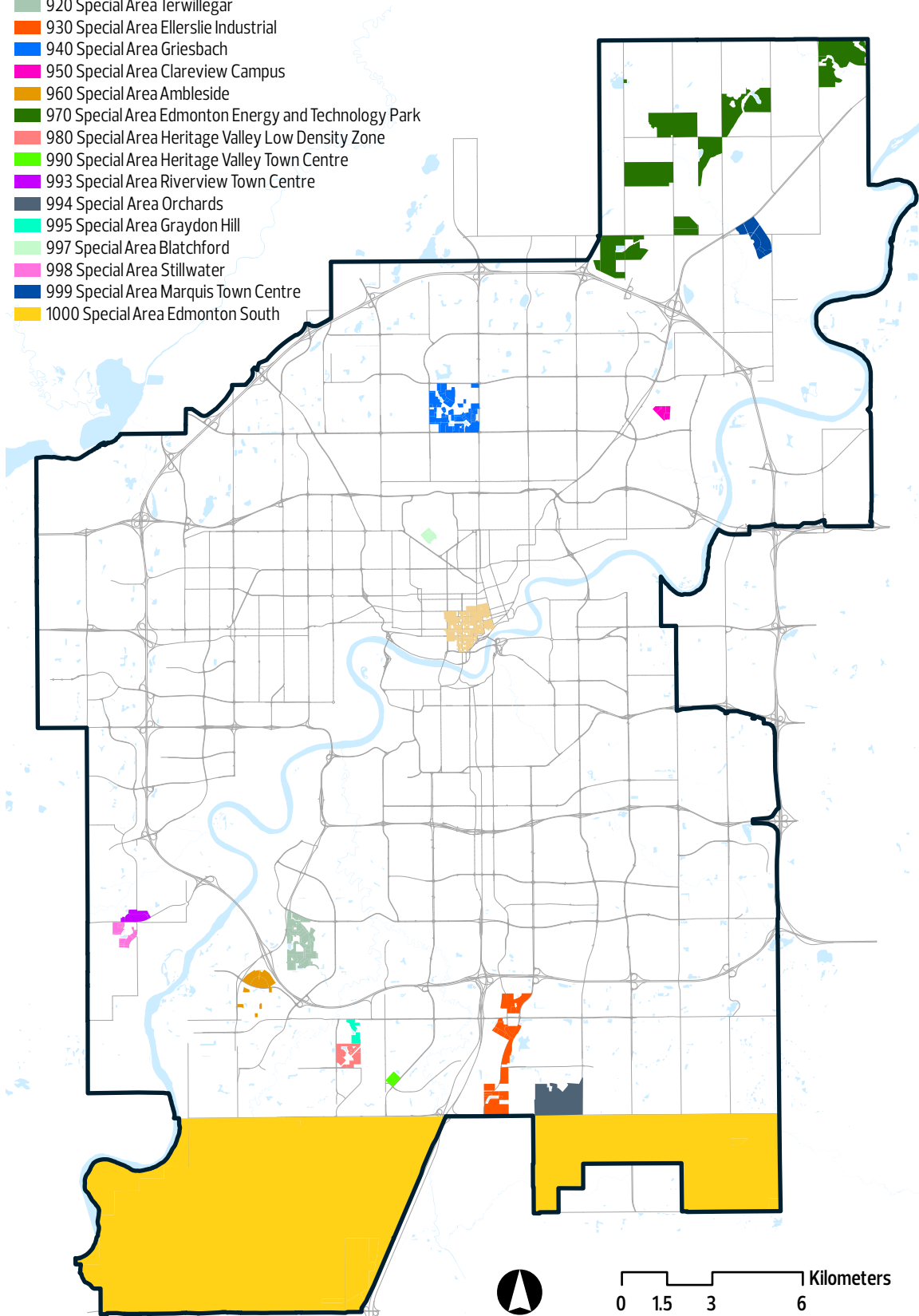
Special Area Edmonton South

Section 900 of the Zoning Bylaw contains an additional criterion specifying that a Special Area zone is required for the lands in south Edmonton which were annexed from Leduc County on January 1, 2019 (see [Fig 1](#), Special Area Edmonton South). Per the annexation agreement between the City of Edmonton and Leduc County, these lands will continue to be regulated based on the current zoning rules which were carried over from the Leduc County Land Use Bylaw. The Edmonton South Special Area will continue to apply to these lands unless/until they are rezoned following the comprehensive planning of the area.

Fig 1. Special Areas Zoning Map

Special Areas

- 910 Special Area Downtown
- 920 Special Area Terwillegar
- 930 Special Area Ellerslie Industrial
- 940 Special Area Griesbach
- 950 Special Area Clareview Campus
- 960 Special Area Ambleside
- 970 Special Area Edmonton Energy and Technology Park
- 980 Special Area Heritage Valley Low Density Zone
- 990 Special Area Heritage Valley Town Centre
- 993 Special Area Riverview Town Centre
- 994 Special Area Orchards
- 995 Special Area Graydon Hill
- 997 Special Area Blatchford
- 998 Special Area Stillwater
- 999 Special Area Marquis Town Centre
- 1000 Special Area Edmonton South



HOW OTHER CITIES ZONE FOR SPECIAL AREAS

The following Canadian cities were reviewed to identify different approaches to non-standard zone implementation:

- Vancouver
- Calgary
- Mississauga
- Ottawa
- Toronto

Most municipalities have some provision for non-standard zones in their zoning bylaws. These zones help implement specific higher level planning policies, reserve land for future development, and dedicate areas for alternative jurisdiction lands like provincial transportation utility corridors. Still, **Edmonton stands out from the municipalities reviewed because of its number of Special Area zones.** While all other municipalities reviewed contained 10 or fewer non-standard zones, **Edmonton has 64 zones in total.** **Reducing the number of Special Area zones, while retaining a select few,** will bring Edmonton in line with the way other Canadian municipalities regulate their land use.

ISSUES WITH SPECIAL AREA ZONING

A Special Area zone is a useful and necessary tool when a standard zone cannot meet the development needs of an area. However, the following issues with Special Area zones highlight the need to reduce their use and develop new standard zones which better meet the needs of Edmontonians.

Long Term Planning

The Draft City Plan contains five Big City Moves which describe new priorities for city-building and set stretch targets for how to get there. One of the five Moves, **A Rebuildable City**, positions Edmonton as a city of continual regeneration, evolving to adapt to a changing future. A stretch target for **A Rebuildable City** is for all Edmontonians to easily meet their daily needs within 15 minute districts across the city, and policy direction 1.3.3.4 is to “Enable all districts to achieve more income diverse neighbourhoods and a greater mix of land uses.”

As with all zones, Special Area zones need to evolve to support the city Edmonton is today and prepare for the city it will become. Achieving 15 minute districts means all zones, including the Special Areas, must accommodate a greater mix of land uses to enable more Edmontonians to live locally. There are challenges with amending or rezoning all existing Special Area zones at once, but in time all should be aligned with The Draft City Plan.

User Experience

More specialized zoning often contributes to a more complex user experience. Special Area zoning means more zones to learn for applicants and Administration, more unique regulations to interpret, and more advanced knowledge required to navigate the Zoning Bylaw for novice or occasional bylaw users like most Edmontonians.

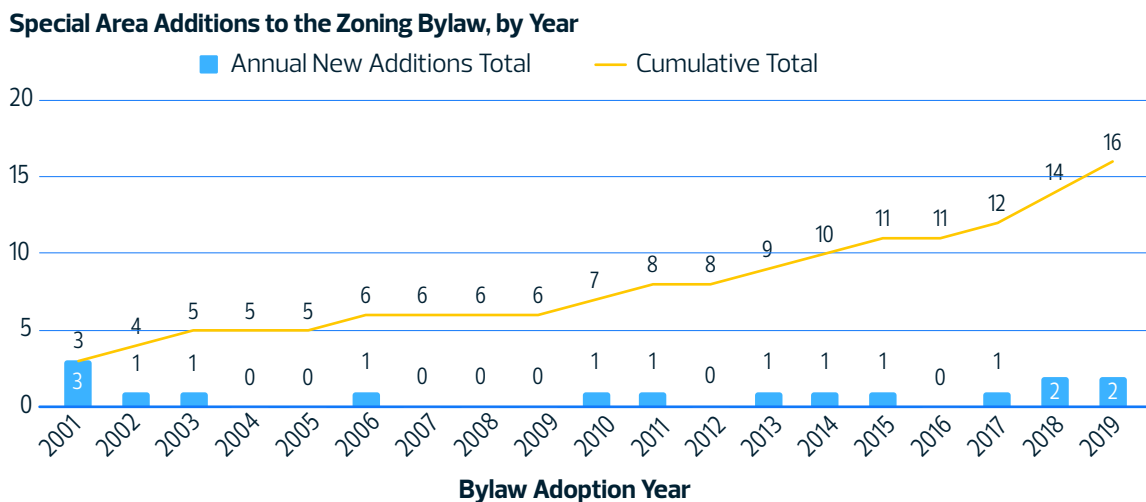
Expensive and Time Consuming

The time and cost involved in the Special Area zoning process serves as a barrier to development, which may impact its viability. The new Zoning Bylaw is intended to support excellent service delivery, and that involves creating a regulatory environment where barriers to economic activity are minimized. Special Area zones can add complexity for applicants and Administration during development permit review, and creating and subsequently maintaining Special Areas increases administrative costs over time.

Recognizing Trends

The increased use of Special Area zoning may indicate in some cases that **current standard zones are not providing enough flexibility to achieve development forms desired by applicants and driven by market demand.** Since the introduction of the current Zoning Bylaw in 2001, Special Areas have been regularly added to the Zoning Bylaw, with increased frequency over the last few years, as illustrated in [Fig 2](#).

Fig 2. Special Areas added to the Zoning Bylaw, 2001-2019



The inability of current standard zones to accommodate new design features or trends creates demand for Special Area Zoning. As seen in the case study below, minor changes to allow non-standard housing forms required a new zone.

This case study illustrates a situation where a broader or more flexible standard zone may have accommodated the development needs of the

area. Moving forward, more flexible standard zones should reduce the need for new Special Area zones for development that is only marginally different from a standard zone. In addition, Administration will develop a process to monitor and evaluate emerging development trends and assess whether standard zones may be updated to accommodate these market changes.

Case Study: 920.4 (RPLt) Terwillegar Planned Lot Residential Zone

The Terwillegar Planned Lot Residential zone is one example of a Special Area zone that differs only slightly from a standard zone. This Special Area zone acts as a modifier of the standard Planned Lot Residential (RPL) zone to achieve the goals set out in the Terwillegar Towne Neighbourhood Area Structure Plan.

This modified Special Area zone has two main distinctions from the base RPL zone that it is modelled on. Houses developed in this zone have reduced front setbacks, permitting them to be located closer to the street, and this zone allows main entrances to be located at the side of the house, instead of at the front.

CONSIDERATIONS FOR THE FUTURE OF SPECIAL AREA ZONING

As one of the tools in our zoning toolbox, Special Area zones will continue to play a role in the new Zoning Bylaw. However, a bylaw that features more flexible and adaptable standard zones should reduce the need for new Special Area zones, and make some of the existing Special Area zones redundant. **Aligning some of these existing Special Area zones with the new Zoning Bylaw will require some further analysis.** The following are some of the considerations for the future of Special Area zones.

Drafting New Standard Zones

Creating new zones means reviewing all existing zones and identifying what regulations are working to help achieve the goals of the new Zoning Bylaw. Part of this review will involve assessing existing Special Area zones to determine which elements support these goals and should be incorporated into standard zones. This will help to support new standard zones that are more user-friendly, adaptable, and supportive of a range of development outcomes.

For example, some of the Special Area zones allow for lesser front setbacks than the next closest standard zone. Building the opportunity for a reduced front setback into a new standard zone could contribute to the elimination of a Special Area zone and improve the versatility of the standard zones overall. To learn more about the proposed approach for new standard zones, read The [Philosophy of the New Zoning Bylaw](#).

Use of Special Area Zones Moving Forward

Special Area zoning serves a purpose that will not be eliminated by creating new standard zones. The existing criteria for using Special Area zones are fairly basic and ultimately still useful: a new Special Area zone may be created in situations in which a statutory plan requires it to achieve certain objectives, and where those objectives could not otherwise be achieved by a standard zone. As a result, it is not proposed to substantially change the reasons for using a Special Area zone. These criteria, set out in section 900 of the Zoning Bylaw, are proposed to remain. However, as with all parts of the existing Zoning Bylaw, this section will be reviewed for opportunities to simplify language and improve clarity.

In addition, intentional gatekeeping for the use of Special Areas will help to limit their use. Administration must question whether the area being planned and the proposed built form are truly unique. This means giving applications for new Special Areas appropriate scrutiny to ensure that the development outcomes sought could not be achieved through standard zoning. The impacts of Special Area zones on the Zoning Bylaw's user experience should be considered when weighing the merits of creating a new zone for only minor variations to a standard zone.

CONSIDERATIONS FOR EXISTING SPECIAL AREA ZONES

Existing Special Area zones can generally be divided into two categories: **those that were developed primarily due to the limitations of existing standard zones**, and **those with more specialized functions that are required to enable unique development outcomes**. Special Area zones that are more or less variations on a standard zone tend to be less complex and may present an opportunity to be rezoned in alignment with the new Zoning Bylaw. More complex or unique Special Area zones will likely need to be retained in the new Zoning Bylaw, and may be partially amended to align with the philosophy and approach of the new bylaw.

Aligning Existing Special Area Zones to the New Zoning Bylaw

As the new Zoning Bylaw is being written, Administration will develop an approach to align existing Special Area zones to the new Zoning Bylaw. This approach will involve rezoning some Special Area zones to the closest equivalent standard zone. The following are some of the considerations that will inform this work.

Complexity and Intended Purpose of Zone

Zones that are more complex or that have a more specialized purpose will be more difficult to generalize within a new equivalent standard zone. Doing so could compromise the intended purpose of the Special Area zone.

Legal Non-conformity

Translating existing zones into new equivalent zones is likely to result in some degree of legal non-conformity. Legal non-conformity can occur when an existing building, legally constructed under one zoning bylaw, no longer complies with the rules of a new bylaw. This can result in restrictions on the ability to modify or re-build the non-conforming structure.

For the most part, creating new rules that are more permissive or flexible than the old rules will minimize the occurrences of legal non-conformity when sites are rezoned. However, some degree of legal non-conformity is to be expected when

applying a new Zoning Bylaw across the city. Minimizing the degree of legal non-conformity will be a consideration in determining whether a Special Area zone can be rezoned to the closest equivalent new zone.

Analysis of Existing Special Area zones and Statutory Plans

Special Area zones are created in order to achieve the goals or objectives set out in statutory plans such as an Area Structure Plan or Area Redevelopment Plan. Existing Special Area zones will be analyzed and evaluated against the purpose of the relevant statutory plan to determine whether rezoning to the closest equivalent standard zone would maintain general alignment with the plan. If it would not, this will be an indicator that the Special Area zone may need to be retained in the new Zoning Bylaw.

As part of the implementation of The Draft City Plan, a review of current statutory plans will be conducted through the District Planning process. This exercise will seek to identify inconsistencies or barriers to the implementation of The City Plan. This work may allow for the eventual updating or rezoning of Special Area zones to new standard zones. However, the timing and potential outcomes of this work are currently undetermined.

Retaining Existing Special Area Zones

Some Special Area zones will be retained in the new Zoning Bylaw due to their complexity or because they fulfill a unique purpose. **The following examples are four Special Areas which will be retained in the new Zoning Bylaw;** further analysis of existing Special Area zones will be required to identify others.

Table 1. Retaining Existing Special Area Zones

Special Area Name	Reason for Retention
910. Special Area Downtown	Further planning work will be done to align existing downtown statutory plans with The Draft City Plan. This may inform the future zoning of this area. Information about the direction of the Downtown Special Area zones can be found in the Nodes and Corridors discussion paper .
970. Special Area Edmonton Energy and Technology Park	To enable the continued work of developing the Edmonton Energy and Technology Park.
997. Special Area Blatchford	To realize the innovative redevelopment of the Blatchford lands currently underway.
1000. Special Area Edmonton South	The terms of the recent annexation agreement require the City to maintain existing zoning on newly annexed lands, to ensure alignment with the former Leduc Land Use Bylaw. Over time, it is expected that these zones will be rezoned to new standard zones at the request of property owners, following a comprehensive planning process.

Amending Existing Special Area Zones

Some of the retained Special Area zones may need to be amended to align with the new Zoning Bylaw. Administration will further examine these opportunities in developing an approach to alignment with the new bylaw. **Potential amendments will be subject to many of the same considerations as rezonings, particularly ensuring alignment with the relevant statutory plans.**

NEXT STEPS

Alongside the drafting of the new Zoning Bylaw, Administration will further develop an approach to align existing Special Area zones to the new Zoning Bylaw. Next steps include:

1. Draft new Zoning Bylaw, including new standard zones and revised language guiding the creation of new Special Area zones.
2. Further develop and refine the criteria to guide the alignment of existing Special Area zones with the new Zoning Bylaw.
3. Analyze existing Special Area zones for potential alignment with new standard zones.
4. Review relevant statutory plans to determine potential for rezoning Special Area zones, and identify a timeline for rezoning relative to other planning work, if applicable.
5. Review remaining Special Area zones for potential amendments in line with the new Zoning Bylaw.
6. Council adopts the new Zoning Bylaw at a future Public Hearing.
7. Rezone relevant Special Area zones as part of the city-wide rezoning to implement the new Zoning Bylaw.
8. Develop a process to monitor and evaluate emerging development trends for potential updates to standard zones.



GET INVOLVED!

- Submit your feedback about this discussion paper at engaged.edmonton.ca
- Visit edmonton.ca/zoningbylawrenewal
- For all other ideas and feedback regarding Zoning Bylaw Renewal Initiative, please use the [General Feedback Form](#)
- Subscribe to our [newsletter](#)
- Contact us at zoningbylawrenewal@edmonton.ca



Appendix 1 | General Descriptions of Existing Special Area Zones

Existing Special Area Zones	
Special Area Name	General Purpose
910. Downtown Special Area	To designate the Downtown area as a Special Area and to adopt the following land use regulations to achieve the objectives of the Capital City Downtown Plan.
920. Special Area Terwillegar	The purpose of this designation is to designate a portion of the Terwillegar Towne Neighbourhood, and a portion of the South Terwillegar Neighbourhood, as shown on Appendix I to this Section, as a Special Area and to adopt appropriate land Use regulations for this Special Area to achieve the objectives of the Terwillegar Towne Neighbourhood Area Structure Plan (NASP), as adopted under Bylaw 11056, as amended, and the South Terwillegar Neighbourhood Area Structure Plan (NASP), as adopted under Bylaw 13454.
930. Special Area Ellerslie Industrial	The purpose of this designation is to designate a portion of the Ellerslie Area Structure Plan as shown on Appendix I to this Section, as a Special Area and to adopt appropriate land use regulations for this Special Area in order to achieve the objectives of the Ellerslie Area Structure Plan, as adopted under Bylaw 11870, as amended.
940. Special Area Griesbach	The purpose of this designation is to designate Griesbach as shown on Appendix I to this Section, as a Special Area and to adopt appropriate land use regulations for this Special Area in order to achieve the objectives of the Griesbach Neighbourhood Area Structure Plan, as adopted by Bylaw 12936, as amended.
950. Special Area Clareview Campus	The purpose of this designation is to designate a portion of the Clareview Campus neighbourhood as shown on Schedule "A" of this Section, as a Special Area and to adopt appropriate land use regulations for this Special Area in order to achieve the objectives of the Clareview Town Centre Neighbourhood Area Structure Plan, as amended.
960. Special Area Ambleside	The purpose of this zone is to designate a portion of Ambleside, as shown on Appendix I of this Section, as a Special Area and to adopt appropriate land use regulations to achieve the development objectives of the Windermere Neighbourhood One Neighbourhood Structure Plan.
970. Special Area Edmonton Energy and Technology Park	The purpose of this Section is to designate Edmonton Energy and Technology Park Area Structure Plan as shown on Appendix I to this Section, as a Special Area and to adopt appropriate land use regulations to achieve the principles, objective, and policies of the Edmonton Energy and Technology Park Area Structure Plan, adopted by Bylaw 15093, as amended.

Existing Special Area Zones	
Special Area Name	General Purpose
980. Special Area Heritage Valley Low Density Zone	To provide for low density housing with the opportunity for Zero Lot Line, Reverse Housing, and Row Housing, in accordance with the design objectives in the Heritage Valley 12 Neighbourhood Area Structure Plan.
990. Special Area Heritage Valley Town Centre	The purpose of this zone is to designate a portion of Heritage Valley Town Centre, as shown on Appendix I of this Section, as a Special Area and to adopt appropriate land use regulations to achieve the development objectives of the Heritage Valley Town Centre Neighbourhood Area Structure Plan.
993. Special Area Riverview Town Centre	To designate a portion of The Uplands Neighbourhood, as shown on Appendix I of this Section, as a Special Area and to adopt appropriate land use regulations for this Special Area in order to achieve the development objectives in The Uplands Neighbourhood Structure Plan and Riverview Area Structure Plan.
994. Special Area Orchards	To designate portions of The Orchards at Ellerslie Neighbourhood, as shown on Appendix I of this Section, as a Special Area and to adopt land use regulations to achieve the development objectives of The Orchards at Ellerslie Neighbourhood Structure Plan. The intent is to create nodes of these different housing forms, located within close proximity to open spaces (i.e. greenways, park spaces, natural areas, storm water management facilities).
995. (GHLD) Special Area Graydon Hill Low Density Residential Zone	To provide for low density housing with the opportunity for zero Lot line development and Row Housing uses, in accordance with the design objectives in the Graydon Hill Neighbourhood Area Structure Plan.
997. Special Area Blatchford	To designate portions of the Blatchford Neighbourhood, as shown on Appendix I to this Section, as a Special Area and to adopt appropriate land use regulations for this Special Area in order to achieve the objectives of the City Centre Area Redevelopment Plan, as adopted by Bylaw 16033.
998. Special Area Stillwater	The purpose of this zone is to designate a portion of Stillwater, as shown on Appendix I of this Section, as a Special Area and to adopt appropriate land use regulations to achieve the development objectives of the Stillwater Neighbourhood Structure Plan.
999. Special Area Marquis Town Centre	The purpose of this zone is to designate a portion of the Marquis neighbourhood, as shown on Appendix I of this Section, as a Special Area, and to adopt appropriate land use regulations to achieve the objectives of the Marquis Neighbourhood Structure Plan
1000. Special Area Edmonton South	To designate the annexed lands that were part of Leduc, as shown on Appendix I to this Section, as a Special Area and to adopt appropriate land use regulations for this Special Area as agreed upon through the annexation process.

ZONING BYLAW RENEWAL INITIATIVE

Edmonton

