



At the [June 20, 2023 Urban Planning Committee meeting](#), the following motion was passed:

Administration establish a process for Members of Council to submit written questions by July 30, 2023, and Administration provide responses related to the Draft Zoning Bylaw presented in [Attachment 1](#) of the June 20, 2023, [Urban Planning and Economy report UPE01636](#), and that both questions and answers be made available on the City's website.

This document contains responses to questions submitted by City Council to Administration related to the draft Zoning Bylaw as noted in the motion. To learn more about the initiative, visit edmonton.ca/zoningbylawrenewal.

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General

Question #	Question (General)
ZBR-23-001	In order to build a mid rise (5-8 storeys) or high rise (9+ storeys) building, do you have to be located in a node or corridor? How are nodes and corridors defined geographically? The City Plan suggests it is a block and a half in either direction of the corridor. For example, would the corridor of 124 Street extend from 122 Street to 126 Street?
ZBR-23-002	Are you required to own a sufficiently large lot (or lots) in order to build a mid rise (5-8 storeys) or high rise (9+ storeys) building? In some cases, would you be required to have a minimum of two or more lots depending on the height and size of the building?
ZBR-23-003	If your neighbours have not sold their property, can developers build on this property without acquiring the lots?
ZBR-23-004	In order to build a mid rise (5-8 storeys) or high rise (9+ storeys) building, would you have to apply for a development permit that would be reviewed by the City's planning department? If the development were to meet all of the Zoning Bylaw's requirements, could the development be approved and built?
ZBR-23-005	Is it true that someone could already build up to four storeys in a node or corridor today without approval from City Council and a public hearing? If they wanted to exceed four storeys, would they be required to get approval from City Council and go through the public hearing process?
ZBR-23-006	Is District Planning (not the Zoning Bylaw) considering increasing existing permitted building heights to allow larger buildings in nodes and corridors?
ZBR-23-007	Will the new Zoning Bylaw change the current zoning regulations in nodes and corridors?

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ZBR-23-008	Is it true that nodes and corridors are not up for a review or vote until spring 2024, however, Administration is engaging on their specific content this year?
ZBR-23-009	General question: With more dense built form as proposed, what are the requirements in the building code for fire mitigation in new buildings? Are there any plans from other jurisdictions or the City to strengthen these?
ZBR-23-010	General question: If the proposed zoning bylaw is approved, what considerations/ protections are being put in place to ensure that the neighbourhood infrastructure can support this densification?
ZBR-23-013	General question: There are Commercial Uses in several residential zones. What does this look like in practice for the various zones? What can the public expect to see in their residential neighbourhood over time?
ZBR-23-024	General Question: Were short-term rentals considered within any residential commercial use regulations? Please elaborate on any regulations pertaining to short-term rentals.
ZBR-23-032	What is the commercial frontage modifier? Where are the details on this modifier? When is it applied? When is it not applied?
ZBR-23-033	General Question - Supportive Housing. From my understanding, some industrial and business zones allow for supportive housing. For areas that are not appropriate for other residential uses, what is the rationale for allowing residential supportive housing?
ZBR-23-041	General question: How does the proposed bylaw account and differentiate indoor agriculture as a Commercial Use vs. Urban Indoor Farms? What changes were made to the bylaw in anticipation of more indoor agricultural activities in industrial zones? Does the proposed bylaw foster growth in this area? If so, how?
ZBR-23-042	General question: With denser form, does the zoning bylaw take into account any special zone considerations for areas that may require modifications to the building type and form based on factors such as ground conditions, flood plains, emergency services? Would this be a valid consideration for public hearings, and if so, what information is or will be provided to decision-makers?
ZBR-23-048	General question: In several areas it notes that "Urban Gardens are proposed to no longer be regulated in the draft Zoning Bylaw". How are they currently regulated?
ZBR-23-051	General Question. How are tiny homes classified and defined in the proposed bylaw? What is the rationale for not including tiny homes as a category of housing? Are tiny homes subject to different design, building, and use regulations than other standalone residential dwellings? Please provide a list of the zones where tiny homes and/or villages are permitted.
ZBR-23-054	General Question. Can Administration provide a comparable chart with all the proposed residential zones and the corresponding front, side and rear setback distances as well as floor area ratio?
ZBR-23-068	Report UPEE01636 p. 4 from June 20, 2023 states "It is anticipated that the city-wide rezoning will result in relatively few buildings and uses becoming legally non-conforming pursuant to s.643 of the Municipal Government Act.". Can Administration identify more specifically the number of buildings that will be non-conforming and what that will mean for those property owners?
ZBR-23-069	General Question - Please explain why maximum floor area ratios are changing and how they are calculated. What do changes to these in the proposed bylaw mean for developments in simple terms?

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ZBR-23-071	Can you explain how the Zoning Bylaw Renewal and more infill housing can help to lead to more affordable housing in the long-term?
ZBR-23-073	For projects that are permissible under the new bylaw, like a 3-story eight-plex, how are things like parking on streets or garbage collection considered? Is there a stage in the development process where these are assessed?
ZBR-23-075	Can you explain in simple steps how development processes will differ if the new Zoning Bylaw Renewal is put into effect?
ZBR-23-076	Can you explain how the Zoning Bylaw Renewal will help to simplify processes at the City? Do we anticipate that this change will help to increase the pace of development and help get more people into housing?
ZBR-23-077	With the new Zoning Bylaw, would there be any changes in processes to appeal development through the SDAB?
ZBR-23-079	Is Inclusionary Zoning available through Zoning Bylaw Renewal?
ZBR-23-080	What is our ability to negotiate climate change and affordability gains with developers once zoning is approved?
ZBR-23-081	How will second-stage women's shelters, and bridge/transitional housing be categorised and impacted by ZBR? Under what zones are these types of housing permissible under?
ZBR-23-082	How will the Zoning Bylaw Renewal facilitate the development of various types of affordable housing across the City? Specifically bridge housing, shelters, supportive housing, safe houses, etc.
ZBR-23-083	How will ZBR encourage market-housing affordability? Please give some examples?
ZBR-23-084	Does the city of Edmonton have regulatory tools to achieve entry-level market-housing through ZBR?
ZBR-23-085	We often hear that demolition of single family bungalows in mature neighbourhoods will lead to lack of affordable housing choices? Can you please comment on this assumption?
ZBR-23-086	Can you outline some of the upcoming and ongoing City initiatives to address market-housing affordability and affordable housing that are not included in the ZBR?
ZBR-23-087	Many municipalities leverage their rezoning processes to mandate climate resilient features and elements into new developments. With the ZBR already being very encouraging of density and diverse business types, the need to rezone will be decreased, largely reducing costs for the developer. What are the city's plans to ensure or further incentivize climate resilient design and construction in new developments?
ZBR-23-088	What tools are available to require new infill housing to be net-zero ready?
ZBR-23-089	How do ZBR changes encourage or discourage urban farming and production? Including the RS zone?
ZBR-23-090	With tree retention being currently voluntary, if a developer chooses to go the path of retaining trees to offset their landscaping requirements, how will the City be enforcing tree retention as a regulatory tool?
ZBR-23-092	Have you done any analyses or forecasting on how the ZBR may impact the City's carbon budget?

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ZBR-23-096	Is there a concern that this may just lead to larger single family home infill projects, even with the building wall maximum proposed? What would be the impact of keeping the site coverage allowances for different building types and slightly expanding them according to our density goals?
ZBR-23-097	How will the Zoning Bylaw Renewal enable equitable access to parks and green space for residential communities?
ZBR-23-098	<p>For the small-scale residential zone, what data and analysis were used to support the following changes:</p> <p>Front setbacks on residential streets to a minimum of 3 metres where there are treed boulevards, or 4.5 metres where there are none.</p> <p>Do you have data on what percentage of large front yard trees could be more easily retained if the setback was 4.5 m vs. 3 m?</p> <ul style="list-style-type: none"> - The proposed 10-metre minimum rear setback - The proposed 10.5-metre maximum height - 47% site coverage - Landscaping requirements
ZBR-23-100	What protections does the City of Edmonton have for heritage buildings? How likely is it that we could lose heritage buildings at an accelerated rate due to the Zoning Bylaw Renewal, compared to other challenges associated with the preservation of heritage homes?
ZBR-23-101	How do the proposed changes to setbacks, etc. in the zones where residential housing is permitted, still accommodate for the planting and preservation of shrubbery and medium to large-sized trees throughout the property?
ZBR-23-102	How, if at all, will the ZBR promote or support family oriented housing and multigenerational housing?
ZBR-23-103 and ZBR-23-104	If 8 units can be built on a 50 ft wide lot, how do we ensure or incentivize family-oriented housing units to be provided with 3 or more bedrooms? What impact will it have on achieving our 50% infill targets if total units built on a 50ft lot are reduced to 6 or 7 units?
ZBR-23-105	Have you done any analysis of the diversity and affordability of housing types that have been developed in the RF3 Small Scale Infill Zone (used in Richie and Bonnie Doon) compared to the RF1 Zone? Have recent developments in the RF3 Zone been family oriented?
ZBR-23-106	How might the Zoning Bylaw Renewal impact those interested in pursuing a use change for very short-term uses of a space? I.e using empty storefronts for pop-up shops, gallery showcases, performances, etc.
ZBR-23-107	Can Administration provide some examples of how zone modifiers work in the Zoning Bylaw Renewal?
ZBR-23-108	Generally, what will the monitoring and performance framework for the Zoning Bylaw Renewal look like? How will we monitor its progress in achieving its intended outcomes in the short, medium and long-term? What are key indicators that we will be monitoring closely?
ZBR-23-109	What role will public hearings play in the future District Planning process? Once District Plans are created, what will the rezoning process look like - will areas automatically be rezoned or will there be further opportunities for public hearings?
ZBR-23-110	The Zoning Bylaw Renewal involves a City-wide rezoning. Does Administration anticipate that this rezoning will cause a significant increase in land valuations?

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ZBR-23-111	If the following were to be compared - what are the predicted land cost impacts from a generalized city-wide rezoning via the ZBR vs. targeting specific areas for upzoning under our current Zoning process?
ZBR-23-112	Some feedback has been provided that the draft Zoning Bylaw should be tested in a few communities before being rolled out city-wide. As RF3 is the most comparable zone to the RS zone, can you provide the names of the communities which have had a significant portion (more than 30%) of the community already zoned RF3 and how long they have had that zoning?
ZBR-23-113	While change in property value is not a relevant land use consideration, I have received questions from people about the impact zoning changes can have on property values. Of these communities already zoned RF3, do we have any data related to change in assessed values since that zoning was first put in place (both for the overall communities and specific properties beside newer development)?
ZBR-23-122	To clarify, under the new zoning bylaw, front-back lot subdivisions will not be permitted?
ZBR-23-125	Will you be able to condominiumize backyard homes along with other dwellings?
ZBR-23-129	Please clarify whether group homes will be permitted on sites with secondary suites and backyard homes.
ZBR-23-132	Does the zoning bylaw include any reference to green building standards or energy efficiency? Is zoning an appropriate tool to incentivize more energy efficient buildings? Beyond encouraging low-carbon, location-efficient development through zoning, what other tools do we have to support climate resilience through built form?
ZBR-23-134	To support non-vehicle related commerce and resolve mode based discrimination (and consequently income based), has the definition for Drive-through Services considered introducing a requirement for other modes (pedestrian, cyclist, scooter, etc.) to access service when walk-in services are not open? Can the Zoning Bylaw require that drive-through facilities serve customers using modes other than a vehicle such as pedestrians, bicyclists, and scooters?
ZBR-23-141	Please clarify the requirement for urban agriculture to be developed in conjunction with another use. Would this prohibit a vacant RS lot from being used for the purpose of urban agriculture? An example property could be bare-land purchased adjacent to an existing dwelling being used for urban agriculture, but not formally consolidated as a single lot.
ZBR-23-142	Was consideration given to supporting basic solar ready design for new residential buildings (i.e. roof orientation)?
ZBR-23-143	List of consultants (if any) that the City of Edmonton paid that worked on the City Plan, District Plan and the Zoning Renewal.
ZBR-23-144	When the new district plans come into effect, and a developer requests upzoning to the zoning per the district plan, will homeowners and/or the community league receive mail notification when the upzoning application is received by the City (ie, before approval), will homeowners have the opportunity to appeal the upzoning application, and if so what will this process look like?

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Question #	Question (General)
ZBR-23-145 ZBR-23-146 ZBR-23-147	<ol style="list-style-type: none"> 1. How can the Zoning Bylaw do more to achieve broader sustainable development outcomes before it is approved by Council? 2. Given the increasing frequency and severity of the impacts of climate change we are experiencing today, what Zoning Bylaw opportunities remain before it is approved by Council to develop regulations that: <ol style="list-style-type: none"> a. Ensure the city achieves or exceeds its carbon reduction targets, b. Every new and infill project constructed is climate ready and energy efficient, c. Balance the outcomes of proposed Site & Building, Design and Landscaping regulations to achieve economic & development outcomes with the need to achieve environmental outcomes and climate resilience and healthy, livable and affordable neighbourhoods. 3. What is the timeline for developing a Climate-resilient Planning & Development Framework and Green Development Standards? <ol style="list-style-type: none"> a. What is the risk of approving the Draft Zoning Bylaw before the work identified as “future opportunities” is done and integrated into the proposed regulations. b. How is the Draft Zoning Bylaw structured to facilitate amendments to incorporate the outcomes of these future opportunities into the regulations after the Zoning bylaw has been approved and implemented?
ZBR-23-148	<ol style="list-style-type: none"> 1. What is the current Green Area (hectare) per 100,000 population? 2. How is this measured and reported? 3. What gain in the city’s Green Area is expected via the new Zoning Bylaw?
ZBR-23-174	<p>Garneau is slated to absorb 20% of density, moving forward. Are any steps being taken to address infrastructure needs (schools, water supply, hydro)? i.e. the need for AC, given our changing climate and people’s ability to afford AC? AC is one of the worst options environmentally for cooling, but - with increased concrete surfaces, removal of mature trees, and developments that reduce or eliminate air flow through entire blocks, it’s becoming the only option. Is anyone examining the consequences of this from a sustainable, “liveable” city perspective?</p>
ZBR-23-175	<p>With the wide-scale removal of mature trees (and six councillors refusing to support a bylaw that would protect mature trees on private lots), what measures are being taken to ensure that the many thousands of trees (not mature) the city intends to plant will survive? This is increasingly sounding like carbon capture - i.e. a nice idea. Who will plant them (volunteers)? Who will supervise the care and watering of these 1M+ trees?</p>
ZBR-23-179	<p>There has been feedback about using ‘green asset space’. Has this been considered and how does this differ from what is currently proposed?</p>
ZBR-23-186	<p>LODGING HOUSE USE What is the land use rationale for including this definition? What are the equity implications of including this definition? What is the land use rationale for limiting the number of sleeping units in a Lodging House to 8? What other tools, such as the Business License, can be used to address operational concerns with residential buildings? Why are Lodging Houses not included in all zones where Residential Uses are permitted (for example, BRH, BLMR, CCA, OLD, ORH, etc) There seems to be instances where relevant regulations aren't specified for Lodging Houses (for example, amenity area requirements, accessible parking spaces). How would these be handled?</p>
ZBR-23-194	<p>What is the land use rationale for not requiring alley access when an alley is present?</p>
ZBR-23-198	<p>Is there a zoning matrix that shows which uses are permitted in each zone?</p>

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Question #	Question (General)
ZBR-23-200	What opportunities are being missed to use the Zoning Bylaw to develop regulations and tools to respond to the increasing impacts of climate change - extreme heat events, flooding, fires, increasing health impacts - in the regulations being proposed?
ZBR-23-201	<p>What planning tools can the Zoning Bylaw provide to achieve climate resilience by ensuring that:</p> <ol style="list-style-type: none"> I. Energy efficient buildings are built today that will not require retrofitting to be climate ready in the future that will pass the expense on to future infill owners or renters? II. Future infill redevelopment and renovations of existing buildings adopt renewable energy sources that reduce carbon emissions and future utility costs? III. A minimum private and public Green Area (ha)/100,000 people is achieved and grows with the population? IV. Protect and preserve natural landscapes and wetlands and connectivity for wildlife in new developing areas? V. Sufficient room is provided on every site for larger trees that shade and shelter buildings, absorb storm water and cools the air through evapotranspiration among other Environmental Benefits of Trees? VI. There is sufficient room on every site for Green Infrastructure which includes natural assets (soil, vegetative ground cover and trees) and Low Impact Development (LID) strategies that achieve multi-functional and cumulative benefits on the same Green Area here for residents, communities and the city? VII. Buildings are aligned to maximize air flow around and through buildings to provide a cooling effect without reliance on air conditioning?
ZBR-23-202	What are the proposed actions to ensure the Zoning Bylaw will enable the city to reach, or even better exceed or accelerate achieving its operational carbon emissions reduction targets as identified in the Edmonton Community Energy Transition Strategy? What are the pros and cons of providing more time to quantify and understand how the Zoning Bylaw will impact carbon emissions by conducting a thorough review using a climate lens before it is presented for approval by Council at an October Public Hearing?
ZBR-23-203	How could the Zoning Bylaw provide tools to limit the Whole Life Carbon footprint of buildings related to both operational and embodied carbon emissions in the buildings materials and the construction process?
ZBR-23-204	How could the Zoning Bylaw provide tools and remove barriers to reduce embodied carbon by incentivizing the relocation and reuse of existing buildings so they are kept out of the landfill as Vancouver is doing? Or provide tools and remove barriers by incentivizing retrofitting and repurposing existing buildings as Calgary is doing? Or to preserve and protect more mature trees during infill redevelopment?
ZBR-23-205	How will Post-Renewal Environmental & Climate Action or “future opportunities,” i.e., Climate Resilience Planning & Development Guidelines and Green Development Standards be incorporated into the Zoning Bylaw after it has been approved?
ZBR-23-206	What are the risks to the city and Edmontonians if Green Development Standards are not incorporated into the Zoning Bylaw after it is approved?
ZBR-23-207	Will the proposed actions to increase density, compact urban form, active and transit mobility options and reduce urban sprawl be enough to mitigate environment and climate risk? What studies, analysis and evidence-based data does Administration have to provide assurance this will be enough to respond to future extreme heat events, severe rain and storm events, floods, fires, and associated health risks to citizens?

Question #	Question (General)
ZBR-23-208	How has reconciliation been considered in this draft of the Zoning Bylaw? What feedback was provided on the inclusion of Indigenous ceremonies or gathering in the descriptions or definitions of typical uses or activities? Will the final bylaw include a land acknowledgement?
ZBR-23-226	What is the developers' responsibility to replace trees and replace natural wetlands when being cleared for development? What mitigations are required to minimize impact on the environment and biodiversity? Can land designated as a natural area be realistically moved, or an area become naturalized in the same way? Will the natural areas in the Citywide Natural Area Management Plan (Jan 2014) be protected under NA?
ZBR-23-229	What ZB Height regulations would guarantee roof sun access for adjacent Sites within the same Zone? Section 5.90 of the draft Zoning Bylaw regulates how Height and Grade are measured. These regulations allow parts of buildings to be much higher than the Maximum Height. There are numerous structures which are exempt from any Height regulations, including steeples, domes, monuments, water tanks and large elevator housing and roof stairway housing. There are no regulations limiting the size of these structures either. Even more problematic is the fact that sloped roof Height, since 2015, is measured from Grade to the midpoint of the sloped roof, thus the steeper the slope, and larger the building, the higher the roof can be. For example, an RS corner site with a 20 m wide building could have a shed roof that extends from 3 m above Grade to 17 m at the peak, resulting in a 10 m high roof midpoint (the Maximum Height) and one 17 m high facade. This style may be tempting for people keen on collecting solar energy on their corner site. This is a development right; even though the adjacent neighbour to the north would have very little sun on their 10 m high flat roof, or low slope gable roof. What Height measurement regulations would allow sun access for all buildings in the same Zone, regardless of roof style? Would adding the following regulation improve roof sun access?: Sloped roof peaks and facades shall not exceed the Maximum Height by more than 1.5 m. What would be a better option and why?
ZBR-23-231	Why do Large Scale Rezoning (500+sites) not require the same written notifications requirements as a single lot? Is a 30 day notification on the City website adequate? Bylaw 18826 states that a legal advisement that relates to more than one site or lot must be distributed as a public service announcement to a list of local media outlets. Should the public service announcement requirements not be added to the Zoning Bylaw for transparency and clarity?
ZBR-23-232	Is the City considering doing a mass rezoning of Sites within Nodes and Corridors once the District Plans are approved?
ZBR-23-233	Planners and politicians around the world are attempting to de-concretize and re-green their municipalities (for example, Poland). How does the draft Zoning Bylaw ensure Edmonton will become greener on public lands and private lands, and what more could be done through the Zoning Bylaw?

Residential Zones

Question #	Question (Residential Zones)
ZBR-23-011	RS - Small scale residential zone; 3.2.1; Residential development with more than 8 dwellings is only permitted on Corner Sites. With the proposed zoning, what would be the maximum permitted units on corner sites?

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Question #	Question (Residential Zones)
ZBR-23-012	RSM - Small-Medium Scale Transition Residential Zone states "Single Detached Housing, Semi-detached Housing, and Duplex Housing are not intended in this Zone unless they form part of a larger multi-unit Residential Development". What are examples of when these forms would be allowable? Would there be ability for tiny home clusters on a single lot?
ZBR-23-014	RSM - section 4.1 notes indicate that at implementation all RSM sites would be assigned the h12 modifier and that future rezoning would allow the h14 modifier. However, in reviewing the "Know your Zones" map, there are several RMS sites with the h14 modifier. What is the site context when this modifier is put in place during implementation?
ZBR-23-015	RSM - Small-Medium Scale Transition Residential Zone. 4.2.6 Front Setback. It has a minimum front setback, but what is the maximum front setback?
ZBR-23-016	RSM - Small-Medium Scale Transitional (4.2.9) - notes state that the side setbacks are increased. How much are they proposed to increase from what is currently allowable?
ZBR-23-017	RM - Medium Scale Residential Zone. 2.40 purpose notes state that this zone will apply to both developing and redeveloping areas in accordance with district planning. How is this anticipated to be applied? Will it be an overlay or further rezoning?
ZBR-23-018	RM - Medium Scale Residential Zone. Site and Building Regulations. 4.1. Which context modifiers are default for the mass rezoning within this zone if approved at public hearing?
ZBR-23-019	RM Zone (3.2.1.1) - what would this mean if something was to happen to an existing building such as a natural disaster or fire? Would the owner still be allowed to build a like-for-like replacement?
ZBR-23-020	RM Zone - Indoor sales and services includes a wider range of retail activities - where does it outline allowable and non-allowable sales and services?
ZBR-23-021	RM - Medium Scale Residential Zone. Design Regulations. 5.1 Is facade colour considered a design feature?
ZBR-23-022	RM - Medium Scale Residential Zone. Design Regulations. 5.1 The comment states that this regulation has been revised. Is this simply pulling this from the mature neighbourhood overlay or is there further revisions to this regulation?
ZBR-23-023	RM - Medium Scale Residential Zone. Design Regulations. General Regulations. Parking, Loading, and Access. 6.2 states that "...waste collection must not be located between a principal building and a Street." Does this mean that some existing buildings would be in non-compliance with the bylaw with multi-unit waste rollout? If yes, how will this be addressed? For 6.3 does the City foresee the ongoing use of this clause to continually project parking lots and/or waste collection beyond the regulated set-back?
ZBR-23-025	RR - Rural Residential Zone. 5.1 states "Subdivision of lands zoned Rural Residential is prohibited." Does this mean that land will need to be rezoned and then subdivided?
ZBR-23-060	RS Zone - Similar to floor ratio changes based on inclusion factors, have we contemplated changing set-back requirements and/ or height in the inverse to avoid massive single-family homes in the RS zone?
ZBR-23-070	RS - Small scale residential zone: What is the intent of not allowing rear attached garages in this zone if the goal of ZBR is to allow for diversity in housing type and flexibility of housing forms? In what contexts can garages in mature neighbourhoods be attached, if any?
ZBR-23-074	Does the new zoning bylaw renewal mean a 3-story apartment can be built next door to a single family home? How is this different from what is currently allowed under the current bylaw?

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ZBR-23-078	Under what circumstance would a developer be able to construct an eight-storey apartment next to an under-1000-sq-ft home with the new bylaw? How is this different from current processes?
ZBR-23-093	How will the Zoning Bylaw Renewal promote “gentle density” and missing middle housing? In the RS zone, what kind of small scale density can residents expect to see in their neighbourhoods?
ZBR-23-094	A primary purpose of the mature neighbourhood overlay is to ensure well-designed, pedestrian oriented streetscapes in redeveloping neighbourhoods. With the mature neighbourhood overlay proposed to be retired, how do the newly proposed residential zones in the ZBR still commit to that purpose?
ZBR-23-095	Under the RF3 zone in the current Zoning Bylaw, there is a maximum site coverage for various building types, including single detached, semi-detached, duplex housing and multi-unit housing. The ZBR proposes that under the RS zone the maximum site coverage for all building types will be a flat 47%. What is the reasoning behind this decision?
ZBR-23-099	Can you explain the proposed reduction in the maximum floor area for childcare services in the small scale residential zones to 300 m ² ? Approximately how many children can be served in a facility of this size, and have providers been engaged on the appropriateness of this change?
ZBR-23-114	My understanding is that three storeys would still be possible with a max height of 10.0m. Therefore, why is the maximum height recommended to be 10.5m?
ZBR-23-115	The 1.5m setback is supposed to provide the ability for a walkway, what’s the minimum walkway width required to meet accessibility requirements?
ZBR-23-117	Why is cluster housing not listed as an option in the RS Zone? Would that prevent something like Horizon Village in Glenwood from being able to be built within the RS Zone?
ZBR-23-118	Will flag lots be permitted in the RS and RSF zones? If not, why?
ZBR-23-119	With the revision to only allow a maximum of 8 units on a lot, does that still apply if someone were to consolidate 2 or more 50’ lots or is this written in a way that allows for more than 8 units if someone has the equivalent of 2 or more lots? An example of this would be a rezoning in 2021 for two lots in North Glenora on the west side of 139th Street across from the school.
ZBR-23-120	While we have allowed front driveways on collector road in newer communities, should this be reconsidered going forward? The draft regulations would continue to allow front driveway access on a collector road.
ZBR-23-123	RS.3.3.1. Specifically limits Food and Drink Services, Health Services, Indoor Sales and Services, and Offices only to lots “where an Interior Side Lot line of Site Abuts a site in a non-residential Zone that permits Commercial Uses at the time of Development Permit Application.” Why are these uses not permitted on sites that abut sites in any zone that permit commercial uses at the time of a Development Permit? This would allow these uses to gradually spread from the current commercial cores in neighbourhoods.
ZBR-23-124	What is the design rationale behind the regulations in RS.5.2? There are many examples of beautiful buildings that violate this rule and aesthetically unappealing buildings that comply with it.
ZBR-23-126	Under RS.4.2.1 the front setback has been increased to 4.5m from 3m. What is the rationale behind the universal front setback of 4.5m? What urban design principles, beyond engagement feedback, contributed to the decision to increase the front setback from 3m to 4.5m?

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Question #	Question (Residential Zones)
ZBR-23-127	Please explain the rationale behind limiting RS sites with 8 or more dwellings to corner sites. Will this encourage property subdivision when large amounts of land could be consolidated for interesting development forms like pocket neighbourhoods, bungalow courts, and other forms like courtyard apartments (e.g. El Mirador)?
ZBR-23-128	If the Zoning Bylaw Renewal is looking to level the playing field between greenfield development and infill development, please elaborate on why RS has a maximum height of 10.5m and RSF has a maximum height of 12m? What urban design principles or technical constraints contributed to this decision?
ZBR-23-131	Are the floor area ratio bonuses additive if both requirements for inclusive design are satisfied under RM.4.2, or is it to a maximum of 0.7? Could these incentives be separated to provide up to 1.4 FAR.
ZBR-23-135	For RS, how would 10.5m in height differ from 10m in height in terms of sound separation (between floors and potentially dwellings), insulation (considering heightened desire for energy efficiency), ceiling heights, and other quality of life benefits for occupants?
ZBR-23-136	Why has a minimum setback been introduced for rear detached garages? Wouldn't this be better left to building code/fire code?
ZBR-23-137	RSF.3.3.1 restricts commercial development to sites abutting commercial zones. If an RSF property develops a commercial use, would an adjacent RSF property be able to have a commercial use as well, or is no further incremental development possible?
ZBR-23-138	RSF.3.5.3 restricts the maximum floor area of child care facilities. Have we consulted with child care providers about whether this is a sufficient amount of floor area?
ZBR-23-139	Have we assessed the technical viability of cluster housing in the RS, RSF and RSM zones? This stands to be an attractive form of housing for a broad range of demographics. What does our modelling say about the viability of this form of housing?
ZBR-23-140	Please provide the land use and planning rationale for RS.3.5 which limits locations for Child Care Services with significant preference to corner sites on collector or arterial roadways.
ZBR-23-149	Advancing equity: What are the pros and cons to requiring a Minimum 30% Green Site Area in all Small, Medium and Large Scale Residential Zones so that all residents, regardless of housing type, distance to a park, income or mobility challenges, have easy access to a healthy Green Area?
ZBR-23-150	Is it possible to achieve 30% Minimum Green Site Area in all proposed standard zones to provide room for Green Infrastructure? What are the pros and cons?
ZBR-23-151	How do each of the draft Zoning Bylaw proposed zones relate to storm water runoff from sites as site imperviousness increases? (see Table 2.1 Runoff Coefficient & Zoning, EPCOR Vol. 3-02 Stormwater Management and LID Design Manual). How could requiring a Minimum Green Site Area affect this relationship?
ZBR-23-152	What is the potential for private realm LID strategies (identified by Epcor) to provide Green Infrastructure to offset insufficient Green Area where 30% cannot be achieved on a site?
ZBR-23-153	Breathe, Edmonton's Green Network Strategy, recognizes that private yards can play a part in preserving and enhancing the ecological quality and connectivity of the City's green network (p 107). Connected Green Areas have more ecological value than disconnected Green Areas. What Zoning Bylaw regulations are needed to connect private Green Areas on every block?

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Question #	Question (Residential Zones)
ZBR-23-155	How can the RS Zone achieve a balance of the sustainable development outcomes which are the goal of 4.2 Land Use Patterns, Land Use Policy of the MGA? Municipalities are encouraged to establish land use patterns which embody the principles of sustainable development, thereby contributing to a healthy environment, a healthy economy and a high quality of life.
ZBR-23-156	What site and building regulations can be adjusted to both increase density and achieve positive local environmental outcomes to build healthy, climate resilient and livable neighbourhoods for current and future residents in redeveloping communities? With the current proposed RS Zone Maximum Site Coverage of 47% and 10 m rear setback, is it possible to achieve a 30% Minimum Green Site Area if a site is developed to its maximum potential? Can this be achieved with a 44% Maximum Site Coverage and a 40% of lot depth Minimum Rear Setback?
ZBR-23-157	If height is increased to allow 3 storey small scale development, can the Maximum Building Site Coverage of 47% for the RS Zone be reduced to 44% without reducing the potential for density possible with a Minimum Site Area of 75 m ² /dwelling unit?
ZBR-23-159	<p>ZBRI Draft Small Scale Zone Scenario Modelling, February 2023, shows all but one housing types can be built within a Minimum Rear Setback of 40% of lot depth, except Cluster Housing (p. 13) with an “L” shaped configuration facing the front and flanking street, where, under the Existing RF3 Zone a portion of the building could not extend beyond the 40% Minimum Rear Setback.</p> <ol style="list-style-type: none"> I. Could cluster housing be accommodated with a 40% of lot depth Minimum Rear Setback if the following regulation were added - a 7.5 m interior side setback to an interior side lot line between the Minimum Rear Setback and the rear property line? II. Can a larger rear setback which improves building alignment provide better sun access, air flow and room for larger trees and greater outdoor amenity area (private or common) to increase livability and quality of life for residents. III. What are the pros and cons of better building alignment?
ZBR-23-160	Which Minimum Rear Setback, the existing 40% of lot depth or the proposed RS Zone 10 m Minimum Rear Setback has greater potential to mitigate environmental and social impacts to existing and future RS Zone development including: disruption of air flow, increased heat island effect, loss of sun access for solar energy, loss of amenity area and loss of green site area?
ZBR-23-161	What are the pros and cons of requiring a 25% of lot depth Rear Building envelope to maintain rear building alignment and keep Backyard Housing in the back of the yard?
ZBR-23-162	What are the pros and cons of requiring a 15% lot depth separation between Backyard Housing and principal buildings?
ZBR-23-163	Given the variety of site dimensions and contexts within the Anthony Henday, what would be the benefit of having contextual modifiers for different contexts? For instance, a Rear Setback of 10 m (or 25% of site depth) on sites with no lanes, and a 40% of Site Rear Setback for Sites with lanes? Would this not continue to encourage the development of Backyard Housing on the lots most suitable for Backyard Housing?
ZBR-23-164	The City of Edmonton has created Design Guidelines for Mid-Rise Buildings, Podiums and Towers to “ensure mid-rise buildings and podiums - through building and street wall height, setbacks and step backs - are sensitive to their context and contribute to a human scaled public realm which is comfortable in all seasons.” How were these Guidelines used to create the draft Zoning Bylaw regulations for the RM and RL Zones, or any other Medium or Large scale zones? If the Guidelines were not used, why not and what guiding principles were used instead?
ZBR-23-165	What is the best location for green areas - front or rear setbacks of apartments? What are the pros and cons of each location?

Question #	Question (Residential Zones)
ZBR-23-166	Anecdotal evidence indicates that Edmontonians seem to be fairly satisfied with the street level experience with apartments in Oliver. Oliver apartments tend to have a 6 m front setback with a green area (except those on Jasper Ave), plus many streets have boulevard trees. The front setback green area with trees creates a comfortable human scale environment, with protection from wind in the winter, shade in the summer and room for outdoor amenity area or semi-public area. Would the City consider requiring a minimum 6 m front setback for residential medium and high scale zones? What are the pros and cons of a 6 m vs 3 m front setback in the draft Zoning Bylaw?
ZBR-23-167	Where a minimum 3 m front setback, or a 1 m front setback for commercial areas is required at ground level, would the City consider requiring a 6 m setback for portions of the building above 16 m (or 23 m) as a means of increasing sun access for neighbouring properties and the sidewalk, plus reducing wind tunneling on the street? What are all the pros and cons?
ZBR-23-168	How will a 3 m Rear Setback accommodate waste management, parking, and a landscape buffer, while also being compatible with the transition zones which have a 6 m rear setback? What are the pros and cons of providing a minimum 6 m Rear Setback or greater?
ZBR-23-169	The draft Zoning Bylaw requires a minimum 3 m Side Setback for buildings greater than 12 m, and a 6 m Setback for portions of the building greater than 23 m. What are the advantages/disadvantages to having the step back at the 16 m Height rather than the 23 m Height?
ZBR-23-170	To create more sun access for adjacent apartments to the North, would the City consider a Minimum Side Setback of 6 m where the proposed building abuts the south property line of a neighbouring Site? What are the advantages and disadvantages?
ZBR-23-171	The design regulation requiring front street entrances for each ground level unit facing the street has been omitted from the draft Zoning Bylaw. Why?
ZBR-23-172	What are the pros and cons to requiring Inclusive Design in all Medium and Large Scale residential developments, rather than providing incentives for Inclusive Design?
ZBR-23-173	<p>To attract more people to live in higher density housing we need regulations which would make multi-unit living more attractive and livable, especially in the busy, vibrant, but noisy Nodes and Corridors. What are the pros and cons of introducing the following regulations:</p> <ul style="list-style-type: none"> A. All dwellings shall have at least one quiet facade with a window. B. All dwellings shall have windows facing at least two different directions for access to natural light and air circulation, (which will also reduce carbon emissions for lighting and cooling). C. There shall be no mechanical devices (such as air conditioners or heat pumps) which emit noise or hot air into the side setback of adjacent dwellings.
ZBR-23-181	Our policy is to ensure that all areas have a sidewalk going forward, correct? If so, won't every lot at some point have a sidewalk? Therefore allowing this regulation to proceed may create challenges.
ZBR-23-183	Has modeling been done to show the shadow impact of the proposed height of 10.5m in RS compared to 8.9m and 10m? This would include a range of generic lots, with north/south and east/west orientations.

ZONING BYLAW RENEWAL INITIATIVE | Responses to Councillor Questions

Question #	Question (Residential Zones)
ZBR-23-185	<p>8 UNIT RESTRICTION</p> <p>What is the land use rationale for placing a limit of 8 units on mid-block RS sites, given other built form restrictions that would limit the size of the building?</p> <p>Wasn't there previously a similar regulation in RF3 limiting development to 4 units that was found to create challenges?</p> <p>Is it possible this regulation will encourage further subdivision?</p> <p>Is it possible this regulation will create barriers for innovative housing like cluster housing?</p>
ZBR-23-187	<p>RS/RSF/RM - What was the land use rationale for restricting Childcare Services to corner sites and/or abutting collector roadways, given the potential for Home Based Childcare which can be located mid-block?</p>
ZBR-23-189	<p>Is the RSM purpose statement suggesting that a zone like RM couldn't be located next to an RS site or are there provisions in RM that provide for appropriate transitions next to an RS site?</p>
ZBR-23-190	<p>FAR BONUSES</p> <p>The introduction of a 50m² Common amenity area for children is a new requirement for the existing bonus. What feedback has the City received in terms of the feasibility of meeting this requirement and any barriers it may create to providing more 3 bedroom units?</p> <p>Are the bonuses for inclusive design requirements and 3 bedroom units stacking? (ie can you achieve both and receive a 1.4 FAR bonus?)</p>
ZBR-23-191	<p>DESIGN REQUIREMENTS IN RM AND RL</p> <p>Why are ground floor units only required to be street-oriented when the building is greater than 30 m in length?</p> <p>RL 5.6 is a great regulation - why is it not included in RM?</p> <p>Are there design requirements for the mid and upper tower portions of developments in RM and RL? RL 5.2 specifically notes that building design guidelines don't apply above 23m.</p>
ZBR-23-192	<p>I'm unclear why Residential uses are restricted to specific building forms (ie: row housing) rather than providing density or FAR minimums in RL and the Downtown Special Area zones.</p>
ZBR-23-195	<p>What is the land use rationale for increasing front setback requirements to 4.5m?</p>
ZBR-23-211	<p>What is the impact of temporary shelters having been moved from supportive housing use to community service use? Does this mostly, in effect, allow community groups to offer shelter to those in need?</p>
ZBR-23-212	<p>Why must the entire building be converted for commercial uses? The rationale states that this prevents potential land use impacts of shared side walls, but how does this differ from residential being permitted above commercial uses?</p>
ZBR-23-213	<p>What is the seating capacity of 20m²? What is the rationale for disallowing backyard seating given establishments with this outdoor seating currently exist in residential neighbourhoods, and provide value to said neighbourhoods?</p>
ZBR-23-214	<p>Does increasing both the front and rear minimum setbacks decrease the available area for buildings? Does this reduce the ability for certain shorter lots to add secondary dwellings? Does a large front minimum setback not increase massing? Is there a requirement that a tree be planted in this minimum setback, given tree planting is provided as the rationale for the minimum setback increase?</p>
ZBR-23-215	<p>Should the minimum site width allowed only consider utility servicing, and what would the minimum width be, if so?</p>

Question #	Question (Residential Zones)
ZBR-23-216	What is the rationale for allowing rear garages in this setting, and in which other settings are they permitted? Please explain the rationale behind the allowance of maximum 50% front vehicle access in this zone, and this restriction not existing in other zones, for example, RS?
ZBR-23-217	This section's rationale states that it aims to increase single detached density. Are there different fire safety regulations which affect single family homes vs. rowhouses/attached homes? Is a high density of single detached homes a higher fire risk than attached homes due to a lack of communication between fire detection/warning systems?
ZBR-23-218	What does "indoor sales and services" entail? Why was it previously excluded from equivalent zones?
ZBR-23-219	With the changing densities desired in the new zoning bylaw, is the new "ideal" or minimum density higher than the former ideal/minimum densities citywide, or in particular areas? Please provide comparison between zone density goals of current and new zoning bylaw
ZBR-23-220	Why is a maximum floor plate size provided on RL but not RM (4-8 stories)?

Mixed Use Zones

Question #	Question (Mixed Use Zones)
ZBR-23-026	MUN - Neighbourhood Mixed Use Zone. Please confirm if my understanding is correct. The way that I read the proposed bylaw, this zone will include current (CB1) Low Intensity Business Zone and (CNC) Neighbourhood Convenience Commercial Zone, where currently located within the Main Streets Overlay. So this is all that will be zoned MUN when this passes public hearing, but may extend further on local nodes with the completion of district planning. Is this correct?
ZBR-23-027	MUN - Neighbourhood Mixed Use Zone. Under Residential Uses in the notes it states "To maintain the general purpose of this zone, residential development is limited to being located above the ground floor, to the rear of the development, or facing a side street." Is the City regulating this beyond what is necessary? The way I read this, it does not allow for vertical and horizontal mixed-use development - is this correct?
ZBR-23-028	MUN - Neighbourhood Mixed Use Zone. Under the proposed retired uses section in the notes it states "Auctioneering Establishments (outdoors); Automotive and Minor Recreation Vehicle Sales/Rentals;...". Does this include bikes? Would this limit things such as bike rentals or car shares?
ZBR-23-029	MUN - Neighbourhood Mixed Use Zone. Building Design Regulations 5.2. states "Subsection 5.1 does not apply to building walls built to a shared Lot Line to establish a continuous Street Wall with the Abutting Site." Please explain what this means.
ZBR-23-030	MUN - Neighbourhood Mixed Use Zone. Parking, Loading, Storage and Access. 6.3 states "Above-ground Parkade Facades facing a Street or a Park must be wrapped with Commercial or Community Uses, with a minimum depth of 8.0 m, on the Ground Floor." Please explain what this means and include examples of contexts where this applies.
ZBR-23-031	MUN - Mixed Use Zone - Permitted uses notes state "community services is generally a new use where most of the activities under the broadened use category". Was community services not a use category in the bylaw prior to the proposed changes? What uses are allowable under community services? What has changed in this use category?
ZBR-23-121	MUN Zone section 3.3 references subsection 3.2.3 which does not seem to be listed in the draft. Should this line have referred to subsection 3.2.2?

Question #	Question (Mixed Use Zones)
ZBR-23-130	If the minimum ground floor height under MU is 4.0m, are 4 storeys still possible at 16m, and 6 storeys at 23m? Has this been verified through modelling? What would the average ceiling height be on each floor?
ZBR-23-133	Please elaborate on the rationale behind the setbacks required above 16m for buildings under MU.4.3.7. Has administration consulted with building specialists or conducted analysis on the cost implications of a setback at this height for midrise structures? What is the design rationale for 16m vs. 23m?

Commercial Zones

Question #	Question (Commercial Zones)
ZBR-23-034	CB - Business Commercial Zone. How is Supportive Housing defined in the proposed bylaw?
ZBR-23-035	CB - Business Commercial Zone. In the notes under Industrial Uses it states "Crematoriums is a new use that is not listed in the current CHY Zones." Will they be an allowable use within the proposed bylaw and zone?

Industrial Zones

Question #	Question (Industrial Zones)
ZBR-23-036	BE - Business Employment Zone. Safe Urban Environment. 5.3 states "Buildings containing Uses other than Minor Industrial or Crematoriums...". Does this mean that uses other than minor are allowed? Would this be discretionary? Please elaborate on when uses other than minor industrial are allowable within this proposed zone.
ZBR-23-037	BE - Business Employment Zone. In the notes it states that "To integrate Crime Prevention Through Environmental Design (CPTED) design principles to support safer urban environments. Instead of applying to only specific uses (e.g., Cannabis Retail Sales and Liquor Stores), these regulations will be applied more broadly to all development within the BE Zone." Is this being included in mixed-use zones as well? If so, how?

Open Space and Urban Services Zones

Question #	Question (Open Space and Urban Services Zones)
ZBR-23-038	NA - Natural Areas Zone. General regulations - section 4 - What is the line or circumstances with regard to the discretion of the development planner and when the development would need to come to council? Are developments deemed non-essential declined? How does this intersect with the policies that guide the river valley?
ZBR-23-039	PSN - Neighbourhood Parks and Services Zone. Under the notes in Proposed Retired Uses it states "The following Uses have been retired to limit the number of permitted principal uses in this Zone, although most may be permitted as accessory to the remaining primary Uses". Are there any Uses that are being completely retired?
ZBR-23-193	Why is Supportive Housing not included in the UI appendices, even though other residential definitions like Lodging House, are listed?

Question #	Question (Open Space and Urban Services Zones)
ZBR-23-210	Am I correct in understanding that, as a discretionary use, every Special Event in the River Valley will require notification to properties within 60m? Will this be an increase in the volume of notices currently sent?

Agricultural Zones

Question #	Question (Agricultural Zones)
ZBR-23-040	AG - Agriculture Zone. In the notes it states "The newly defined Agriculture use will provide a variety of supportive economic opportunities in the Agriculture Zone to support the ability for agricultural operations to thrive." Does this include any requirements on proof of economic productivity? As asked previously, if all land within city boundaries is future development, why are we continuing with this zone especially since Agriculture uses are permitted in the proposed FD zone.
ZBR-23-043	FD - Future Urban Development Zone. From my understanding the only difference for AG zones is that there is no stat plan for the area approved and these exist with FD zones. What is the foreseeable risk with removing this zone all together and having FD zones cover areas where NSP's already exist and don't?

Overlays

Question #	Question (Overlays)
ZBR-23-044	RVO - North Saskatchewan River Valley and Ravine System Protection Overlay. It is noted that the minimum Setback is revised from 7.5 m to 10.0 m. What is the rationale for the revision and how was 10.0 m determined?
ZBR-23-045	RVO - North Saskatchewan River Valley and Ravine System Protection Overlay. With reference to the Overlay and minimum setback laid out in Development Regulations 3.1., item 3.2. states "The Development Planner may consider a variance to Subsection 3.1 if the variance is supported by the geotechnical engineering study specified in Subsection 3.3". What is the benefit of this discretionary power? Was discretionary variance removal contemplated? If so, what was the reason for keeping it? If not, what is the risk of removing 3.2/3.3?
ZBR-23-209	Recognizing there may be subsequent work occurring, can you clarify what is happening to The Quarters Special Area during the city-wide rezoning process? I had trouble understanding this through the Know Your Zone map

Special Areas / Special Area Zones

Question #	Question (Special Areas / Special Area Zones)
ZBR-23-046	Downtown Special Area - Was there consideration on any boundary changes of the downtown area? If not, is this being considered as part of the draft District Planning?
ZBR-23-047	HDR - High Density Residential Zone. Under Tower Regulations 6.8.1. states "support the residential character of the neighbourhood." How is the residential character of neighbourhoods determined/ defined? Where is it articulated on the specifications of what support of the residential character entails?

Question #	Question (Special Areas / Special Area Zones)
ZBR-23-049	Blatchford Special Area. In the notes section under "Retired" it states "The regulation that states regulations in the Special Area Regulations take precedence over the General Development Regulations, as described in Section 7.40, has been retired as it is already a requirement." If this is removed, can the specific section which highlights this as a requirement be referenced?
ZBR-23-050	NSRVES - North Saskatchewan River Valley Edmonton South. Why are the minimum building setbacks in this zone different from the River Valley Zone? (Eg; 7.5 m compared to 10.0 m). Could the set-backs be the same 10 m for both?
ZBR-23-052	GVC - Griesbach Village Centre Zone. In the notes it states that the Additional landscaping requirement is Retired with the rationale that "it did not provide guidance for when additional landscaping would be required." Please explain the rationale for retiring this requirement as opposed to providing guidance for when additional landscaping is required.
ZBR-23-053	GLRA - Griesbach Low Rise Apartment Zone. Under Design Regulations in the notes it states that "The regulation that required additional pedestrian walkway upgrades has been retired, as no guidance was given for when a Development Planner would consider requiring this." Please provide an example of what is meant by an additional pedestrian walkway upgrade and if drafting further guidance was explored?
ZBR-23-221	If all regulations were agreed upon through the annexation process, how can they be amended now?
ZBR-23-222	What regulations were not defined through the annexation process, and would be allowed now?
ZBR-23-223	As cannabis is a federally and provincially regulated product, what is the rationale for not including cannabis under agricultural operational or processing? Why is it then a permitted use in the 3.65 IBES zone?
ZBR-23-224	Is there a minimum requirement for bicycle parking in other zones or special areas?
ZBR-23-225	Since the annexation process came into effect prior to June 2020, was open option parking not considered for this area, or was it non-negotiable as part of this agreement?

General and Specific Development Regulations

Question #	Question (General and Specific Development Regulations)
ZBR-23-055	General Question. What is the rationale for the extent to which the City regulates signage? How are regulations with permanent and temporary signs different? What about digital signs?
ZBR-23-056	Accessory Uses, Buildings and Structures. In the notes it states "The maximum Site Coverage for Accessory buildings is proposed to be revised from 12% to 20% to align with the RS and RSF Zones." What is the rationale for this significant of increase in accessory building coverage in the bylaw?
ZBR-23-057	Accessory Uses, Buildings and Structures. Under Accessory Building Location it states "Accessory buildings are not permitted in a Front Yard." Is there any discretion given on this regulation? Would a pop up business stand be permitted in a Front Yard or to resell items from a small home-based business?
ZBR-23-058	Amenity Areas. It states "Where provided, Indoor Common Amenity Areas are not included in the calculation of Floor Area Ratio." Please explain the rationale for this.

Question #	Question (General and Specific Development Regulations)
ZBR-23-059	Site Performance Standards. Lighting. 3.1.1. states that Outdoor lighting must: be arranged, installed, and maintained to minimize glare and excessive lighting, and to deflect, shade and focus light away from adjacent Sites to minimize Nuisance." How is excessive lighting defined and where is this information available for the public?
ZBR-23-061	Inclusive Design. Was there targeted engagement regarding the Inclusive Design regulations? If so, please elaborate. How were the minimum requirements for inclusive design determined, and/or what are they based on? Is the City being bold enough in this area?
ZBR-23-062	Landscaping. Under General Landscaping Regulations it states "The requirement for Landscaping must be a condition of a Development Permit". Yet, in practice, the developers are not always completing landscaping and there is up to a year after occupancy to complete. Were any changes contemplated to this to ensure whomever is the owner complies with the development permit conditions?
ZBR-23-063	Landscaping. Preserving Existing Trees and Shrubs. While the incentive makes sense if the landscaping is ultimately the responsibility of the home-owner once occupied, is there really a good incentive for the developer to preserve/maintain them?
ZBR-23-064	Safe Urban Environments. Crime Prevention Through Environmental Design (CPTED) Assessments section 2.1. Parkades and Body Rub Centres are the only listed developments where CPTED assessment is required - please explain the rationale to only provide this for these two uses?
ZBR-23-072	Does the Zoning Bylaw Renewal require protection of mature trees on private land? Are there mechanisms to protect mature trees for infill developments?
ZBR-23-154	<p>What are the pros and cons of making the following Section 5.8 Landscaping revisions and additions to improve the function of landscaping as green infrastructure that contributes environmental and social benefits and increases our Green Area (ha)/100,000 population. This would also contribute toward achieving a 20% tree canopy, the city's carbon reduction target and the Climate Resilience Strategy & Action Plan:</p> <ol style="list-style-type: none"> a. Revise Subsection 2.2 – A 30% Minimum Green Site Area must be landscaped with Natural Vegetative Assets - trees, shrubs, grass, perennial ground cover - that contribute green infrastructure and environmental benefits to the site, except where: <ol style="list-style-type: none"> i. One or more Low Impact Development (LID) strategies that meet standards provided in the EPCOR Vol. 3-02 Stormwater Management and LID Design Manual may substitute and offset some or all of the Green Site Area based on a weighted performance standard of each LID strategy. (NOTE: this work would need to be done, see Paris Land Use Plan, pp. 72 – 75). b. Revise Subsection 3.2 – Remaining site area that exceeds impervious building site coverage and Green Site Area may be landscaped with permeable or impermeable materials. c. Eliminate Subsection 3.4 and include green roofs as one of the weighted LID strategies to replace impermeable site coverage. d. Adding to Section 7. Preserving Existing Trees & Shrubs a regulation for the protection of preserved mature trees (fencing, arborist assessment & requirements) during construction. e. Adding to Section 10 Landscape Securities: <ol style="list-style-type: none"> i. That the Landscape Security be required of small-scale multi-unit housing types, no exceptions. ii. That the Landscape Security be transferrable from the permit applicant to new homeowner if the property is sold prior to completion of final grading & landscaping. iii. That a Landscape Plan (Section 11) identify all pre-development deciduous and coniferous trees on the site and diameter at breast height (DBH). And also

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Question #	Question (General and Specific Development Regulations)
	<p>include a Landscape Planting Plan and/or Plant Schedule identifying new tree & shrub species and their mature spread and height.</p> <p>iv. That a Landscaping inspection be required for refund of the Landscape Security (in person, remote video inspection or proof of completion signed by a horticulturist or landscaping professional)</p>
ZBR-23-176	Have the Inclusive Design regulations been reviewed by the Accessibility Advisory Committee? What was their feedback?
ZBR-23-178	Since section 7 has an option to substitute 2 new trees for 1 mature tree, what would the perceived challenges of retaining the requirement for 2 new trees on a lot less than 8.0m in width?
ZBR-23-180	In the diagram and text it refers to a continuous raised or precast curbing. Will that raised section include the portion that connects the pathway to the entrance? If not, what changes would need to be made to include that?
ZBR-23-182	We can often receive complaints about noise from air conditioners and other mechanical equipment. Are there any regulations related to noise that can help with that?
ZBR-23-184	Has modeling been done to show how the landscape requirements are implemented on typical lot sizes, alongside site coverage? Do landscaping requirements take precedence over the maximum impermeable site coverage regulations? (ie landscape requirements must be met first before the maximum impermeable site coverage allowances come into effect)
ZBR-23-196	Is the site coverage allowance for accessory buildings in addition to the maximum site coverage set out in the main zone? Or is it a maximum proportion allowed within the total site coverage?
ZBR-23-197	Recognizing commercial and residential waste may need to be in separate bins, why can they not share a storage area?
ZBR-23-199	The Parking Maximums map seems to exclude the 200m and 600m buffers from Mass Transit Stations?
ZBR-23-227	For 5.70.1.14 Inclusive Design, will the requirement to have a bathroom, kitchen, laundry facilities, and bedroom on the same floor as the dwelling entrance, as opposed to just on the same floor, result in fewer inclusively designed homes? For example, Inclusively Designed Backyard Houses have a floor space incentive on the second storey (up to 70m ² from 60m ²), but very few of the suites would qualify because the entrance is on the main floor with virtually all of the living space on the second floor. What if elevators or chair lifts are present on the main floor, leading up to an inclusively designed second floor? The same could occur for any secondary suites oriented below grade or on the second storey.
ZBR-23-228	For 5.80 Landscaping, were incentives considered to give preference to the planting of native species?

Administrative and Interpretive Regulations

Question #	Question (Administrative and Interpretive Regulations)
ZBR-23-065	Application of General and Specific Development Regulations. It states "The Specific Development Regulations in Part 6 apply to all Sites for specific Uses or developments in any Zone or Direct Control Zone. These regulations take precedence except where the regulations of a Zone, Direct Control Zone or Overlay specifically exclude or modify these regulations with respect to any Use." Can you please explain in plain language what this regulation is intended to do?

Question #	Question (Administrative and Interpretive Regulations)
ZBR-23-066	Special Information Requirements: Is the use of "may" in the 5.1 clause too passive?
ZBR-23-067	Special Information Requirements. In alignment with The City Plan, it's noted that this section had only minor revisions. Were other revisions contemplated to strengthen heritage evaluation/preservation? Is there anything in the proposed zoning bylaw that speaks to development considerations when adjacent property is on the historical inventory?
ZBR-23-188	Am I correct in understanding that a vacant lot waiting development can be used for Urban Agriculture if it is exclusively outdoors, and would not require a development permit? Is there a reason why such Urban Agriculture use are not able to construct buildings smaller than 10m ² to support these operations?
ZBR-23-230	Clarify who shall receive a written legal advisement (notice) of rezoning application for a single lot or site rezoning. The Draft ZB, Section 7.5, states written notice shall be sent by ordinary mail to: applicant, assessed owner of land subject to rezoning, municipal addresses and owners of land within 60 m radius, president of Community League and ED of Business Improvement Area(BIA). However, Public Notification Bylaw 18826 states legal advisement must be sent to: assessed owners within 60 m of site or lot, the Edmonton Federation of Community Leagues, and BIA. Are the lists from Bylaw 18826 to be combined with the list from the Zoning Bylaw, or can the list from Bylaw 18826 be substituted for the list in the Zoning Bylaw or vice versa? Why not include both lists in the Zoning Bylaw for transparency and clarity?

Out of Scope of the May 2023 draft Zoning Bylaw

Responses will not be provided to the following questions as they require additional research, analysis and or preparation of new documentation that is beyond the scope of the May 2023 draft Zoning Bylaw that was presented at the June 20, 2023 Urban Planning Committee meeting.

Question #	Asked by	Question (Out of Scope)
ZBR-23-091	Mayor Sohi	Can you provide comparative data on the GHG impacts related to densification and associated mode shift between mature neighbourhoods and greenfield developments? Analysis to account for embodied carbon and tree loss if possible.
ZBR-23-116	Councillor Knack	Toronto recently overhauled their Zoning Bylaw, how do their changes compare to what is in our draft Zoning Bylaw for the equivalent of the RS Zone (ex: height, setbacks, permitted uses, etc.)?
ZBR-23-158	Councillor Janz	Can Administration provide a comparison of the maximum potential density possible for each of the housing types listed below, on a block of 600 m ² lots and consolidation of up to 2 corner lots, the Minimum Site Area of 75 m ² /dwelling and average area (m ²) of dwelling units above and below grade possible under the: <ul style="list-style-type: none"> • Proposed RS Zone with 47% Maximum Site Coverage, Backyard Housing with 20% Site Coverage and Garages limited to 14% Site Coverage. • Adjusted RS Zone with 44% Maximum Site Coverage, Backyard Housing with 18% Site Coverage and Garages limited to 14% Site Coverage. • For each of the following dwelling types: <ul style="list-style-type: none"> ○ Row Housing total site coverage on corner consolidated lots, i & ii above, ○ Semi-detached + Backyard Housing, i & ii above, ○ Single detached on subdivided 7.5 m wide lots + Garage, i & ii above, ○ Small apartment total site coverage, mid block, i & ii above, ○ Cluster Housing on corner consolidated lots, i & ii above.

ZONING BYLAW RENEWAL INITIATIVE | Responses to Councillor Questions

Question #	Asked by	Question (Out of Scope)
ZBR-23-177	Councillor Knack	<p>For interior lots: How many 6 unit developments have been built in mature communities within the City of Edmonton since the changes to the rules to allow for basement suites and garden suites on the same lot?</p> <p>For corner lots: How many 8 unit (or more) developments have been built in mature communities within the City of Edmonton since the changes to the rules to allow basement suites for row housing?</p> <p>Can a city-wide number be provided as well as a breakdown by community and year?</p>

Date submitted: June 21, 2023

Question #: ZBR-23-001

Section/Regulation #: N/A

Asked by: Councillor Janz

Q: *In order to build a mid rise (5-8 storeys) or high rise (9+ storeys) building, do you have to be located in a node or corridor? How are nodes and corridors defined geographically? The City Plan suggests it is a block and a half in either direction of the corridor. For example, would the corridor of 124 Street extend from 122 Street to 126 Street?*

A: The City Plan generally defines Primary Corridors as spanning one to two blocks on either side of the corridor and Secondary Corridors as spanning one block on either side of the corridor. Pending their approval at City Council public hearing (tentatively summer 2024), district plans will determine the extent of node and corridor geographic boundaries (i.e. how wide and how big) using guidance from The City Plan and providing maps with exact, parcel-specific boundaries. In many places, these specific boundaries will expand on The City Plan's general guidelines to accommodate large parcels and other parcels that are proposed to be included or excluded in the node or corridor.

In general, the draft District Planning policies direct more intense developments along major roads and near mass transit stations and support a transition to smaller buildings at the edge of node and corridor boundaries. District plans will direct high rise buildings in specific locations within certain nodes and corridors, although some high rises exist outside of these areas (e.g. Saskatchewan Drive).

The City's updated draft District Planning policies will be released on www.edmonton.ca/districtplanning on August 14, 2023, with public engagement opportunities to follow later in October.

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Date submitted: June 21, 2023

Question #: ZBR-23-002

Section/Regulation #: N/A

Asked by: Councillor Janz

Q: *Are you required to own a sufficiently large lot (or lots) in order to build a mid rise (5-8 storeys) or high rise (9+ storeys) building? In some cases, would you be required to have a minimum of two or more lots depending on the height and size of the building?*

A: Zones regulate the size a development can be. For example, in the proposed (RL) Large Scale Residential Zone (which is intended to accommodate a high rise), development is controlled by regulations such as maximum floor area ratio (the ratio of a development's total floor area to the size of the lot upon which it is built), maximum height and minimum building setbacks (the distance that a development or a portion of it must be from a lot line). Typically, the smaller the site, the smaller the building envelope. The maximum height can sometimes be misleading. On a small site, the floor area ratio primarily dictates how large and tall a building can be, along with setbacks and stepbacks.

For example, on two typical residential lots, each approximately 15 m x 40 m (totalling 1,200 m² together) and a maximum floor area ratio of 5.5, it would be difficult to build a building taller than nine storeys. A building of this height would also require stepbacks generally above the sixth storey that would reduce the floor area for the seventh, eighth and ninth floors.

So while the proposed RL Zone may allow up to 65 m in height (roughly 20 storeys), it would take a site of over 3,000 m² (roughly five residential lots) to achieve a typical 'slab' style tower close to this height.

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Date submitted: June 21, 2023

Question #: ZBR-23-003

Section/Regulation #: N/A

Asked by: Councillor Janz

Q: *If your neighbours have not sold their property, can developers build on this property without acquiring the lots?*

A: Anyone wishing to develop a property may only do so on land that they own or have permission from the owner to develop. If someone wishes to develop a property that is owned by someone else, they would be required to acquire the development rights to that property. For example, someone could choose to lease land and would undertake an agreement that allowed for the construction of a building on the site.

Note: This response was published on July 13, 2023 and revised August 3, 2023 for further clarification.

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Date submitted: June 21, 2023

Question #: ZBR-23-004

Section/Regulation #: N/A

Asked by: Councillor Janz

Q: *In order to build a mid rise (5-8 storeys) or high rise (9+ storeys) building, would you have to apply for a development permit that would be reviewed by the City's planning department? If the development were to meet all of the Zoning Bylaw's requirements, could the development be approved and built?*

A: Anyone wishing to build within the City of Edmonton must apply for (and receive) an approved Development Permit and Building Permit to ensure that the proposed development complies with the Zoning Bylaw (for Development Permits) and the Building Code (for Building Permits).

If a proposed development complies with the applicable development regulations outlined in the Zoning Bylaw, the development is considered Permitted Development and the City's Development Planner **must** issue a development permit.

If a proposed development does not comply with the applicable development regulations outlined in the Zoning Bylaw, the Development Planner may grant a variance to the regulations and the development is considered Discretionary Development. The Development Planner does not have the authority to vary the height, floor area ratio or density regulations unless explicitly provided for in the zone.

When considering a variance, the Development Planner must review the application with additional scrutiny to make sure that the new development is suitable for the proposed location, including referencing any related statutory plans in effect. Even if the proposed development meets all other development regulations, the Development Planner could refuse the application if they find that the activity is not compatible with the policy direction or surrounding context.

Discretionary Development is subject to an additional 21-day notification period following the issuance of the development permit where residents can appeal the Development Planner's decision if they feel they will be negatively affected by the decision.

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Date submitted: June 21, 2023

Question #: ZBR-23-005

Section/Regulation #: N/A

Asked by: Councillor Janz

Q: *Is it true that someone could already build up to four storeys in a node or corridor today without approval from City Council and a public hearing? If they wanted to exceed four storeys, would they be required to get approval from City Council and go through the public hearing process?*

A: What can be built today depends on Edmonton's current zoning under Zoning Bylaw 12800 for a property. Some properties within nodes and corridors are currently zoned to allow small-scale residential, while others have zoning that permits medium to high rise development.

If someone wants to build up to four storeys (or taller), and the current zoning that applies to their property does not permit this, they would need to apply for a [rezoning](#).

During the rezoning process, City staff would review the application for its impacts on surrounding infrastructure (e.g. roads, water and sewer systems), alignment with land use policy and guidelines (e.g. The City Plan) and the overall compatibility of the proposed zone with surrounding land uses. Review of an application would also involve notification of surrounding landowners, and the ultimate decision on the application would be made by City Council at a [public hearing](#).

Currently, the nodes and corridors policies of The City Plan (see [pages 97-104](#)) provide policy guidance for rezoning applications (amongst other plans in effect). Pending their approval at a City Council public hearing (tentatively summer 2024), district plans would provide more granular policy guidance for rezonings.

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Date submitted: June 21, 2023

Question #: ZBR-23-006

Section/Regulation #: N/A

Asked by: Councillor Janz

Q: *Is District Planning (not the Zoning Bylaw) considering increasing existing permitted building heights to allow larger buildings in nodes and corridors?*

A: District plans propose policies that align with The City Plan’s direction for increased height within nodes and corridors to accommodate future growth within Edmonton’s existing boundaries. Pending their approval at City Council public hearing (tentatively summer 2024), district plans will provide policy direction that will be used to guide future rezoning applications. If a development applicant wants to build a development that is taller than what is permitted in their current zone, they would be required to pursue a rezoning in alignment with land use policy and guidelines, such as the district plans. Review of an application would involve notifying surrounding landowners and the ultimate decision on the application would be made by City Council at a [public hearing](#).

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Date submitted: June 21, 2023

Question #: ZBR-23-007

Section/Regulation #: N/A

Asked by: Councillor Janz

Q: *Will the new Zoning Bylaw change the current zoning regulations in nodes and corridors?*

A: In order to implement the new Zoning Bylaw (pending approval by City Council at public hearing in October 2023), the majority of Edmonton’s properties will need to be rezoned from their current zone in Bylaw 12800 through a city-wide rezoning process. However, properties will be rezoned to the closest equivalent zone under the new Zoning Bylaw (see the proposed zone equivalencies [here](#)). The city-wide rezoning process will **not** be ‘upzoning’ properties in alignment with the future development areas outlined in The City Plan or the draft district plans. The City defines upzoning as rezoning a site in a way that would substantially increase development rights and which would require additional planning and technical analysis (e.g. aligning with statutory plans, identifying infrastructure needs), as well as different levels of stakeholder and public engagement.

If Edmontonians want to change their property’s zone following the city-wide rezoning process, they would be required to pursue a rezoning, which would include notifying surrounding landowners and a site-specific public hearing process.

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Date submitted: June 21, 2023

Question #: ZBR-23-008

Section/Regulation #: N/A

Asked by: Councillor Janz

Q: *Is it true that nodes and corridors are not up for a review or vote until spring 2024, however, Administration is engaging on their specific content this year?*

A: The designation and location of nodes and corridors across the city were approved by City Council in 2020 as part of The City Plan. However, The City Plan provides general, “fuzzy” lines for the node and corridor boundaries. The draft district plans go into greater detail by proposing parcel-specific boundaries for the nodes and corridors identified in The City Plan.

The latest drafts of the proposed draft district plans and draft District Policy will be shared for public review on August 14, 2023. Edmontonians will then be invited to share their feedback on the draft plans with Administration during their public engagement opportunities this October. This feedback will be used to inform the final District Planning policies, which will be presented to City Council at the tentative public hearing in summer 2024. These will be opportunities for the public and City Council to review and provide feedback on the parcel-specific node and corridor boundaries. However, any changes to node and corridor locations and designations would require an amendment to The City Plan.

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Date submitted: July 17, 2023

Question #: ZBR-23-009

Section/Regulation #: N/A

Asked by: Councillor Rutherford

Q: *General question: With more dense built form as proposed, what are the requirements in the building code for fire mitigation in new buildings? Are there any plans from other jurisdictions or the City to strengthen these?*

A: The National Building Code (Alberta Edition) ('Code'), which is provincial legislation, is the building code that buildings in Edmonton must comply with. This legislation contains objectives relating to fire mitigation in new buildings. The qualitative objectives for "fire safety" and "fire and structural protection of buildings" describe undesirable situations and their consequences which the Code aims to avoid occurring in buildings.

"Fire safety" is intended to limit the probability that persons in or adjacent to the building will be exposed to an unacceptable risk of injury due to a fire in their building or part of the building; "fire and structural protection" is to limit the probability that the building itself or adjacent buildings will be exposed to an unacceptable risk of damage due to that fire.

The City's Safety Codes, Permits and Inspections team performs plan reviews and field inspections to ensure life and structure safety elements are incorporated into projects in alignment with Code objectives. Supplementary policies and guidelines are also created as needed to ensure construction practices remain true to Code intent - intent being the undesirable results each Code provision seeks to prevent - as development regulation, built form, builder practices and consumer preferences evolve.

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Date submitted: July 17, 2023

Question #: ZBR-23-010

Section/Regulation #: N/A

Asked by: Councillor Rutherford

Q: *General question: If the proposed zoning bylaw is approved, what considerations/ protections are being put in place to ensure that the neighbourhood infrastructure can support this densification?*

A: Cumulative impacts of neighbourhood densification will be continually assessed as part of the City's long term planning through many analytical tools, such as the City of Edmonton's Regional Travel Model (RTM). These look at how the transportation system functions in the future and is used to evaluate where and when improvements should be made. As traffic grows and traffic patterns change over time, the City regularly collects (and shares through the City's website) multimodal traffic data that informs decisions on policies, initiatives and investments.

The City and EPCOR are working with the development industry to modernize the design standards for Edmonton's water and sewer infrastructure to align with new proposed zones and support The City Plan's broader goals for growth across the city. The impacts of densification on water and sewer infrastructure capacity will be assessed through the rezoning process (or at the Development Permit stage if rezoning is not required), as each parcel circulates through the development process. In 2021, the City and EPCOR completed an initial assessment of the node and corridor infrastructure requirements to support growth. This work will be leveraged as individual neighbourhoods continue to redevelop and in long-term capital planning for utility infrastructure.

EPCOR, through their Integrated Resource Planning approaches, focuses on maximizing the use of the existing infrastructure to accommodate the increased density through the continued promotion of water conservation and inflow/infiltration reduction on the sanitary system. Over the past thirty years, EPCOR has seen substantial changes in how much water customers in Edmonton use and generate, due to the impacts of conservation and efficiency (which allows water and sewer infrastructure capacity for densification). EPCOR also has a number of future capital and operational programs identified that will focus on inflow and infiltration reduction as well as stormwater control via the Stormwater Integrated Resource Plan. The plan aims to reduce the peak flows on the storm and combined systems, building resilience for climate change.

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Date submitted: July 17, 2023

Question #: ZBR-23-011

Section/Regulation #: RS Zone / 3.2.1

Asked by: Councillor Rutherford

Q: *RS - Small scale residential zone; 3.2.1; Residential development with more than 8 dwellings is only permitted on Corner Sites. With the proposed zoning, what would be the maximum permitted units on corner sites?*

A: The maximum number of dwellings for any particular corner site would be determined by the minimum site area per dwelling requirement of 75 m². For example, a 600 m² corner site (15 m x 40 m) would have a maximum of 8 dwellings ($600 / 75 \text{ m}^2 = 8$). A larger site could yield a higher maximum.

There is no other explicit maximum for corner sites. However, other zoning regulations that limit the size of the building from setbacks, site coverage, height limits, etc. could further restrict the number of dwellings that could be developed on a site.

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Date submitted: July 17, 2023

Question #: ZBR-23-012

Section/Regulation #: RSM Zone

Asked by: Councillor Rutherford

Q: *RSM - Small-Medium Scale Transition Residential Zone states "Single Detached Housing, Semi-detached Housing, and Duplex Housing are not intended in this Zone unless they form part of a larger multi-unit Residential Development". What are examples of when these forms would be allowable? Would there be ability for tiny home clusters on a single lot?*

A: An example of where detached, small-scale development types would be allowable in the RSM Zone would be a larger site where there was a mix of row housing or apartments with these detached housing types.

The tiny home cluster on a single lot could only work in the RSM Zone if it met the minimum density requirements and the tiny homes were in the form of row housing, or a mix of row housing and other dwelling types. This requirement is intended to ensure that the RSM zone can be used to implement statutory/neighbourhood plan density and housing diversity goals.

For other types of tiny home clusters, the RS or RSF Zone may be more appropriate.

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Date submitted: July 17, 2023

Question #: ZBR-23-013

Section/Regulation #: N/A

Asked by: Councillor Rutherford

Q: *General question: There are Commercial Uses in several residential zones. What does this look like in practice for the various zones? What can the public expect to see in their residential neighbourhood over time?*

A: For the most part, commercial and mixed use development will be located in nodes and corridors, including near local nodes and other commercial sites within residential neighbourhoods.

Medium to large-scale residential zones are proposed to allow commercial uses that provide services to local residents with limitations on type, scale and location. For example, commercial uses can only be located at the ground floor of a residential building and each establishment is limited to a floor area of 300 m².

Commercial uses in smaller scale residential zones are also limited to a maximum floor area of 300 m² per establishment and are only permitted on lots beside existing commercially zoned sites. Subsequent adjacent lots would not be able to redevelop to a commercial use without a rezoning.

Commercial uses in these zones also have more stringent performance standards. For example, outdoor business activity (with the exception of outdoor seating areas in the front yard), storage or speakers are not permitted.

Although not a commercial use in the Zoning Bylaw, changes are also proposed to the Home Based Business use to allow these activities to have more visibility from the street. For example, maximum sign size requirements are proposed to be increased and a small storefront is proposed to be allowed as long as it is visually consistent with the Dwelling it operates out of.

These regulations are meant to balance new opportunities for businesses and services to residents with the need to maintain the general intent of a residential neighbourhood, while ensuring that more intensive forms of commercial development are directed to the nodes and corridors.

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Date submitted: July 17, 2023

Question #: ZBR-23-014

Section/Regulation #: RSM Zone / 4.1

Asked by: Councillor Rutherford

Q: *RSM - section 4.1 notes indicate that at implementation all RSM sites would be assigned the h12 modifier and that future rezoning would allow the h14 modifier. However, in reviewing the "Know your Zones" map, there are several RMS sites with the h14 modifier. What is the site context when this modifier is put in place during implementation?*

A: The Zoning Bylaw Renewal is not proposing to rezone any sites to RSM with the h14 modifier. Pending approval of the draft Zoning Bylaw, the h14 modifier will require a future rezoning and approval by Council at a public hearing.

Administration has not been able to identify any sites in the "Know Your Zone" map that contain the h14 modifier. However, a comprehensive review of all sites in the city is being conducted to ensure the rezoning process is accurate prior to public hearing.

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Date submitted: July 17, 2023

Question #: ZBR-23-015

Section/Regulation #: RSM Zone / 4.2.6

Asked by: Councillor Rutherford

Q: *RSM - Small-Medium Scale Transition Residential Zone. 4.2.6 Front Setback. It has a minimum front setback, but what is the maximum front setback?*

A: The draft Zoning Bylaw does not propose setting a maximum front setback for the RSM Zone, as other regulations (such as site coverage or building length) would control building depth beyond the minimum setback requirement. Also, there may be site configurations and contexts where a maximum front setback may not be necessary or desirable. Generally speaking, a maximum front setback would typically be required only in situations where creating or maintaining a continuous "street wall" is a deliberate design objective - such as our mixed use areas.

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Date submitted: July 17, 2023

Question #: ZBR-23-016

Section/Regulation #: RSM Zone / 4.2.9

Asked by: Councillor Rutherford

Q: *RSM - Small-Medium Scale Transitional (4.2.9) - notes state that the side setbacks are increased. How much are they proposed to increase from what is currently allowable?*

A: The current regulations require an interior side setback of 1.2 m in the (RF5) Row Housing Zone and 2.2 m for buildings taller than 8.9 m in the (UCRH) Urban Character Row Housing Zone, which are proposed to be rezoned to the RSM Zone. Upon further refinement during this phase of the project, the proposed interior side setbacks are no longer increased and have been revised to 1.2 m or 1.5 m depending on the context to simplify and standardize the requirement.

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Date submitted: July 17, 2023

Question #: ZBR-23-017

Section/Regulation #: RM Zone

Asked by: Councillor Rutherford

Q: *RM - Medium Scale Residential Zone. 2.40 purpose notes state that this zone will apply to both developing and redeveloping areas in accordance with district planning. How is this anticipated to be applied? Will it be an overlay or further rezoning?*

A: Almost all of the proposed zones are intended to be applied in both developing and redeveloping areas. The RM - Medium Scale Residential Zone will replace the existing (RF6) Medium Density Multiple Family Zone, (RA7) Low Rise Apartment Zone, and (RA8) Medium Rise Apartment Zone, which are present both in developing and redeveloping areas. No overlay is proposed or required to control where medium scale residential development is allowed. Instead, future rezoning applications to use the RM zone will be guided by statutory plans and policy.

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Date submitted: July 17, 2023

Question #: ZBR-23-018

Section/Regulation #: RM Zone / 4.1

Asked by: Councillor Rutherford

Q: *RM - Medium Scale Residential Zone. Site and Building Regulations. 4.1. Which context modifiers are default for the mass rezoning within this zone if approved at public hearing?*

A: If the draft Zoning Bylaw is approved at public hearing, the following zone equivalencies will be applied on January 1, 2024:

- Existing (RF6) Medium Density Multiple Family Zone and (RA7) Low Rise Apartment Zone sites will convert to RM_h16 (maximum height of 16 m)
- Existing (RA8) Medium Rise Apartment Zone sites will convert to RM_h23 (maximum height of 23 m)
- A small number of existing (RA9) High Rise Apartment Zone sites located in the High Rise Residential Overlay will convert to RM_h23 (maximum height of 23 m) and a handful will convert to RM_h28 (maximum height of 28 m) depending on the regulations of the overlay and height of the existing development.

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Date submitted: July 17, 2023

Question #: ZBR-23-019

Section/Regulation #: RM Zone / 3.2.1.1

Asked by: Councillor Rutherford

Q: *RM Zone (3.2.1.1) - what would this mean if something was to happen to an existing building such as a natural disaster or fire? Would the owner still be allowed to build a like-for-like replacement?*

A: The purpose of the (RM) Medium Scale Residential Zone is to allow for multi-unit housing. While the zone recognizes existing single-detached, semi-detached or duplex homes, new single-detached, semi-detached or duplex homes may only be developed in the future if they are on the same lot as multi-unit housing. This regulation supports statutory plans that guide where density should happen across the city.

If an existing single-detached home were to burn down under the RM Zone, the owner could:

- 1) rebuild the home in compliance with the original Development Permit (like-for-like replacement); or
- 2) apply to build a new single-detached home, which would require a variance and be subject to appeal.

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Date submitted: July 17, 2023
Section/Regulation #: RM Zone

Question #: ZBR-23-020
Asked by: Councillor Rutherford

Q: *RM Zone - Indoor sales and services includes a wider range of retail activities - where does it outline allowable and non-allowable sales and services?*

A: Indoor Sales and Services is a defined use in Section 8.10 (Use Definitions). It includes any development where a business offers sales and services such as retail, personal service, or commercial school activities inside a building.

Typical examples include animal clinics, art studios, commercial schools, hair salons, indoor markets, pharmacies, retail stores, tailor shops, and tattoo parlours. Indoor Sales and Service does not include Liquor Stores, Cannabis Retail Stores, Body Rub Centres, or any other separately defined use. Note that the list of typical examples that would be allowed is not exhaustive.

It is the job of the City Development Planner to review applications as they come in to determine which Use best suits a particular proposed business or activity. From there, the Development Planner would then determine if that Use is on the list of allowable uses in the zone.

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Date submitted: July 17, 2023

Question #: ZBR-23-021

Section/Regulation #: RM Zone / 5.1

Asked by: Councillor Rutherford

Q: *RM - Medium Scale Residential Zone. Design Regulations. 5.1 Is facade colour considered a design feature?*

A: The application of two or more colours can be considered a design feature when applied as an exterior finishing material. Although colour is not specifically mentioned in the regulation, it allows the Development Planner to consider other similar techniques and features. For example, in some cases, a Development Planner may interpret colour to qualify as a design feature if it meets the intent of the regulation (i.e. minimizes perception of massing, eliminating large blank walls, and providing visual interest).

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Date submitted: July 17, 2023

Question #: ZBR-23-022

Section/Regulation #: RM Zone / 5.1

Asked by: Councillor Rutherford

Q: *RM - Medium Scale Residential Zone. Design Regulations. 5.1 The comment states that this regulation has been revised. Is this simply pulling this from the mature neighbourhood overlay or is there further revisions to this regulation?*

A: Subsection 5.1 of Section 2.40 (RM - Medium Scale Residential Zone) revises existing design regulations in the (RA7) Low Rise Apartment Zone and (RA8) Medium Rise Apartment Zone by specifying a minimum number of design techniques or features that must be incorporated into building facades. The revision was made to provide a common understanding for a developer, a Development Planner, and Edmontonians in how this regulation can be met.

Subsection 5.1 requires that facades facing a street or residential zone be articulated using a minimum of two design techniques or features. The intent of this regulation is to minimize the perception of building size by eliminating blank walls and creating visual interest along the street and adjacent to sites where people live.

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Date submitted: July 17, 2023

Question #: ZBR-23-023

Section/Regulation #: RM Zone / 6.2

Asked by: Councillor Rutherford

Q: *RM - Medium Scale Residential Zone. Design Regulations. General Regulations. Parking, Loading, and Access. 6.2 states that "...waste collection must not be located between a principal building and a Street." Does this mean that some existing buildings would be in non-compliance with the bylaw with multi-unit waste rollout? If yes, how will this be addressed? For 6.3 does the City foresee the ongoing use of this clause to continually project parking lots and/or waste collection beyond the regulated set-back?*

A: If an existing development has waste collection areas located between the principal building and a street, it is because the building was approved when this rule did not exist. In other words, the building would be non-conforming. This non-conformance would not come as a result of the new waste collection program rollout.

The development could keep the waste collection area in the location that was approved in their development permit, but if an applicant proposed to relocate or make changes to the structure/building in which the waste collection area is located, such as an enlargement, addition or complete redevelopment, they would be required to comply with the new rule or request a variance to the new rule.

Development permit applications that include new residential development, development of City facilities or the alteration of existing waste collection facilities associated with those activities are circulated to the City's waste collection department to ensure the waste collection area complies with applicable regulations regarding their size, placement and types of containers.

Subsection 6.3.1 allows the setback from an alley to be used for practical purposes such as parking, loading and waste collection. This regulation is intended to support 'back of house' activities occurring away from the street.

Subsection 6.3.2 carries forward an existing development right under the (RA7) Low Rise Apartment Zone and (RA8) Medium Rise Apartment Zone, however, the exception also includes rear setbacks that abut another site (as opposed to just interior side setbacks). This allows some flexibility in how setback areas are used while maintaining a landscape buffer to support screening and transitioning.

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Date submitted: July 17, 2023

Question #: ZBR-23-024

Section/Regulation #: N/A

Asked by: Councillor Rutherford

Q: *General Question: Were short-term rentals considered within any residential commercial use regulations? Please elaborate on any regulations pertaining to short-term rentals.*

A: Short term rentals are a type of residential activity similar to other living arrangements. The draft Zoning Bylaw proposes not to regulate short term rentals where: the entire dwelling is being rented, similar to dwellings rented out for long-term tenures; or there are three bedrooms or less available for individual room rentals. This aligns with current practice where room rentals in dwellings with three bedrooms or less do not require a development permit.

Short term rentals where four or more bedrooms are available for rent will be considered a Lodging House and a development permit will be required. Under the proposed (RS) Small Scale Residential Zone and (RSF) Small Scale Flex Residential Zone, the maximum number of Lodging House bedrooms is eight per site. This regulation is intended to regulate the intensity of a Lodging House use in small scale residential zones. A Lodging House must also comply with all the regulations of the underlying zone.

Previous reports to City Council ([CR 5820](#) and [CR 7579](#)) identified that the Zoning Bylaw was not an appropriate tool to regulate and enforce behavioural issues sometimes attributed to short term rentals. The Community Standards Bylaw and the Business Licence Bylaw are available to address these concerns. A business licence will continue to be required for short term rentals and these developments must comply with other relevant bylaws, such as the Community Standards Bylaw.

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Date submitted: July 17, 2023

Question #: ZBR-23-025

Section/Regulation #: RR Zone / 5.1

Asked by: Councillor Rutherford

Q: *RR - Rural Residential Zone. 5.1 states "Subdivision of lands zoned Rural Residential is prohibited." Does this mean that land will need to be rezoned and then subdivided?*

A: The existing (RR) Rural Residential Zone in Bylaw 12800 already prohibits the subdivision of lands zoned Rural Residential through the zone's purpose statement. The equivalent zone in the draft Zoning Bylaw, (RR) Rural Residential Zone, proposes to carry forward this requirement and formalize it as regulation (Subsection 5.1) to provide clarity that while rural residential developments continue to be allowed on existing rural residential sites, subdivisions will be prohibited. This is consistent with The City Plan's intention to prevent any further subdivision of rural residential lands that create additional rural residential parcels or would otherwise facilitate further country residential development.

Subdividing rural residential land therefore first requires rezoning to an urban land use compatible with the direction in the applicable land use plan, preferably as part of a comprehensive redevelopment plan for that rural residential area.

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Date submitted: July 17, 2023

Question #: ZBR-23-026

Section/Regulation #: MUN Zone

Asked by: Councillor Rutherford

Q: *MUN - Neighbourhood Mixed Use Zone. Please confirm if my understanding is correct. The way that I read the proposed bylaw, this zone will include current (CB1) Low Intensity Business Zone and (CNC) Neighbourhood Convenience Commercial Zone, where currently located within the Main Streets Overlay. So this is all that will be zoned MUN when this passes public hearing, but may extend further on local nodes with the completion of district planning. Is this correct?*

A: That's correct. As part of the Zoning Bylaw Renewal rezoning work, sites currently zoned CB1 or CNC that are within the Main Streets Overlay but outside of the City Centre Node, Major Nodes, District Nodes, Primary Corridors and Secondary Corridors are intended to be rezoned to the proposed MUN Zone. This zone is intended to expand to other Local Nodes within the city through future rezoning applications.

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Date submitted: July 17, 2023

Question #: ZBR-23-027

Section/Regulation #: MUN Zone

Asked by: Councillor Rutherford

Q: *MUN - Neighbourhood Mixed Use Zone. Under Residential Uses in the notes it states "To maintain the general purpose of this zone, residential development is limited to being located above the ground floor, to the rear of the development, or facing a side street." Is the City regulating this beyond what is necessary? The way I read this, it does not allow for vertical and horizontal mixed-use development - is this correct?*

A: Since the MUN Zone is intended to be applied in the Local Node context, and due to the intent to reinforce and maintain commercial development on these sites that are otherwise likely already surrounded by residential development - the MUN Zone proposes to require non-residential uses on the ground floor facing the adjacent streets.

Traditionally, vertical mixed use development includes commercial on the ground floor and residential above, which this zone does allow for. If the site is large enough, this zone will enable horizontal mixed use, such as standalone residential buildings built to the interior of a site, provided there is still commercial or other non-residential uses on the same site facing the abutting streets. If a developer intends to build a residential-only development on a site zoned MUN, a rezoning would be required to a residential zone and approval by Council at a public hearing.

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Date submitted: July 17, 2023

Question #: ZBR-23-028

Section/Regulation #: MUN Zone

Asked by: Councillor Rutherford

Q: *MUN - Neighbourhood Mixed Use Zone. Under the proposed retired uses section in the notes it states "Auctioneering Establishments (outdoors); Automotive and Minor Recreation Vehicle Sales/Rentals;...". Does this include bikes? Would this limit things such as bike rentals or car shares?*

A: Retiring these uses would not affect bike rentals or car shares. If located indoors, a bike rental's administrative office and storage would likely be considered an Indoor Sales and Service Use. A car share administrative office would be considered an Office Use. The car share spaces themselves would be part of a parking facility (either on site or on other sites around the city) and would not require a Development Permit.

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Date submitted: July 17, 2023

Question #: ZBR-23-029

Section/Regulation #: MUN Zone

Asked by: Councillor Rutherford

Q: *MUN - Neighbourhood Mixed Use Zone. Building Design Regulations 5.2. states "Subsection 5.1 does not apply to building walls built to a shared Lot Line to establish a continuous Street Wall with the Abutting Site." Please explain what this means.*

A: Subsection 5.1 requires a building wall to be designed using different techniques or features to address massing, blank walls, etc. However, if an interior side wall is built to a shared lot line and the building next door is built right up to the same lot line, this will create what looks like connected buildings from the street. Setting a design requirement for these side walls, which will be touching, would not be practical.

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Date submitted: July 17, 2023

Question #: ZBR-23-030

Section/Regulation #: MUN Zone

Asked by: Councillor Rutherford

Q: *MUN - Neighbourhood Mixed Use Zone. Parking, Loading, Storage and Access. 6.3 states "Above-ground Parkade Facades facing a Street or a Park must be wrapped with Commercial or Community Uses, with a minimum depth of 8.0 m, on the Ground Floor." Please explain what this means and include examples of contexts where this applies.*

A: To promote active street frontages, the mixed-use zones require that above-ground parking structures contain commercial or community uses at the ground floor. This ensures that the portion of the parkade facing the street or a park will be lined with establishments like a coffee shop or a daycare, rather than presenting blank walls or open parkades.

These requirements use regulations that currently apply to areas within the Main Streets Overlay and are proposed to carry forward to the mixed use zones that will be located within nodes and corridors, generally along main streets.

Two examples would be the commercial stretch along 129 Ave between 119 and 120 Street in Calder, or along 112 Ave between 64 and 66 Street in Highlands.

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Date submitted: July 17, 2023

Question #: ZBR-23-031

Section/Regulation #: MUN Zone

Asked by: Councillor Rutherford

Q: *MUN - Mixed Use Zone - Permitted uses notes state "community services is generally a new use where most of the activities under the broadened use category". Was community services not a use category in the bylaw prior to the proposed changes? What uses are allowable under community services? What has changed in this use category?*

A: Community Service is not a use category in the current Zoning Bylaw. It is a proposed new use that combines several different existing uses together, including religious assemblies, community recreation services and indoor participant recreation services.

Typical examples of community services would include: community halls; community league buildings; community recreation centres; religious assemblies including but not limited to: chapels, churches, convents, gurdwara, monasteries, mosques, parish halls, synagogues, temples; seasonal shelters; and year-round shelters.

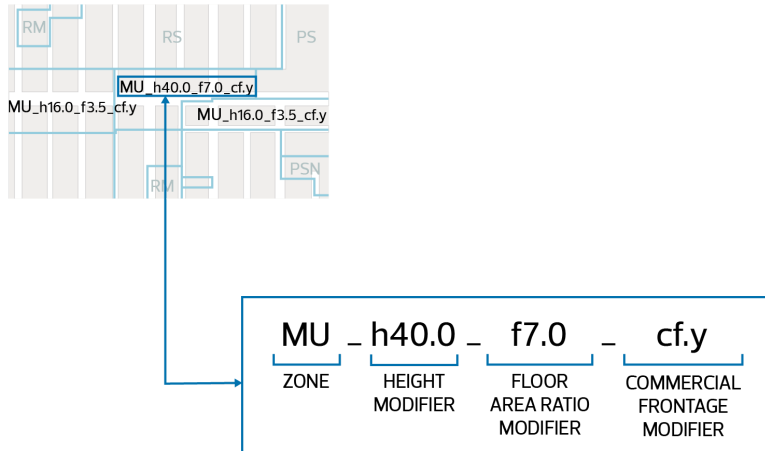
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Date submitted: July 17, 2023
Section/Regulation #: RM Zone

Question #: ZBR-23-032
Asked by: Councillor Rutherford

Q: *What is the commercial frontage modifier? Where are the details on this modifier? When is it applied? When is it not applied?*

A: A Zone Modifier is a label on the Zoning Map that indicates the application of a specific development regulation.



Commercial Frontage Modifier, represented on the Zoning Map as “cf,” means a development that has non-residential uses located at ground level and oriented towards the street. Commercial Frontage Modifiers will only be used in the MU Zone to maintain and reinforce existing commercial development along Edmonton’s main streets.

As part of the Zoning Bylaw Renewal rezoning project, the Commercial Frontage Modifier will apply to sites currently zoned commercial within the Main Streets Overlay. Future application of the Commercial Frontage Modifier, through rezonings, will be informed by policy direction in statutory plans. Adjusting the application or removal of the Commercial Frontage Modifier in the future would require approval from City Council through the typical rezoning process.

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Date submitted: July 17, 2023

Question #: ZBR-23-033

Section/Regulation #: RM Zone

Asked by: Councillor Rutherford

Q: *General Question - Supportive Housing. From my understanding, some industrial and business zones allow for supportive housing. For areas that are not appropriate for other residential uses, what is the rationale for allowing residential supportive housing?*

A: Supportive Housing is considered a Residential Use, which is not permitted in any Industrial Zones. As such, Supportive Housing would not be allowed on any site zoned industrial.

However, it is correct that Supportive Housing is proposed to be permitted in the new (CB) Business Commercial Zone, which is primarily intended for areas outside the Nodes and Corridors Network or within The City Plan's Non-Residential Areas. Although the CB Zone is proposing to allow Residential Use in the form of Supportive Housing, it is strictly limited to hotel conversions.

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Date submitted: July 17, 2023
Section/Regulation #: CB Zone

Question #: ZBR-23-034
Asked by: Councillor Rutherford

Q: *CB - Business Commercial Zone. How is Supportive Housing defined in the proposed bylaw?*

A: Section 8.20 (General Definitions) defines Supportive Housing to mean 'one or more Dwellings that provide accommodations and on-Site or off-Site social, physical, or mental health supports to ensure an individual's daily needs are met. Each Dwelling may contain 1 or more Sleeping Units.'

This definition may be subject to revisions based on feedback received during the May engagement period.

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Date submitted: July 17, 2023
Section/Regulation #: CB Zone

Question #: ZBR-23-035
Asked by: Councillor Rutherford

Q: *CB - Business Commercial Zone. In the notes under Industrial Uses it states "Crematoriums is a new use that is not listed in the current CHY Zones." Will they be an allowable use within the proposed bylaw and zone?*

A: Yes, Crematoriums are proposed to be a Permitted Use in the (CB) Business Commercial Zone, (BE) Business Employment Zone, and (IM) Medium Industrial Zone. Crematoriums will also be permitted in limited Special Area Zones within the Downtown Special Area, Edmonton Energy and Technology Park Special Area, and Ellerslie Industrial Special Area. In addition, Administration is looking at the potential to allow crematoriums on the same site as a cemetery in the (UF) Urban Facilities Zone.

Crematoriums will be subject to specific development regulations in Section 6.50 (Crematoriums) of the new bylaw, which would require a minimum separation distance from certain uses.

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Date submitted: July 17, 2023

Question #: ZBR-23-036

Section/Regulation #: BE Zone

Asked by: Councillor Rutherford

Q: *BE - Business Employment Zone. Safe Urban Environment. 5.3 states "Buildings containing Uses other than Minor Industrial or Crematoriums...". Does this mean that uses other than minor are allowed? Would this be discretionary? Please elaborate on when uses other than minor industrial are allowable within this proposed zone.*

A: Subsection 2 of the BE Zone lists the uses permitted in the Zone. This includes many uses in addition to the Minor Industrial use. None of the uses in this zone are discretionary, but some of them have additional requirements or limitations outlined in Subsection 3 of the zone.

Subsection 5.3, as shared in the May 2023 refined draft Zoning Bylaw, prescribes development regulations applicable to developments, excluding Minor Industrial or Crematoriums. The Zoning Bylaw Renewal team is exploring an update to this regulation to require that the development regulations under Subsection 5.3 also apply to Minor Industrial Uses and Crematoriums.

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Date submitted: July 17, 2023

Question #: ZBR-23-037

Section/Regulation #: BE Zone

Asked by: Councillor Rutherford

Q: *BE - Business Employment Zone. In the notes it states that "To integrate Crime Prevention Through Environmental Design (CPTED) design principles to support safer urban environments. Instead of applying to only specific uses (e.g., Cannabis Retail Sales and Liquor Stores), these regulations will be applied more broadly to all development within the BE Zone." Is this being included in mixed-use zones as well? If so, how?*

A: Development regulations that incorporate CPTED design principles to support safer urban environments have been incorporated throughout the mixed-use zones, just not specifically under a separate Safe Urban Design heading.

An example of this is Subsections 5.5 and 5.8 of the (MU) Mixed Use Zone.

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Date submitted: July 17, 2023

Question #: ZBR-23-038

Section/Regulation #: NA Zone

Asked by: Councillor Rutherford

Q: *NA - Natural Areas Zone. General regulations - section 4 - What is the line or circumstances with regard to the discretion of the development planner and when the development would need to come to council? Are developments deemed non-essential declined? How does this intersect with the policies that guide the river valley?*

A: If an application to rezone a parcel of land to the (NA) Natural Areas Zone is submitted, the application would need to be reviewed and approved by City Council. This would also be the case for some developments proposed in the river valley. In this scenario, the development would need to comply with the North Saskatchewan River Valley Area Redevelopment Plan (ARP), which provides direction on how certain types of developments are approved, and whether City Council must deem the location of the development in the river valley to be essential.

It should be noted that most Natural Areas Zone sites are located in the tablelands, which are outside of the river valley. Statutory plan guidance would be considered in approving discretionary uses, but there is no similar 'essential' test in tableland statutory plans as there is for the river valley.

Where the land is already zoned (NA) Natural Areas Zone and a development permit application is made, the Development Planner's discretion over whether to approve the permit would be guided, among other factors, by the advice of the City's ecological planning staff, any statutory plans and policies relating to the preservation of natural areas, the Natural Area Management Plan for that site, and the purpose statement of the Natural Areas Zone ("To conserve, preserve and restore identified natural areas, features and ecological processes"). It should also be noted that the only permitted use in the Natural Areas Zone is "Protected Natural Area", so the only type of development considered in this zone would be something that is accessory to the Protected Natural Area—such as a maintenance shed or walking trail, if it complies with direction in the Natural Area Management Plan for that site.

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Date submitted: July 17, 2023

Question #: ZBR-23-039

Section/Regulation #: PSN Zone

Asked by: Councillor Rutherford

Q: *PSN - Neighbourhood Parks and Services Zone. Under the notes in Proposed Retired Uses it states "The following Uses have been retired to limit the number of permitted principal uses in this Zone, although most may be permitted as accessory to the remaining primary Uses". Are there any Uses that are being completely retired?*

A: The uses that are proposed for retirement in the PSN Zone means that those uses cannot be approved as a principal or stand alone use.

Any use, whether it is listed in a zone or not, may be allowable, as long as it meets the definition of "accessory". To be considered "accessory" (as defined in Section 8.10 General Definitions), it has to be naturally or normally incidental, subordinate, devoted to the principal use or building and located on the same lot or site. Because of this, there are no uses that are completely retired.

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Date submitted: July 17, 2023
Section/Regulation #: AG Zone

Question #: ZBR-23-040
Asked by: Councillor Rutherford

Q: *AG - Agriculture Zone. In the notes it states "The newly defined Agriculture use will provide a variety of supportive economic opportunities in the Agriculture Zone to support the ability for agricultural operations to thrive." Does this include any requirements on proof of economic productivity? As asked previously, if all land within city boundaries is future development, why are we continuing with this zone especially since Agriculture uses are permitted in the proposed FD zone.*

A: The development permit application requirements for an Agriculture Use does not require proof of economic productivity.

While most of the land in Edmonton's boundaries that is currently zoned Agricultural is anticipated to be developed eventually, there is no certainty as to when this would occur. Due to this uncertainty, it is important to still zone lands as Agricultural to support The City Plan's policies (City Plan Outcome 5.3) around agricultural land preservation until City Council approves plans to develop these areas. In theory, this agricultural activity could continue in perpetuity, should the demand to develop those lands never materialize. We are also not proposing to rezone all agricultural lands to the (FD) Future Urban Development Zone because the (AG) Agricultural Zone affords a higher level of certainty for agricultural activity due to its shorter list of potential uses (the FD zone lists more discretionary uses). One factor of agricultural viability is the impact of surrounding lands — neighbouring agricultural operations can reinforce agricultural viability, while neighbouring non-agricultural uses can negatively impact viability due to the potential for conflict and incompatibility of uses.

Additionally, should the Edmonton South Special Area zones (which contain lots of agricultural land) be rezoned to the standard zones found in the proposed Zoning Bylaw, there will be an Agricultural Zone available for a like-for-like rezoning if needed.

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Date submitted: July 17, 2023

Question #: ZBR-23-041

Section/Regulation #: N/A

Asked by: Councillor Rutherford

Q: *General question: How does the proposed bylaw account and differentiate indoor agriculture as a Commercial Use vs. Urban Indoor Farms? What changes were made to the bylaw in anticipation of more indoor agricultural activities in industrial zones? Does the proposed bylaw foster growth in this area? If so, how?*

A: In the proposed new Zoning Bylaw, Urban Agriculture is defined primarily as an agricultural activity to grow and distribute agricultural products locally within the city. This definition of Urban Agriculture does not distinguish between commercial and non-commercial activity and it can include indoor or outdoor farming. Activities such as personal vegetable gardens are treated as landscaping and are generally exempt from urban agriculture regulations.

The proposed new Zoning Bylaw is fostering growth in this area by reducing regulations around indoor or outdoor Urban Agriculture. Regulations are primarily in place to ensure that Urban Agriculture on commercial or light industrial sites occurs within or on a building, unless an assessment confirms the safety of the outdoor soil. This measure reduces the risk from soil contamination.

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Date submitted: July 17, 2023

Question #: ZBR-23-042

Section/Regulation #: N/A

Asked by: Councillor Rutherford

Q: *General question: With denser form, does the zoning bylaw take into account any special zone considerations for areas that may require modifications to the building type and form based on factors such as ground conditions, flood plains, emergency services? Would this be a valid consideration for public hearings, and if so, what information is or will be provided to decision-makers?*

A: Statutory Plan and Zoning Bylaw Amendments

High-level direction on location and intensity of land use is determined by statutory plans (such as Area Structure Plans and Neighbourhood Structure Plans) and implemented through zoning. Council makes decisions on plan adoption, plan amendment, rezoning and Zoning Bylaw text amendment applications at Statutory Public Hearings. Council may take a variety of factors into consideration when deciding to approve or refuse a proposed land use change, including any technical analysis that may have been done to inform the application.

Development Permit Review

The Development Planner has the ability to ask for additional information as part of the development permit application review process. This could include information relating to drainage of a site, environmental site assessments, geotechnical engineering information, risk assessments, wind impact assessments, sun shadow studies, etc. A variety of factors determine when this information can be collected including the proposed use of the site, the geographical location of the site, the scale of the proposed development and the history of the site. In most cases, a fire access plan must be submitted with the Development Permit application to identify emergency access requirements and fire protection measures.

Floodplain Protection Overlay

The purpose of the Floodplain Protection Overlay is to mitigate potential negative effects of a flood event and ensure the safety of those living in lands within the overlay. The Government of Alberta is currently conducting a North Saskatchewan River Hazard Study that will result in future changes to the Floodplain Overlay boundary, which will occur post-Zoning Bylaw Renewal.

Emergency Services

Although emergency response call volume is correlated to density, the rate of increased density implied by the Zoning Bylaw Renewal and The City Plan is within the Planning and growth considerations of Fire Rescue Services.

Design Standards

The City (including Fire Rescue Services) and EPCOR are working with the development industry to modernize the design standards for Edmonton's water and sewer infrastructure to align with the new proposed zones and support The City Plan's broader goals for growth across the city. The

impacts of densification on water and sewer infrastructure capacity will be assessed through the rezoning process (or at the Subdivision or Development Permit stage if rezoning is not required).

In 2021, the City and EPCOR completed an initial assessment of the node and corridor infrastructure requirements to support growth. This work will be leveraged as individual neighbourhoods continue to redevelop and in long-term capital planning for utility infrastructure. It is important to note that increased density is not always correlated with increased demand for servicing. For example, demand for firefighting water generally decreases with density given the regulatory safety requirements for larger buildings.

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Date submitted: July 17, 2023
Section/Regulation #: FD Zone

Question #: ZBR-23-043
Asked by: Councillor Rutherford

Q: *FD - Future Urban Development Zone. From my understanding the only difference for AG zones is that there is no stat plan for the area approved and these exist with FD zones. What is the foreseeable risk with removing this zone altogether and having FD zones cover areas where NSP's already exist and don't?*

A: The purpose of the (AG) Agricultural Zone is to conserve agricultural land and allow activities that support agricultural use. The AG Zone is intended to support the following policies of The City Plan:

5.3.1.4 Prevent premature fragmentation and conversion of agricultural lands for residential and non-residential uses.

5.4.1.5 Conserve agricultural land in order to improve food system resilience, support the long-term viability of the agricultural sector and mitigate climate change.

While most agricultural land in Edmonton is anticipated to be developed eventually, there is no certainty when this will occur. Due to this uncertainty, it is important to continue to zone lands as Agricultural to support the above-noted City Plan policies concerning agricultural land preservation until City Council approves plans to develop these areas. In theory, this agricultural activity could continue in perpetuity, should the demand to develop those lands never materialize.

The AG Zone affords a higher level of certainty for agricultural activity due to its shorter list of potential uses, whereas the (FD) Future Urban Development Zone lists more non-agricultural discretionary uses. One factor of agricultural viability is the impact of surrounding lands — neighbouring agricultural operations can reinforce agricultural viability, while neighbouring non-agricultural uses can negatively impact viability due to the potential for conflict and incompatibility of uses.

The risk of replacing the AG Zone with the FD Zone is that this would prematurely open up opportunities for non-agricultural development in areas intended for agricultural preservation.

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Date submitted: July 17, 2023

Question #: ZBR-23-044

Section/Regulation #: RVO Zone

Asked by: Councillor Rutherford

Q: *RVO - North Saskatchewan River Valley and Ravine System Protection Overlay. It is noted that the minimum Setback is revised from 7.5 m to 10.0 m. What is the rationale for the revision and how was 10.0 m determined?*

A: The minimum setback required in this overlay is proposed to be revised from 7.5 m to 10.0 m to be consistent with the Public Upland Area Setback outlined by the [Top of Bank Policy C542A](#). This setback is measured from the river valley or ravine crest (top of bank) to the urban development line.

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Date submitted: July 17, 2023

Question #: ZBR-23-045

Section/Regulation #: RVO

Asked by: Councillor Rutherford

Q: *RVO - North Saskatchewan River Valley and Ravine System Protection Overlay. With reference to the Overlay and minimum setback laid out in Development Regulations 3.1., item 3.2. states "The Development Planner may consider a variance to Subsection 3.1 if the variance is supported by the geotechnical engineering study specified in Subsection 3.3". What is the benefit of this discretionary power? Was discretionary variance removal contemplated? If so, what was the reason for keeping it? If not, what is the risk of removing 3.2/3.3?*

A: The variance power expressed in Subsection 3.2 recognizes the variability of the river valley topography, and that current North Saskatchewan River Valley and Ravine System Protection Overlay boundary does not always correspond with the precise top of bank location. Some sites (generally newer neighbourhoods) already comply with the Public Upland Area Setback prescribed by [Top of Bank Policy C542A](#), while others (often older neighbourhoods) may not. As a result of this variability, the 10 m development setback area prescribed in the Overlay should be thought of as a "buffer" area intended to trigger closer scrutiny by way of a geotechnical study. For sites where the requirements of the Top of Bank Policy are met and the geotechnical study confirms that reducing the Overlay's 10 m setback would not present a risk to slope stability (as confirmed by the City's geotechnical staff), a variance may be considered for development that proposes a reduced setback.

In addition to the above, Subsection 3.2 also provides clarity on considerations made when a variance to the setback outlined in Subsection 3.1 would be supported and predictability of application requirements for applicants. Removing this regulation would reduce clarity for the applicant on what would be considered when a variance to the setback is pursued; a variance could still be granted but there would be no regulation requiring that the variance be supported by the geotechnical engineering study.

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Date submitted: July 17, 2023

Question #: ZBR-23-046

Section/Regulation #: Downtown Special Area

Asked by: Councillor Rutherford

Q: *Downtown Special Area - Was there consideration on any boundary changes of the downtown area? If not, is this being considered as part of the draft District Planning?*

A: As part of the Zoning Bylaw Renewal, an analysis was completed to determine which Special Areas to keep and which ones to retire. For Special Areas that are proposed to be kept, such as the Downtown Special Area, minor adjustments have been made to make sure the special area functions with the draft Zoning Bylaw and that uses have been updated where necessary.

Changes to the boundaries of a special area and their overall application were not considered in the scope of the Zoning Bylaw Renewal. Special Area boundaries and Zones are land use regulations and therefore part of the Zoning Bylaw and will not be altered by District Planning.

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Date submitted: July 17, 2023

Question #: ZBR-23-047

Section/Regulation #: HDR Zone

Asked by: Councillor Rutherford

Q: *HDR - High Density Residential Zone. Under Tower Regulations 6.8.1. states "support the residential character of the neighbourhood." How is the residential character of neighbourhoods determined/defined? Where is it articulated on the specifications of what support of the residential character entails?*

A: The term 'residential character' was carried over from the current Zoning Bylaw's HDR Zone. The Zoning Bylaw Renewal Initiative is not proposing new or additional regulations that would substantially change what or how development occurs in Special Area Zones. The main focus of this regulation is to ensure elements from the Urban Design Framework for Downtown Streets from the [Capital City Downtown Plan](#) (e.g. encouraging street oriented dwellings with individual entrances) are considered when designing the street interface of a development.

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Date submitted: July 17, 2023

Question #: ZBR-23-048

Section/Regulation #: N/A

Asked by: Councillor Rutherford

Q: *General question: In several areas it notes that "Urban Gardens are proposed to no longer be regulated in the draft Zoning Bylaw". How are they currently regulated?*

A: Currently, Urban Gardens are listed as a permitted or discretionary use in every zone in the Zoning Bylaw. Urban gardens, along with urban outdoor and indoor farms, are regulated through Section 98 of Zoning Bylaw 12800. This section provides regulations related to traffic, nuisance, site coverage compost areas, setbacks for sheds and cisterns, etc.

The new Zoning Bylaw proposes that urban gardens, such as personal gardens or community gardens, be categorized as landscaping. This categorization would permit urban gardens in any location without being subject to any specific use regulations. Any proposed structures, such as a shed, would be subject to the general requirements of the bylaw.

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Date submitted: July 17, 2023

Question #: ZBR-23-049

Section/Regulation #: Blatchford Special Area

Asked by: Councillor Rutherford

Q: *Blatchford Special Area. In the notes section under "Retired" it states "The regulation that states regulations in the Special Area Regulations take precedence over the General Development Regulations, as described in Section 7.40, has been retired as it is already a requirement." If this is removed, can the specific section which highlights this as a requirement be referenced?*

A: Section 7.40 of the draft Zoning Bylaw details the application of general and specific development regulations. It states that the general and specific regulations take precedence—except where the regulations of a Zone, Direct Control Zone or Overlay specifically exclude or modify these regulations with respect to any development. Because this section already lays out how general regulations should be applied, it is our opinion that the regulation in the zone is not needed.

Further, deliberate choices have been made about when (and when not) to cross-reference other applicable sections of the bylaw. While in some cases cross-referencing specifically related sections can help users navigate the bylaw, overuse can also cause visual clutter and negatively impact the user experience. The new bylaw's chosen approach attempts to strike a balance between these factors. The bylaw's online content management system (and other supporting documents) will be available to provide instructions on how to use the bylaw.

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Date submitted: July 17, 2023

Question #: ZBR-23-050

Section/Regulation #: NSRVES Zone

Asked by: Councillor Rutherford

Q: *NSRVES - North Saskatchewan River Valley Edmonton South. Why are the minimum building setbacks in this zone different from the River Valley Zone? (Eg; 7.5 m compared to 10.0 m). Could the set-backs be the same 10 m for both?*

A: When the City of Edmonton annexed a portion of Leduc County in 2020, an agreement was made that following the annexation, landowners within the annexation area would generally retain their existing development rights. Existing Leduc County Zones and associated regulations were added to Edmonton’s Zoning Bylaw as a Special Area that applies only to the annexation area.

As part of the Zoning Bylaw Renewal Initiative, the Edmonton South Special Area was updated for language and consistency only—no changes to development outcomes are proposed. Updating the setback from 7.5 m to 10.0 m would constitute a change in development outcomes.

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Date submitted: July 17, 2023

Question #: ZBR-23-051

Section/Regulation #: N/A

Asked by: Councillor Rutherford

Q: *General Question. How are tiny homes classified and defined in the proposed bylaw? What is the rationale for not including tiny homes as a category of housing? Are tiny homes subject to different design, building, and use regulations than other standalone residential dwellings? Please provide a list of the zones where tiny homes and/or villages are permitted.*

A: Tiny homes that are placed on a foundation, have no visible towing apparatus or undercarriage, and that are connected to utilities are considered a Residential Use. Tiny homes may take on different forms such as backyard housing, single detached housing, row housing and cluster housing. Therefore, tiny homes are permitted where these forms are allowed, generally in all residential zones.

Some residential zones may restrict how tiny homes are arranged. For example, the (RSM) Small-Medium Scale Transition Residential Zone would permit tiny homes in the form of row housing. However, detached tiny homes (i.e. single detached homes) would only be permitted if developed on the same lot as row housing or multi-unit housing. Typically, single detached tiny homes are expected to be developed under the (RS) Small Scale Residential Zone or the (RSF) Small Scale Flex Residential Zone. Tiny homes could also be developed on their own lot or as part of a cluster housing development, as long as they comply with other regulations in the Zone, such as site coverage.

Tiny homes on wheels will remain to be categorized as a recreational vehicle because provincial and national building codes do not currently address them. Zoning changes to allow tiny homes on wheels have been put on hold until the province provides direction on how to apply the building code to that form of housing.

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Date submitted: July 17, 2023

Question #: ZBR-23-052

Section/Regulation #: GVC Zone

Asked by: Councillor Rutherford

Q: *GVC - Griesbach Village Centre Zone. In the notes it states that the Additional landscaping requirement is Retired with the rationale that "it did not provide guidance for when additional landscaping would be required." Please explain the rationale for retiring this requirement as opposed to providing guidance for when additional landscaping is required.*

A: Section 5.60 (Landscaping) provides regulations for minimum landscaping requirements. This section also provides guidance on when additional landscaping may be required at the discretion of the Development Planner to: 1) mitigate a nuisance, 2) provide a landscape buffer or 3) minimize visual impacts.

As the Landscaping section (Section 5.60) provides specific development scenarios for when additional landscaping may be required, the broader requirement for landscaping in the (GVC) Griesbach Village Centre Zone is not needed and is proposed to be retired.

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Date submitted: July 17, 2023

Question #: ZBR-23-053

Section/Regulation #: GLRA Zone

Asked by: Councillor Rutherford

Q: *GLRA - Griesbach Low Rise Apartment Zone. Under Design Regulations in the notes it states that "The regulation that required additional pedestrian walkway upgrades has been retired, as no guidance was given for when a Development Planner would consider requiring this." Please provide an example of what is meant by an additional pedestrian walkway upgrade and if drafting further guidance was explored?*

A: This regulation is a requirement of the current (RA7) Low Rise Apartment Zone, which applies to the current (RA7g) Griesbach Low Rise Apartment Zone. The RA7g Zone is proposed to be renamed to the (GLRA) Griesbach Low Rise Apartment Zone. The updated GLRA Zone has removed this requirement to be consistent with the proposed new (RM) Medium Scale Residential Zone, which is proposed to replace the current RA7 Zone.

An example of a pedestrian walkway upgrade is the construction of a sidewalk where a sidewalk did not currently exist.

Section 7.150, titled "Conditions Attached to Development Permits," provides guidance on what conditions a Development Planner can attach to the approval of a Development Permit, including the requirement for sidewalk or roadway improvements. Given this guidance, it is Administration's opinion that this regulation is not needed in the Zones.

Development Permit applications are reviewed by the appropriate City staff in order to assess the need for potential roadway or walkway upgrades. This review is done on a site-by-site basis, in accordance with City standards.

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Date submitted: July 17, 2023

Question #: ZBR-23-054

Section/Regulation #: N/A

Asked by: Councillor Rutherford

Q: General Question. Can Administration provide a comparable chart with all the proposed residential zones and the corresponding front, side and rear setback distances as well as floor area ratio?

A: The table below provides the corresponding setbacks and Floor Area Ratio requirements from the June 20, 2023 Urban Planning Committee meeting draft of the proposed new Zoning Bylaw. Revisions made for the October 16, 2023 Public Hearing version of the proposed new Zoning Bylaw are represented in green.

	Minimum Setback				Max. Site Coverage
	Front Setback	Interior Side Setback	Flanking Side Setback	Rear Setback	
RS	4.5 m	1.2 m 1.5 m - when Row Housing or Multi-unit Housing faces an interior or flanking side lot line	1.2 m 2.0 m - when a main entrance of a principal dwelling faces a flanking side lot line	10.0 m	47% Changed to in Public Hearing version: 45% (+2% where front porches; buildings on the inventory of historic resources; supportive housing or inclusive design are accommodated)
RSF	3.0 m - where a Treed Boulevard is present 4.5 m - where a Treed Boulevard is not present 3.0 m - where the development is for reverse housing	1.2 m 1.5 m - when Row Housing or Multi-unit Housing faces an interior or flanking side lot line 1.5 m on one side and 0 m on the other - for Zero Lot Line Development 0.6 m on one side and 1.2 m on the other - for Reduced Setback Development	2.0 m	6.0 m 1.2 m - for a building with a rear attached garage where the site depth is less than or equal to 30.0 m	55%
RSM	3.0 m - where a Treed Boulevard is present 4.5 m - where a	1.2 m 1.5 m - when Row Housing or Multi-unit	2.0 m	5.5 m	60%

	Treed Boulevard is not present	Housing faces an interior or flanking side lot line			
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	Minimum Setback			Max. FAR
	From Streets	From Abutting Sites	From Alleys	
RM	<p>3.0 m - where a Treed Boulevard is present</p> <p>4.5 m - where a Treed Boulevard is not present</p> <p>1.0 m - where non-Residential Uses are developed on the Ground Floor and form a Main Street Development</p>	<p>3.0 m - Minimum Setback for buildings greater than 12.0 m in height*</p> <p>1.5 m - Minimum Setback for buildings less than or equal to 12.0 m in height**</p> <p>*Changed to in Public Hearing version: 3.0 m - base Minimum Setback</p> <p>**Changed to in Public Hearing version: 1.5 m - Minimum Interior Side Setback for buildings 12.0 m in Height or less</p> <p>Where abutting sites in a residential zone that has a maximum height of 12.0 m or less:</p> <p>3.0 m</p> <p>6.0 m - for the portion of the building greater than 16.0 m in height <u>or</u> where the longest portion of the building facing an abutting site is greater than 40 m</p> <p>9.0 m - for the portion of the building greater than 16.0 m in height <u>and</u> where the longest portion of the building facing an abutting site is greater than 40 m</p>	3.0 m	<p>2.3 - where the maximum height is 16 m</p> <p>3.0 - where the maximum height is 23 m</p> <p>3.8 - where the maximum height is 28 m</p> <p>Note: FAR is increased by 0.7 where specific development objectives are met</p>
RL	<p>3.0 m - where a Treed Boulevard is present</p> <p>4.5 m - where a Treed Boulevard is not present</p> <p>1.0 m - for portions of development less than</p>	<p>3.0 m</p> <p>6.0 m (for portions of development greater than 23.0 m in height)</p> <p>Note: Towers require a minimum 25 m separation from other towers on the</p>	3.0 m	<p>4.5 - where the maximum height is 50.0 m</p> <p>5.5 - where the maximum height is 65.0 m</p> <p>Note: FAR is increased by 1.0 where specific development objectives</p>

	or equal to 16.0 m in height with non-residential uses on the ground floor that form a Main Street Development 6.0 m - for portions of Towers greater than 23.0 m in height	same site or on abutting sites		are met
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Definitions

SETBACK: means the distance that a development, or a specified portion of it, must be from a lot line. A setback only applies to development on or above ground level.

SITE COVERAGE: means the total horizontal area on a site:

- a. Covered by buildings and structures that are 1.8 m or more in Height above Grade; or
- b. Covered by a Parkade that is 1.0 m or more in Height above Grade.

This definition includes cantilevers, but does not include steps, eaves, cornices or other similar projections.

FLOOR AREA RATIO (FAR): The building or structure's floor area in relation to the total area of the site that the building is located on.

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Date submitted: July 17, 2023

Question #: ZBR-23-055

Section/Regulation #: N/A

Asked by: Councillor Rutherford

Q: *General Question. What is the rationale for the extent to which the City regulates signage? How are regulations with permanent and temporary signs different? What about digital signs?*

A: Generally, the City regulates signage in order to prevent excessive sign proliferation and balance the need for signage (e.g., business identification and advertising) and visual expression with the City's goals around safety and urban design excellence.

The differences in regulation between permanent and temporary signs is primarily around the amount of time in which a permit for a sign is valid.

Permanent signs will also have more prescriptive rules pertaining to their design. These would typically be in the form of controlling size, height, location, and content (copy) of the sign. Typical versions of these signs would be fascia, projecting (wall), or freestanding (pylon).

Temporary signs (portable signs) are primarily regulated on the number, size, and location on a site. They are issued on a temporary basis (90 or 365 days) and a new permit is required after the permit expires.

Digital signs have similar regulations to permanent signs and go through a comprehensive circulation process to other city departments such as transportation or parks. They are constructed in a way that is permanent with engineered structural and electrical components. They are issued on a temporary basis of five years to ensure that the City has the opportunity to review, on an intermittent basis, whether or not any road or traffic configuration changes over time may be in conflict with a digital sign.

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Date submitted: July 17, 2023

Question #: ZBR-23-056

Section/Regulation #: 5.10 Accessory Uses

Asked by: Councillor Rutherford

Q: *Accessory Uses, Buildings and Structures. In the notes it states "The maximum Site Coverage for Accessory buildings is proposed to be revised from 12% to 20% to align with the RS and RSF Zones." What is the rationale for this significant of increase in accessory building coverage in the bylaw?*

A: The site coverage for accessory buildings is proposed to increase from 12% to 20%. This adjustment aligns with the site coverage permitted for backyard housing, where both types of buildings are allowed in the rear of a site.

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Date submitted: July 17, 2023

Question #: ZBR-23-057

Section/Regulation #: 5.10 Accessory Uses

Asked by: Councillor Rutherford

Q: *Accessory Uses, Buildings and Structures. Under Accessory Building Location it states "Accessory buildings are not permitted in a Front Yard." Is there any discretion given on this regulation? Would a pop up business stand be permitted in a Front Yard or to resell items from a small home-based business?*

A: This regulation, under Subsection 8.9 of Section 5.10 (Accessory Uses, Buildings and Structures), prohibits accessory buildings, like a shed, in the front yard. However, accessory structures like a pergola or arbour or other unenclosed structures are allowed. A variance to this regulation would be required if someone wanted to build an accessory building in their front yard.

Subsection 8 of Section 6.60 (Home Based Businesses) prohibits outdoor activities associated with home based businesses. This decision was made deliberately, in recognition of the fact that the expansion of home based business opportunities in neighbourhoods may change how a neighbourhood functions. Administration opted for a more incremental approach before potentially allowing outdoor activity for home based businesses. Therefore, a variance to this regulation and subsequent notification to nearby neighbours would be required if someone wanted to develop a pop-up business stand or resell items outside as part of a home based business.

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Date submitted: July 17, 2023

Question #: ZBR-23-058

Section/Regulation #: 5.20 Amenity Areas

Asked by: Councillor Rutherford

Q: *Amenity Areas. It states "Where provided, Indoor Common Amenity Areas are not included in the calculation of Floor Area Ratio." Please explain the rationale for this.*

A: This is a regulation being carried forward from the current Zoning Bylaw. The rationale for exempting Indoor Common Amenity Areas from the Floor Area Ratio calculation is that amenity areas are viewed as being beneficial to residents of a development. Since these amenity areas occupy floor area, exempting them from this calculation encourages their inclusion as part of a development. This is advantageous because amenity spaces do not reduce the floor area designated for residential units.

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Date submitted: July 17, 2023

Question #: ZBR-23-059

Section/Regulation #: 5.60 Site Performance Standards

Asked by: Councillor Rutherford

Q: *Site Performance Standards. Lighting. 3.1.1. states that Outdoor lighting must: be arranged, installed, and maintained to minimize glare and excessive lighting, and to deflect, shade and focus light away from adjacent Sties to minimize Nuisance." How is excessive lighting defined and where is this information available for the public?*

A: Excessive lighting is not defined in the Zoning Bylaw. When terms are not defined in the bylaw, they are given their plain and ordinary meaning as the context requires.

The purpose of this regulation is to ensure that developments do not incorporate lighting that may be disruptive or bothersome to surrounding developments. A performance standard such as this requires that judgement be applied by the Development Planner during the review of the development application and the submitted plans, or in response to a complaint, to determine whether appropriate steps have been taken to minimize glare and excessive lighting.

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Date submitted: July 17, 2023

Question #: ZBR-23-060

Section/Regulation #: RS Zone

Asked by: Councillor Rutherford

Q: *Similar to floor ratio changes based on inclusion factors, have we contemplated changing set-back requirements and/ or height in the inverse to avoid massive single-family homes in the RS zone?*

A: In drafting the proposed (RS) Small Scale Residential Zone, Administration's strategy was to create a single building "box" or "envelope" in which different types of housing can be built. This provides a clear and consistent set of rules, recognizing that the effect of the building size on abutting sites is the same, regardless of the specific residential building type.

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Date submitted: July 17, 2023

Question #: ZBR-23-061

Section/Regulation #: Inclusive Design

Asked by: Councillor Rutherford

Q: *Inclusive Design. Was there targeted engagement regarding the Inclusive Design regulations? If so, please elaborate. How were the minimum requirements for inclusive design determined, and/or what are they based on? Is the City being bold enough in this area?*

A: Engagement

Internal accessibility and building code experts were engaged in the creation of the updated inclusive design section. Administration reached out to the Accessibility Advisory Committee, however feedback was not received.

Application of the Incentives

Currently, inclusive design incentives are applied in the (RA9) High Rise Apartment Zone, where the maximum floor plate and density can be increased if the requirements are met for the whole building. This incentive also provides garden suites a bonus for the second-storey floor area.

The proposed New Zoning Bylaw broadens the scope of the incentive. The incentive now applies to a greater diversity of housing forms, including small scale ones like single detached housing. This expansion intends to increase housing options for people with mobility constraints.

The incentive is now proposed to apply to the following zones:

- RS - Small Scale Residential Zone
- RM - Medium Scale Residential Zone
- RL - Large Scale Residential Zone
- MUN - Neighbourhood Mixed Use Zone
- MU - Mixed Use Zone

The incentive also remains applicable to backyard housing, such as garden suites.

Changes to Minimum Requirements

Minimum requirements have been updated to better align with the Edmonton Access Design Guide. Key changes include:

- Requiring that the main entrance of multi-dwelling buildings be barrier-free. Currently, it is only required for one entrance to be barrier-free and it does not have to be the main entrance.
- Ensuring that all dwellings that are used to qualify for this incentive are visitable. This implies that facilities like the kitchen, bedroom, bathroom and laundry should be on the same floor as the barrier-free entrance. Currently, it is only required that a bathroom, laundry facility and at least 1 bedroom be on the same floor, but it is not required for these to be on the same floor as the dwelling entrance. This revision ensures that multi-floor dwellings have an area accessible for people with mobility constraints.

- Requiring that all entrances to a dwelling are barrier-free. Currently, only one entrance is required to be barrier-free.
- Increasing the barrier-free path of travel requirement within dwellings from 1.1 m to 1.2 m.

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Date submitted: July 17, 2023

Question #: ZBR-23-062

Section/Regulation #: Landscaping

Asked by: Councillor Rutherford

Q: *Landscaping. Under General Landscaping Regulations it states "The requirement for Landscaping must be a condition of a Development Permit". Yet, in practice, the developers are not always completing landscaping and there is up to a year after occupancy to complete. Were any changes contemplated to this to ensure whomever is the owner complies with the development permit conditions?*

A: Currently, landscaping for small scale residential development must be provided within 18 months of occupancy of the development. This requirement is proposed to be carried forward in the new Zoning Bylaw and would be applicable regardless of any ownership changes.

A change is proposed for larger scale residential development and non-residential development. The revised regulation clarifies that landscaping must be installed within 12 months of either occupancy or after the commencement of the use. This change helps to establish clear enforcement timelines in instances where landscaping is not installed. These requirements would apply, regardless of who owns the land.

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Date submitted: July 17, 2023

Question #: ZBR-23-063

Section/Regulation #: Landscaping

Asked by: Councillor Rutherford

Q: *Landscaping. Preserving Existing Trees and Shrubs. While the incentive makes sense if the landscaping is ultimately the responsibility of the home-owner once occupied, is there really a good incentive for the developer to preserve/maintain them?*

A: The Zoning Bylaw incorporates incentives aimed at promoting tree preservation. Prior to 2016, the majority of small scale residential zones lacked minimum tree planting requirements. This absence did not incentivize the preservation of existing trees on a site.

Developers consider various factors when deciding on the preservation or removal of existing trees. Such considerations include:

- If the trees are within the building envelope of the site.
- The achievability of protecting the tree throughout the construction phase.
- The current health status of the trees.
- The trees' potential impact to service lines (e.g. sewer lines).
- The role of trees in enhancing or blocking site visibility.

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Date submitted: July 17, 2023

Question #: ZBR-23-064

Section/Regulation #: 5.120 Safe Urban Environments

Asked by: Councillor Rutherford

Q: *Safe Urban Environments. Crime Prevention Through Environmental Design (CPTED) Assessments section 2.1. Parkades and Body Rub Centres are the only listed developments where CPTED assessment is required - please explain the rationale to only provide this for these two uses?*

A: Parkades and Body Rub Centres are the two Uses that must always provide a CPTED assessment. In the case of a parkade, these have the potential to be high-risk areas due to a number of factors including lighting and the potential for hiding or entrapment spots. Requiring a CPTED assessment in all cases for Body Rub Centres sets a clear expectation for the information required for these types of developments, and is primarily intended as means to support harm reduction for practitioners.

In addition to these development types, in the new Zoning Bylaw the Development Planner may require a CPTED assessment for any development to determine compliance with the development regulations in the proposed Section 5.110 (Safe Urban Environments), which requires that developments must be designed with appropriate lighting, site and interior space planning to avoid or minimize blind corners and entrapment spots, defined building access points and signage or wayfinding techniques.

Additional regulations to support safer environments have also been added to Zones, like the requirement that main public entrances must be visible from a street or a parking lot in the commercial, mixed use and BE Zones.

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Date submitted: July 17, 2023

Question #: ZBR-23-065

Section/Regulation #: 7.40 Application of General and Specific Development Regulations

Asked by: Councillor Rutherford

Q: *Application of General and Specific Development Regulations. It states "The Specific Development Regulations in Part 6 apply to all Sites for specific Uses or developments in any Zone or Direct Control Zone. These regulations take precedence except where the regulations of a Zone, Direct Control Zone or Overlay specifically exclude or modify these regulations with respect to any Use." Can you please explain in plain language what this regulation is intended to do?*

A: Part 6 of the Bylaw contains regulations that apply only to specific uses or activities (e.g. Child Care Services or Liquor Stores). These are additional rules that work together with the rules in zones and overlays.

Subsection 2.1 of Section 7.40 (Application of General and Specific Development Regulations), as stated in the question, means that the regulations in Part 6 of the Bylaw (i.e. Sections 6.10 to 6.110) will overrule a regulation in any zone or overlay for that specific activity or use, unless that zone, Direct Control Zone, or overlay states otherwise.

For example, Section 6.10 (Backyard Housing) establishes a maximum height of 6.8 m for Backyard Housing. The regulations of Section 7.40 (Application of General and Specific Development Regulations) mean that even though the zone itself may have a different height maximum (say 10.5 m), for the purpose of building Backyard Housing, the 6.8 m height maximum would replace the 10.5 m height maximum in the zone.

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Date submitted: July 17, 2023

Question #: ZBR-23-066

Section/Regulation #: 7.140 / 5.1

Asked by: Councillor Rutherford

Q: *Special Information Requirements: Is the use of "may" in the 5.1 clause too passive?*

A: The use of "may" in the clause enables flexibility for the Development Planner, upon advice from the City's geotechnical experts, to determine whether a detailed geotechnical engineering study is required as part of the Development Permit application.

The reason this is not a "must" is that the North Saskatchewan River Valley and Ravine System Protection Overlay first requires the Development Planner to circulate the application for geotechnical review in consideration of the specific nature and location of the proposed development. The results of this review and advice of the geotechnical experts would inform whether a full geotechnical study is required under Subsection 5.1.

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Date submitted: July 17, 2023

Question #: ZBR-23-067

Section/Regulation #: 7.140 Special Information Requirements

Asked by: Councillor Rutherford

Q: *Special Information Requirements. In alignment with The City Plan, it's noted that this section had only minor revisions. Were other revisions contemplated to strengthen heritage evaluation/ preservation? Is there anything in the proposed zoning bylaw that speaks to development considerations when adjacent property is on the historical inventory?*

A: The Zoning Bylaw Renewal team is exploring other opportunities to incentivize heritage preservation, such as through additional site coverage or Floor Area Ratio to enable the preservation or restoration of a building on the Inventory of Historic Resources. The draft Zoning Bylaw does not contain regulations for developments on Sites adjacent to Sites on the Inventory of Historic Resources.

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Date submitted: July 17, 2023

Question #: ZBR-23-068

Section/Regulation #: N/A

Asked by: Councillor Rutherford

Q: *Report UPEE01636 p. 4 from June 20, 2023 states "It is anticipated that the city-wide rezoning will result in relatively few buildings and uses becoming legally non-conforming pursuant to s.643 of the Municipal Government Act.". Can Administration identify more specifically the number of buildings that will be non-conforming and what that will mean for those property owners?*

A: A parcel-by-parcel analysis has not been conducted for all properties within the city and an exact figure cannot be provided. The Municipal Government Act (MGA) outlines two types of non-conforming scenarios: non-conforming buildings and non-conforming uses. However, they are not mutually exclusive and can happen concurrently.

Non-conforming buildings exist today and are typically a result of Zoning Bylaw changes made over the years where buildings no longer comply with a regulation, such as a required minimum setback. The MGA and the new draft Zoning Bylaw both have provisions to allow for a property owner to continue to operate and maintain a non-conforming building. Under certain circumstances, a non-conforming building may also be granted a discretionary approval to construct exterior alterations or expand the building.

Non-conforming uses have strict rules around what can be done and are only permitted to expand within the existing building. These restrictions are provincially legislated through the MGA. Maintenance, however, remains permitted.

It is important to note that properties that are rendered non-conforming (buildings or uses) as a result of the future city-wide rezoning will continue to be permitted to operate as they do today. Great effort has been made to mitigate incidents of non-conformity and in the majority of cases, development rights will become more flexible.

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Date submitted: July 17, 2023

Question #: ZBR-23-069

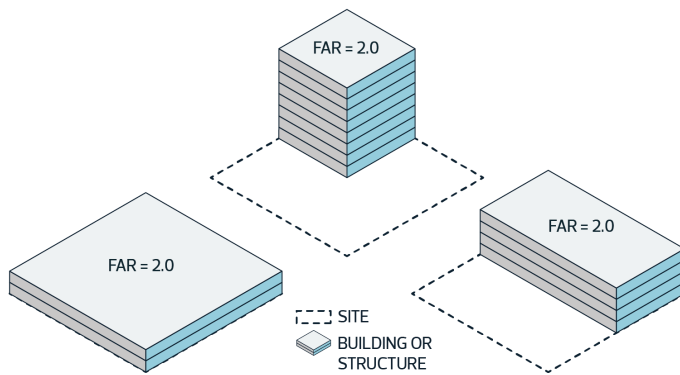
Section/Regulation #: N/A

Asked by: Councillor Rutherford

Q: *General Question - Please explain why maximum floor area ratios are changing and how they are calculated. What do changes to these in the proposed bylaw mean for developments in simple terms?*

A: Floor Area Ratio (FAR) means a building or structure's floor area in relation to the total area of the site that the building is located on. Certain elements are excluded from this calculation like basement areas used for storage and underground parking areas. In simple terms, this is a way to control the massing or bulk of the building on different-sized sites.

FAR in some zones is proposed to be modestly increased to allow for greater flexibility in how buildings are shaped and to better accommodate the needs of different businesses and housing developments.



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Date submitted: July 18, 2023

Question #: ZBR-23-070

Section/Regulation #: RS Zone

Asked by: Councillor Rutherford

Q: *RS - Small scale residential zone: What is the intent of not allowing rear attached garages in this zone if the goal of ZBR is to allow for diversity in housing type and flexibility of housing forms? In what contexts can garages in mature neighbourhoods be attached, if any?*

A: Feedback from communities consistently indicated that residential development with rear attached garages is not a preferred building form because of the potential impacts from the extended length of the building wall on neighbouring properties.

Rear attached garages may still be approved through a variance. This approach allows the development planner to review contextual considerations and identify potential changes that could offset potential impacts.

Front attached garages are permitted in the proposed (RS) Small Scale Residential Zone on sites that do not have an alley.

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Date submitted: July 20, 2023

Question #: ZBR-23-071

Section/Regulation #: N/A

Asked by: Councillor Tang

Q: *Can you explain how the Zoning Bylaw Renewal and more infill housing can help to lead to more affordable housing in the long-term?*

A: Housing affordability is influenced by a number of factors, many of which are beyond the City's control. These include, but are not limited to, housing market demands, the cost of building materials and labour, and fluctuations in mortgage interest rates.

Zoning is a factor that the City can control to influence housing choices, housing supply and affordability. The new Zoning Bylaw proposes:

- **Diversification of Housing Types** - Proposing zoning regulations that allow diverse housing types in all neighbourhoods. This gives both market and non-market housing providers the ability to build a broader range of housing options without the time, cost and uncertainty that would otherwise come with rezoning the land. For example, the proposed (RS) Small Scale Residential Zone replaces five current residential zones and allows a range of housing types, including row housing and small-scale apartments of up to three storeys.
- **Regulatory Streamlining** - Removing regulatory barriers to make the development process more predictable and to shorten approval timelines. This involves simplifying what is regulated and ensuring that the City is regulating the "right" things. Shorter and more predictable development permit timelines also reduce the costs and risks associated with the land development process - cost savings that can be passed on to the homebuyer.
- **Supporting Density** - Allowing incremental increases in density and mixed-use development supports more efficient use of the City's current and future infrastructure (such as roads, transit and sewers) and amenities (such as recreation centres and parks), which saves taxpayers money.

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Date submitted: July 20, 2023

Question #: ZBR-23-072

Section/Regulation #: N/A

Asked by: Councillor Tang

Q: *Does the Zoning Bylaw Renewal require protection of mature trees on private land? Are there mechanisms to protect mature trees for infill developments?*

A: The proposed new Zoning Bylaw has regulations in the landscaping section that allow the Development Planner to require yards and setbacks to be unobstructed and undisturbed below or above ground level to preserve and protect existing vegetation on-site to meet landscaping requirements. Furthermore, mitigation measures, as identified in a tree protection plan or as advised by an arborist, can be placed to preserve and protect existing trees intended to meet the landscaping requirements.

The Zoning Bylaw does not regulate the protection of trees on adjacent sites; however, trees on public land, such as boulevard trees, will be protected through the City's Public Tree Bylaw 18825.

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Date submitted: July 20, 2023

Question #: ZBR-23-073

Section/Regulation #: N/A

Asked by: Councillor Tang

Q: *For projects that are permissible under the new bylaw, like a 3-story eight-plex, how are things like parking on streets or garbage collection considered? Is there a stage in the development process where these are assessed?*

A: Every development permit application proposing a multi-unit residential development is circulated to the City department responsible for waste collection. This ensures that the provided waste collection facilities meet minimum requirements. A section in the proposed new Zoning Bylaw, Section 5.120.4 (Site Performance Standards), specifies the minimum design criteria that must be met for waste collection and disposal areas for residential development.

The Open Option Parking Zoning Bylaw amendments, adopted in 2020, mean that there are no minimum parking requirements for any development, with the exception of barrier-free parking and bicycle parking. These amendments allow developers, homeowners and businesses to decide how much parking is required for their development. The provision of on-site parking is not a development permit requirement. To support the Open Option Parking bylaw amendments, the City has developed the [Curbside Management Strategy](#), which establishes a path to using the city's curbsides equitably and strategically to benefit more Edmontonians.

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Date submitted: July 20, 2023

Question #: ZBR-23-074

Section/Regulation #: N/A

Asked by: Councillor Tang

Q: *Does the new zoning bylaw renewal mean a 3-story apartment can be built next door to a single family home? How is this different from what is currently allowed under the current bylaw?*

A: Yes, the proposed new Zoning Bylaw would allow a 3-storey apartment to be built next to a single detached home. Under the current Zoning Bylaw, multi-unit housing (such as an apartment) can already be built next to a single detached house in the (RF3) Small Scale Infill Development Zone. However, as this zone is primarily located within the Mature Neighbourhood Overlay (MNO), building height is typically limited to 8.9 m, which makes it difficult to accommodate a 3-storey building.

Currently, multi-unit housing is not permitted in the (RF1) Single Detached Residential Zone, (RF2) Low Density Infill Zone or (RF4) Semi-detached Residential Zone. The proposed (RS) Small Scale Residential Zone would allow apartments up to 10.5 m in height in areas currently governed by the RF1, RF2, RF3 and RF4 Zones, expanding the geographical area of the city where apartments can be developed. Some of the key differences between what is currently allowed under small-scale residential zones and what is proposed in the new RS Zone are outlined below:

1. Uses
 - **Proposed** - Residential Use (which includes: single detached housing, semi-detached housing, duplex housing, secondary suites, backyard housing, row housing, multi-unit housing)
 - **Current (RF3 Zone)** - single detached housing, semi-detached housing, duplex housing, secondary suites, garden suites, row housing, multi-unit housing
 - **Current (RF1, RF2, RF4 Zones)** - single detached housing, semi-detached housing, duplex housing, secondary suites, garden suites
2. Maximum Height
 - **Proposed** - 10.5 m
 - **Current** - 8.9 m (in the MNO); 10.0 m (outside the MNO)
3. Maximum Site Coverage
 - **Proposed** - 45% (+2% to accommodate front porches, buildings on the Inventory of Historic Resources, supportive housing, or inclusive design).
 - **Current** - between 40 and 45% (+2% to accommodate front porches)
4. Minimum Front Setback
 - **Proposed** - 4.5 m
 - **Current (MNO)** - 20% of Site Depth or 1.5 m less than the average Front Setback on abutting lots, with a minimum of 3.0 m. (exceptions apply where Row Housing or Multi-unit Housing faces the flanking side lot line)
 - **Current (Outside MNO)** - 3.0-4.5 m
5. Minimum Rear Setback

- **Proposed** - 10.0 m
- **Current (MNO)** - 40% of site depth
- **Current (Outside MNO)** - 7.5 m (4.5 m where a dwelling with an attached garage faces the flanking public roadway)

Note: Through the city-wide rezoning, the proposed new RS Zone is proposed to apply primarily in redeveloping areas. The proposed new (RSF) Small Scale Flex Residential Zone is proposed to apply primarily in developing areas. The proposed new RSF Zone allows the same housing types as the proposed new RS Zone with additional development flexibility in terms of height, setbacks and site coverage.

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Date submitted: July 20, 2023

Question #: ZBR-23-075

Section/Regulation #: N/A

Asked by: Councillor Tang

Q: *Can you explain in simple steps how development processes will differ if the new Zoning Bylaw Renewal is put into effect?*

A: The practical steps of the development permit application process are not proposed to significantly change under the proposed new Zoning Bylaw.

The proposed new Zoning Bylaw intends to reduce the cost and timelines associated with the planning and development processes by:

- Reducing the need for rezonings and change of use permits through the introduction of fewer zones and broader uses that accommodate various activities and building forms.
- Enhancing predictability for communities and reducing regulatory risk for property owners, developers and businesses through the inclusion of permitted uses in most standard zones.
- Reducing the number of appeals to the Subdivision and Development Appeal Board (SDAB) because of the increased flexibility of regulations and the inclusion of permitted uses in most standard zones.
- Reducing the number of incomplete applications for development permits because the rules are easier to understand or have been removed.

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Date submitted: July 20, 2023

Question #: ZBR-23-076

Section/Regulation #: N/A

Asked by: Councillor Tang

Q: *Can you explain how the Zoning Bylaw Renewal will help to simplify processes at the City? Do we anticipate that this change will help to increase the pace of development and help get more people into housing?*

A: The proposed new Zoning Bylaw intends to reduce the cost and timelines associated with the planning and development processes by:

- Reducing the need for rezonings and change of use permits because most standard zones enable more types of activities through the broader use definitions.
- Reducing uncertainty for communities, and regulatory risk for developers and businesses because most standard zones include more permitted uses.
- Potentially reducing the number of appeals to the Subdivision and Development Appeal Board (SDAB) because regulations are generally more flexible and most standard zones include permitted uses.
- Reducing the number of incomplete applications for development permits because the rules are easier to understand or have been removed.

These proposed changes are intended to ensure that zoning is not a barrier to more housing while still ensuring that it regulates land use impacts appropriately. It is difficult to determine whether these zoning changes alone will increase the pace of housing development as other factors such as labour supply, materials cost, capital availability can also affect how much faster housing can be built in the city.

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Date submitted: July 20, 2023

Question #: ZBR-23-077

Section/Regulation #: N/A

Asked by: Councillor Tang

Q: *With the new Zoning Bylaw, would there be any changes in processes to appeal development through the SDAB?*

A: The right to appeal development permit applications and the process by which appeals are filed with the Subdivision and Development Appeal Board (SDAB) are established by the Municipal Government Act, and are not changing with the proposed new Zoning Bylaw, with the exception of fees. Currently, the SDAB establishes appeal fees based on the zone, and these fees need to be adjusted to align with the new proposed zones. The appeal fee changes require City Council approval and will be presented at a subsequent City Council meeting if the proposed new Zoning Bylaw is approved.

It is anticipated that there will be fewer appeals to the SDAB though for a number of reasons:

- Uses in most standard Zones are proposed to be Permitted Uses, meaning if they comply with all applicable development regulations, they will be considered Permitted Development (currently referred to as Class A Permitted Development). There is no practical right to appeal a Permitted Development.
- The proposed new Zoning Bylaw proposes more flexible and enabling development regulations, which means that more development will be approved as permitted developments, instead of development with variances.

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Date submitted: July 20, 2023

Question #: ZBR-23-078

Section/Regulation #: N/A

Asked by: Councillor Tang

Q: *Under what circumstance would a developer be able to construct an eight-storey apartment next to an under-1000-sq-ft home with the new bylaw? How is this different from current processes?*

A: Under the proposed new Zoning Bylaw, an eight-storey apartment could be developed under the proposed (RM) Medium Scale Residential Zone, (RL) Large Scale Residential Zone or (MU) General Mixed Use Zone, provided that the zone modifier for height permits eight storeys or higher. An eight-storey apartment can also be developed in direct control zones that permit residential development eight storeys or higher.

Through the city-wide rezoning process for Zoning Bylaw Renewal, properties are proposed to be rezoned to the closest equivalent zone under the proposed new Zoning Bylaw. If a property is not currently zoned to allow eight storeys, it will not be rezoned for eight storeys through the Zoning Bylaw Renewal process.

Any future proposal to rezone a site to allow for eight-storey residential development will require a rezoning application and City Council Public Hearing. Zoning Bylaw Renewal does not propose to change the current rezoning application process. Administration's review of rezoning applications includes an analysis of the proposed rezoning's impacts on surrounding infrastructure (i.e. roads, water and sewer systems), alignment with land use policy and guidelines, and overall compatibility of the proposed zone with surrounding land uses. Review of a rezoning application also involves notification of surrounding residents and collection of feedback. After a comprehensive review, administration provides a recommendation of support or non-support to City Council. City Council makes the final decision on all rezoning applications at Public Hearing.

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Date submitted: July 25, 2023

Question #: ZBR-23-079

Section/Regulation #: N/A

Asked by: Councillor Stevenson

Q: *Is Inclusionary Zoning available through Zoning Bylaw Renewal?*

A: While the existing City Charter 2018 Regulations permit the City of Edmonton to include provisions in its Zoning Bylaw for inclusionary housing, these provisions were not explored as part of the current Zoning Bylaw Renewal Initiative. The Government of Alberta signalled intentions earlier this year to repeal or change these provisions in the City Charter - though no changes have yet been made. City Administration has been exploring tools like inclusionary housing as part of another project, the Affordable Housing Contributions Project. Use of the City Charter Regulations for affordable housing will be discussed when that project is brought to Urban Planning Committee on December 5, 2023.

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Date submitted: July 25, 2023

Question #: ZBR-23-080

Section/Regulation #: N/A

Asked by: Councillor Stevenson

Q: *What is our ability to negotiate climate change and affordability gains with developers once zoning is approved?*

A: Once the zoning for a site is in place, opportunities for such negotiations are limited. The only opportunities to negotiate changes are when a Development Permit application is made for Discretionary Development. This could be in the form of a Discretionary Use, or when a variance to the regulations is sought.

While a limited number of Discretionary Uses remain in the proposed Zoning Bylaw, there are some circumstances where Discretionary Uses are still proposed - particularly in the river valley. Proposals related to Discretionary Uses in the river valley provide an opportunity to understand the site-level impacts on ecology and climate resilience and ensure impacts are appropriately mitigated or avoided.

Applications proposing variances provide a similar opportunity for consideration of land use impacts and may lead to negotiated outcomes. One of the proposed new criteria that the development planner must consider is whether the proposed development complies with the Municipal Development Plan (The City Plan). In this way, the development planner can look to climate- and affordability-related policies and consider whether the proposed variance may be supportive of these goals. For example, if a proposed setback variance would result in the removal of a tree, the development planner may be in a position to negotiate the retention of the tree, perhaps with a lesser setback variance, as a condition of approval.

Beyond these scenarios, other mechanisms such as regulation (e.g. through building codes), incentives (e.g. fee reduction, prioritization of approvals, grants) and educational programs would need to be developed and implemented to accelerate action on climate change and affordability.

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Date submitted: July 27, 2023

Question #: ZBR-23-081

Section/Regulation #: N/A

Asked by: Mayor Sohi

Q: *How will second-stage women's shelters, and bridge/transitional housing be categorised and impacted by ZBR? Under what zones are these types of housing permissible?*

A: Shelters are generally proposed to be considered a Community Service Use. Meanwhile, bridge or transitional housing will likely be considered supportive housing, as part of the Residential Use. Both uses are proposed to be allowed in many zones, including residential, commercial and mixed use zones.

The City recognizes that shelters or bridge housing can take different forms depending on their operational needs. Consequently, there may be instances where the categorization is not distinct. However, Administration is confident that the zones allowing Community Service and Residential Uses will generally be able to accommodate these forms of housing.

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Date submitted: July 27, 2023

Question #: ZBR-23-082

Section/Regulation #: N/A

Asked by: Mayor Sohi

Q: *How will the Zoning Bylaw Renewal facilitate the development of various types of affordable housing across the City? Specifically bridge housing, shelters, supportive housing, safe houses, etc.*

A: Supportive housing, which can include safe houses and bridge housing, are all considered part of the proposed new Residential Use. The Residential Use is a Permitted Use in all residential zones, mixed use zones and some commercial zones. As long as a proposed housing development meets the regulations of the Zoning Bylaw, it will be approved without the need for notification.

In the proposed new CB - Business Commercial Zone, supportive housing can only be introduced through hotel conversions.

Shelters, both year-round and seasonal, are considered part of the Community Service Use, which is proposed to be permitted across a variety of residential, commercial, mixed use, open space and civic services zones.

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Date submitted: July 27, 2023

Question #: ZBR-23-083

Section/Regulation #: N/A

Asked by: Mayor Sohi

Q: *How will ZBR encourage market-housing affordability? Please give some examples?*

A: Housing affordability is influenced by a number of factors, many of which are beyond the City's control. These include, but are not limited to, housing market demands, the cost of building materials and labour, and fluctuations in mortgage interest rates.

Zoning is a factor that the City can control to influence housing choices, housing supply and affordability. The new Zoning Bylaw proposes:

- **Diversification of Housing Types** - Proposing zoning regulations that allow diverse housing types in all neighbourhoods. This gives both market and non-market housing providers the ability to build a broader range of housing options without the time, cost and uncertainty that would otherwise come with rezoning the land. For example, the proposed (RS) Small Scale Residential Zone replaces five current residential zones and allows a range of housing types, including row housing and small-scale apartments of up to three storeys.
- **Regulatory Streamlining** - Removing regulatory barriers to make the development process more predictable and to shorten approval timelines. This involves simplifying what is regulated and ensuring that the City is regulating the "right" things. Shorter and more predictable development permit timelines also reduce the costs and risks associated with the land development process - cost savings that can be passed on to the homebuyer.
- **Supporting Density** - Allowing incremental increases in density and mixed-use development supports more efficient use of the City's current and future infrastructure (such as roads, transit and sewers) and amenities (such as recreation centres and parks), which saves taxpayers money.

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Date submitted: July 27, 2023

Question #: ZBR-23-084

Section/Regulation #: N/A

Asked by: Mayor Sohi

Q: *Does the city of Edmonton have regulatory tools to achieve entry-level market-housing through ZBR?*

A: The Residential and Mixed Use Zones proposed in the new Zoning Bylaw are intended to enable a wide variety of housing types. Some of these dwellings may be built and priced to be considered 'entry-level', depending on factors like location, size and construction costs. Increasing the variety of housing types that can be built in more parts of the city increases the likelihood that housing at different price points can be found in more neighbourhoods. However, there is no regulatory mechanism within the Zoning Bylaw that dictates or sets the price of a dwelling.

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Date submitted: July 27, 2023

Question #: ZBR-23-085

Section/Regulation #: N/A

Asked by: Mayor Sohi

Q: *We often hear that demolition of single family bungalows in mature neighbourhoods will lead to lack of affordable housing choices? Can you please comment on this assumption?*

A: When a single detached home is demolished and replaced with one or more new single detached homes, it is common for the new homes to have a higher price than the original residence. However, when single detached homes are replaced with denser housing types such as semi-detached housing, row housing or apartment housing, the difference between the price of the old home and the price of the new or renovated homes varies. Most often, the cost of an apartment is less than the cost of a single detached home. Allowing more housing types in neighbourhoods can lead to the supply of more housing choices - some will be more expensive and others will not.

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Date submitted: July 27, 2023

Question #: ZBR-23-086

Section/Regulation #: N/A

Asked by: Mayor Sohi

Q: *Can you outline some of the upcoming and ongoing City initiatives to address market-housing affordability and affordable housing that are not included in the ZBR?*

A: Entry-Level Market Housing

The City of Edmonton's First Place Program works with banks and developers to develop vacant surplus school sites into row housing. The homes are offered at market price, with a five-year deferral on the land portion of the mortgage, making them more accessible to first-time home buyers.

Non-Market Housing

Developer-sponsored affordable housing had been part of the City's overall approach to housing since 2006. The City formally approved it in 2015 by adopting City Policy C582 - Developer Sponsored Affordable Housing. Policy C582 required developers seeking enhanced development rights for multi-unit projects under the Zoning Bylaw to offer the City the option to purchase 5% of the units in the development at 85% of the market value.

In 2018, the City Auditor recommended reviewing Policy C582. The review concluded that the program had not broadened the range or choice of affordable housing units, as it had only resulted in an additional 28 units and \$110,000 in cash-in-lieu. City Council repealed the policy in 2021 and asked that Administration develop a replacement approach for securing affordable housing contributions through the development process.

The [Affordable Housing Contributions Approach](#) project seeks to explore policy options that could replace Policy C582 and understand how the development industry can contribute to Edmonton's complex affordable housing challenges. While the City can use various potential tools and levers, ensuring their effective and appropriate use in achieving affordable housing goals will depend heavily on:

- Understanding the roles that the development industry is willing and able to play in the collective effort to solve the affordable housing crisis in Edmonton.
- Understanding any potential impacts on the broader economic market.
- Engaging collaboratively with private developers and affordable housing providers on potential solutions.
- Undertaking research and environmental scans of effective practices from other jurisdictions in Canada that the City can adapt to the Edmonton context.

City Administration anticipates bringing forward a report to Urban Planning Committee in fall 2023 with an update on the research undertaken and feedback from engagement with the development

industry and affordable housing providers. This report will contain policy options for Council to consider.

Other Initiatives

The City of Edmonton has a long history of supporting non-market housing. Today, the City works with non-market housing providers to create options across the affordable housing spectrum, from deep subsidy and supportive housing to near-market, mixed-income housing. The goal is to establish non-market housing as core infrastructure in every neighbourhood.

The City accelerates affordable housing development by providing a number of incentives to non-market housing developers:

- Opportunity assessments to identify ideal locations for affordable housing development, which can include land parcel size, proximity to amenities and proximity to other service providers.
- Sale or lease of City-owned land to non-profit affordable housing providers at a nominal price (\$1).
- Affordable Housing Investment Program (Capital Grants)
 - New Construction or Rehabilitation (Planned or Reimbursement) - up to 25% of the total eligible construction cost of new units or rehabilitation of existing units.
 - Indigenous housing - up to 40% of the total eligible construction cost.
- Affordable Housing Tax Grant
 - Offsets 100 per cent of the municipal portion of property taxes on residential units for eligible non-profit entities operating permanent affordable housing.
- Prioritization of permitting applications with dedicated resources to ensure a smooth development and permitting process.
- Deferral of the Sanitary Sewer Trunk Charge (SSTC) for some social housing units converted from hotels into self-contained apartments with on-site social support under the federal government's Rapid Housing Initiative.

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Date submitted: July 27, 2023

Question #: ZBR-23-087

Section/Regulation #: N/A

Asked by: Mayor Sohi

Q: *Many municipalities leverage their rezoning processes to mandate climate resilient features and elements into new developments. With the ZBR already being very encouraging of density and diverse business types, the need to rezone will be decreased, largely reducing costs for the developer. What are the city's plans to ensure or further incentivize climate resilient design and construction in new developments?*

A: Beginning in Q4 2023, Administration will start designing a Climate Resilience Planning and Development Framework to identify the processes and tools required to integrate climate change into all aspects of the urban planning and development continuum. This may include:

- New requirements in policies, land development related applications and terms of references for technical studies and plans.
- Amendments to or development of new bylaws to support carbon neutral and climate resilient development (e.g. Green Development Standard).
- Updates to design and construction standards.
- Updates to climate resilience community programming and education.

The timeline for the Planning and Development Framework will be confirmed in Q2 2024, with the implementation of the identified actions to follow. There will be opportunities to align Administration's post-Zoning Bylaw Renewal work with the Climate Resilience Planning and Development Framework.

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Date submitted: July 27, 2023

Question #: ZBR-23-088

Section/Regulation #: N/A

Asked by: Mayor Sohi

Q: *What tools are available to require new infill housing to be net-zero ready?*

A: In response to a Council Motion on June 15, 2022, Administration is reviewing opportunities, challenges and options for implementing and enforcing higher levels of energy efficiency than the national energy code as adopted by the province. An update on this review will be shared in Q1 2024.

In Q4 2023, Administration will begin designing a Climate Resilience Planning and Development Framework to identify the processes and tools required to integrate climate change into all aspects of the urban planning and development continuum. The timeline for the Planning and Development Framework will be confirmed in Q2 2024, with the implementation of the identified actions to follow. There will be opportunities to align Administration's post-Zoning Bylaw Renewal work with the development of the Climate Resilience Planning and Development Framework.

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Date submitted: July 27, 2023

Question #: ZBR-23-089

Section/Regulation #: N/A

Asked by: Mayor Sohi

Q: *How do ZBR changes encourage or discourage urban farming and production? Including the RS zone?*

A: Urban agriculture, also known as commercial urban farming, is permitted, with minimal regulations, in many zones in the proposed new Zoning Bylaw, such as the residential zones (including the RS Zone), commercial zones, and mixed use zones. Exceptions exist for some zones such as the draft (NA) Natural Area Zone, (A) River Valley Zone and (IH) Heavy Industrial Zone. Regulations are proposed to ensure food production in commercial or light industrial sites only take place in or on a building unless an assessment shows that the soil is safe for outdoor production.

Urban agriculture is proposed to be permitted without a development permit where:

1. it occurs outdoors and complies with the regulations of the proposed new Zoning Bylaw; or
2. it complies with the regulations of the proposed new Zoning Bylaw, occurs in a building with a valid development permit, and no exterior changes are proposed.

It is also proposed that personal food gardens and community gardens be categorized as landscaping and will not be regulated as a use.

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Date submitted: July 27, 2023

Question #: ZBR-23-090

Section/Regulation #: N/A

Asked by: Mayor Sohi

Q: *With tree retention being currently voluntary, if a developer chooses to go the path of retaining trees to offset their landscaping requirements, how will the City be enforcing tree retention as a regulatory tool?*

A: The landscaping section of the proposed new Zoning Bylaw includes regulations that allow the Development Planner to require yards and setbacks to be unobstructed and undisturbed below or above ground level to preserve and protect existing vegetation on-site to meet landscaping requirements. Furthermore, mitigation measures, as identified in a tree protection plan or as advised by an arborist, can be placed to preserve and protect existing trees intended to meet the landscaping requirements.

Both the current and the proposed new Zoning Bylaw include penalties for development in contravention of a Development Permit. The minimum penalty is \$1,000 for the first offence and \$2,500 for a subsequent offence. Penalties for offences allow the City to enforce landscaping requirements, such as ensuring the property owner installs the minimum planting requirements in place of any trees removed that were intended to be preserved to count towards the minimum tree planting requirements.

The Development Permit Inspection (DPI) program also has a role in inspecting and enforcing minimum tree and shrub requirements. The DPI team recently reviewed its inspections and compliance activities against the City's climate resilience and adaptation goals. Their findings concluded that DPI has a greater role in encouraging development on private land that maintains tree planting. This team is currently re-prioritizing enforcement resources to inspect and ensure that minimum landscaping requirements have been met for private developments.

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Date submitted: July 27, 2023

Question #: ZBR-23-092

Section/Regulation #: N/A

Asked by: Mayor Sohi

Q: *Have you done any analyses or forecasting on how the ZBR may impact the City's carbon budget?*

A: [A Greenhouse Gas Emissions and Energy Analysis](#) was used to inform The City Plan and was based on the target of adding 50% of new dwellings to the Redeveloping Area as the city reaches a population of two million. The analysis assumed changes to land use and the transportation system and generally factored in the potential collective impact of all levers of change, including updating the Zoning Bylaw. That said, this modelling did not factor in the specific changes proposed through Zoning Bylaw Renewal, as this information was not available at the time.

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Date submitted: July 27, 2023

Question #: ZBR-23-093

Section/Regulation #: N/A

Asked by: Mayor Sohi

Q: *How will the Zoning Bylaw Renewal promote “gentle density” and missing middle housing? In the RS zone, what kind of small scale density can residents expect to see in their neighbourhoods?*

A: The proposed (RS) Small Scale Residential Zone and (RSF) Small Scale Flex Residential Zone allow a range of housing types, such as single detached housing, row housing, and small apartments. These zones also allow the development of backyard housing (currently referred to as garden suites), or cluster housing (commonly built as cottage court housing or tiny home villages). With the exception of single detached houses, all these housing forms are considered missing middle housing.

The proposed height limit for these housing types is 10.5 m in the RS Zone and 12.0 m in the RSF Zone. Both height limits generally accommodate up to 3 storeys, with the taller height limit under the RSF Zone allowing for a three-storey development with a drive-under garage.

Some neighbourhoods, particularly those in the current (RF3) Small Scale Infill Development Zone, have already begun to experience missing middle housing redevelopment as this zone currently permits multi-unit housing (such as apartments). As neighbourhoods evolve, the streets will undergo subtle and gradual transformations. This will be driven by individual landowners' decisions to replace ageing housing with new homes that meet the needs of future residents.

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Date submitted: July 27, 2023

Question #: ZBR-23-094

Section/Regulation #: N/A

Asked by: Mayor Sohi

Q: *A primary purpose of the mature neighbourhood overlay is to ensure well-designed, pedestrian oriented streetscapes in redeveloping neighbourhoods. With the mature neighbourhood overlay proposed to be retired, how do the newly proposed residential zones in the ZBR still commit to that purpose?*

A: Although the Mature Neighbourhood Overlay (MNO) is proposed to be retired, relevant regulations have been updated and incorporated into the proposed (RS) Small Scale Residential Zone. These changes are intended to achieve similar outcomes as the MNO while streamlining the regulatory approach, removing barriers to diverse housing options and aligning with the goals of The City Plan. Most significantly, the proposed RS Zone continues to preserve sidewalks, boulevard trees and streetscapes in neighbourhoods by requiring vehicle access from an alley where it is present. This is a major factor in supporting a pedestrian-oriented streetscape. The front setback requirement has also been reduced to encourage a built form that can come closer to the street, which will support a more engaging pedestrian environment and community interaction while still providing space for landscaping and trees in the front yard.

Outside of the Zoning Bylaw, programs such as Neighbourhood Renewal also play a role in maintaining pedestrian-oriented streetscapes in redeveloping neighbourhoods.

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Date submitted: July 27, 2023

Question #: ZBR-23-095

Section/Regulation #: N/A

Asked by: Mayor Sohi

Q: *Under the RF3 zone in the current Zoning Bylaw, there is a maximum site coverage for various building types, including single detached, semi-detached, duplex housing and multi-unit housing. The ZBR proposes that under the RS zone the maximum site coverage for all building types will be a flat 47%. What is the reasoning behind this decision?*

A: The new Zoning Bylaw seeks to establish the same building envelope for all housing types. Rules related to setbacks, site coverage, building length and height will create the “box” that the building must fit within while providing flexibility for how the dwellings inside the box can be arranged. This supports the Zoning Bylaw Renewal Initiative goal of reducing regulatory complexity.

Note: In response to the May-July 2023 engagement feedback, the maximum site coverage in the draft (RS) Small Scale Residential Zone contained in the Public Hearing version of the proposed new Zoning Bylaw is decreased to 45% to ensure that new buildings are sensitively scaled to their surroundings. This mirrors the current 45% maximum site coverage regulation in the RF3 Zone for multi-unit housing. A 2% site coverage bonus is proposed where any of the following conditions are present:

- A front porch is provided.
- A building on the Inventory of Historic Resources is retained.
- Supportive Housing is provided.
- A minimum of 20% of all Dwellings comply with inclusive design requirements.

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Date submitted: July 27, 2023

Question #: ZBR-23-096

Section/Regulation #: N/A

Asked by: Mayor Sohi

Q: *Is there a concern that this may just lead to larger single family home infill projects, even with the building wall maximum proposed? What would be the impact of keeping the site coverage allowances for different building types and slightly expanding them according to our density goals?*

A: The proposed regulations do provide the possibility for larger single detached homes. However, they also offer flexibility in building design and could support multi-generational housing or other types of living arrangements.

One of the goals of the Zoning Bylaw Renewal is to simplify the Bylaw, and keeping different site coverage allowances for different building types would contribute to a more complex set of rules within the residential zones. The proposed approach follows from the concept of creating a single Residential Use and generally establishing the “box” in which a range of different housing types can be built.

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Date submitted: July 27, 2023

Question #: ZBR-23-097

Section/Regulation #: N/A

Asked by: Mayor Sohi

Q: *How will the Zoning Bylaw Renewal enable equitable access to parks and green space for residential communities?*

A: The Zoning Bylaw does not provide policy guidance on where parks and green space should be allocated. Park and green space allocation in neighbourhoods is guided by Breathe: Edmonton's Green Network Strategy and determined by land use plans such as The City Plan, Area Structure Plans and Neighbourhood Structure Plans. A primary goal of Breathe is to ensure all residents have equitable access to open space, and the upcoming Breathe Implementation project will further refine targets and measures.

The proposed new Zoning Bylaw contains a number of park zones that can be used to implement park developments identified in plans. In addition, a number of the proposed Zones include the 'park' use as a permitted development, enabling more public and publicly accessible private parks across the city without having to rezone the land.

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Date submitted: July 27, 2023

Question #: ZBR-23-098

Section/Regulation #: N/A

Asked by: Mayor Sohi

Q: *For the small-scale residential zone, what data and analysis were used to support the following changes: Front setbacks on residential streets to a minimum of 3 metres where there are treed boulevards, or 4.5 metres where there are none.*

Do you have data on what percentage of large front yard trees could be more easily retained if the setback was 4.5 m vs. 3 m?

- *The proposed 10-metre minimum rear setback*
- *The proposed 10.5-metre maximum height*
- *47% site coverage*
- *Landscaping requirements*

A: Front Setback

In response to engagement feedback, the proposed (RS) Small Scale Residential Zone was simplified to provide one minimum front setback requirement of 4.5 m to ensure sufficient front yard depth for tree planting. Residents voiced a strong preference to require sufficient space for tree planting in a front yard regardless of whether a treed boulevard is present.

Tree Retention

Administration does not have data on the percentage of large front yard trees that could be retained with a 4.5 m front setback compared to a 3.0 m front setback. The City does not keep a comprehensive inventory of trees on private property. Incentives for tree preservation are proposed to be improved by allowing mature trees to count towards more of the minimum tree planting requirements. However, the City does not require retention of private trees.

Rear Setback

The proposed 10.0 m minimum rear setback is:

- Increased from the current minimum rear setback of 7.5 m in the RF1 through RF4 Zones.
- Reduced from the current Mature Neighbourhood Overlay (MNO) requirement of 40% of Site Depth (which typically results in rear yards of 12.0 m or more).

This simplifies the regulation but still ensures adequate space is provided for a rear yard.

Administration reviewed development permits from the last 5 years in the RF1 through RF4 zones, inside and outside of the MNO to determine the actual rear setbacks established by the approved development. This information was used to compare and determine a setback that could be a reasonable compromise between the 40% site depth rear setback and the standard 7.5 m rear setback.

Height

A maximum height of 10.5 m is proposed in the proposed (RS) Small Scale Residential Zone to allow more flexibility in three-storey housing design while recognizing the existing context of the area. An

analysis of recent infill development applications revealed that various factors, including the roof type, insulation thickness between floors and specific site constraints (e.g. the necessity of a lift station on infill plots), can influence the building's height. Setting the height limit at 10.5 m offers greater adaptability to address different site and structural challenges.

Site Coverage

The proposed 47% site coverage in the May 2023 draft was established by adding the maximum 45% site coverage permitted in the RF3 Zone for multi-unit housing with the 2% site coverage bonus for front porches. The 47% was proposed to simplify the current regulations and establish the size of the "box" by which all forms of housing (from single detached to apartments) could occur. The site coverage was not proposed to be increased any higher to ensure that stormwater infiltration and stormwater runoff in redeveloping neighbourhoods would not be impacted.

In response to May to July 2023 engagement feedback, the maximum site coverage in the proposed (RS) Small Scale Residential Zone has been decreased to 45% to ensure that buildings are more sensitively scaled. A 2% site coverage bonus is proposed where:

- A front porch is provided.
- A building on the Inventory of Historic Resources is retained.
- Supportive Housing is provided.
- A minimum of 20% of all Dwellings comply with inclusive design requirements.

This mirrors the current 45% maximum site coverage regulation in the RF3 Zone for multi-unit housing.

Landscaping

To support the successful interpretation, implementation and enforcement of minimum planting requirements, proposed changes will reduce the required trees and shrubs for small-scale residential development. This includes applying the same minimum planting requirements for Single Detached Housing, Semi-Detached Housing and Duplex Housing, regardless of the number of dwellings proposed. The proposed minimum planting requirements are based on site width, considering typical and proposed minimum lot widths in the new residential zones. The proposed minimum planting requirements for Row Housing are reduced to require a minimum of one tree and four shrubs per principal dwelling. These changes considered feedback from internal staff and industry, and a recent review of Development Permit Inspections for small-scale residential development that identified challenges with meeting the minimum requirements due to limited space on smaller lots.

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Date submitted: July 27, 2023

Question #: ZBR-23-099

Section/Regulation #: N/A

Asked by: Mayor Sohi

Q: *Can you explain the proposed reduction in the maximum floor area for childcare services in the small scale residential zones to 300 m²? Approximately how many children can be served in a facility of this size, and have providers been engaged on the appropriateness of this change?*

A: This regulation intends to ensure that child care services are only permitted in small-scale residential zones where they are appropriately scaled. Larger child care operations might generate increased noise and traffic, so they may be better suited in urban service, commercial or mixed use zones.

The number of children that can be served by a 300 m² child care facility varies, depending on the age range of the children and the provincial standards for space provision. Child care providers were consulted with respect to the practical implications of this floor area. Based on information provided regarding the minimum space requirements for children of different ages, the City estimates that such a facility could serve approximately 50 children.

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Date submitted: July 27, 2023

Question #: ZBR-23-100

Section/Regulation #: N/A

Asked by: Mayor Sohi

Q: *What protections does the City of Edmonton have for heritage buildings? How likely is it that we could lose heritage buildings at an accelerated rate due to the Zoning Bylaw Renewal, compared to other challenges associated with the preservation of heritage homes?*

A: Buildings designated as Municipal or Provincial Historical Resources are legally protected from demolition under the Historical Resources Act. There are currently 177 Municipal Historic Resources in Edmonton.

Under Policy C-450B - Policy to Encourage the Designation and Rehabilitation of Municipal Historic Resources in Edmonton, the City also has an Inventory of Historic Resources listing buildings with historical and/or architectural significance. There are currently about 950 properties on the Inventory. Administration works with property owners to encourage them to designate them as Municipal Historic Resources but these buildings are not legally protected from demolition.

The target for an increase of redevelopment in The City Plan and development opportunity under the proposed new Zoning Bylaw may create uncertainty for property owners of properties on the Inventory of Historic Resources (whether or not to designate) and increase the potential for demolition. In an effort to retain historic resources listed on the Inventory (but not legally protected under the Act), the proposed new Zoning Bylaw introduces a Floor Area Ratio and site coverage incentive. The best tool to legally protect historic buildings from demolition is to designate them under the Historical Resources Act.

Certain historical resources and heritage areas, such as the Westmount Architectural Heritage Area, are under Direct Control Zones. Direct Control Zones will not be changed or affected under the proposed new Zoning Bylaw and will continue to apply to its designated sites.

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Date submitted: July 27, 2023

Question #: ZBR-23-101

Section/Regulation #: N/A

Asked by: Mayor Sohi

Q: *How do the proposed changes to setbacks, etc. in the zones where residential housing is permitted, still accommodate for the planting and preservation of shrubbery and medium to large-sized trees throughout the property?*

A: Modelling of Single Detached Housing, Semi-Detached Housing and Row Housing under the draft (RS) Small Scale Residential Zone identified that minimum landscaping requirements for trees could be met with the proposed setback and site coverage regulations.

The landscaping section of the proposed Zoning Bylaw improves incentives for tree preservation for larger scale residential development by allowing mature trees to count toward more of the minimum tree planting requirements.

Based on feedback received between May and July 2023, a minimum of 30% soft landscaping area is now proposed for small-scale residential development to ensure that each site provides open space capable of absorbing rainwater and accommodating plant growth.

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Date submitted: July 27, 2023

Question #: ZBR-23-102

Section/Regulation #: N/A

Asked by: Mayor Sohi

Q: *How, if at all, will the ZBR promote or support family oriented housing and multigenerational housing?*

A: The proposed (RM) Medium Scale Residential Zone, (RL) Large Scale Residential Zone, (MU) Mixed Use Zone and (MUN) Neighbourhood Mixed Use Zone enable an increased floor area ratio where 10% of dwellings are either family-oriented, meaning that the dwelling has a minimum of three bedrooms and measures at least 100 m², or meets the inclusive design standards specified in the proposed Inclusive Design section.

Generally, residential zones provide a wide variety of housing options, ranging from single detached homes to backyard housing and small apartments. This broadened scope facilitates various forms of multi-generational and family-oriented housing, whether it is one large house for multiple generations or separate dwellings on the same site.

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Date submitted: July 27, 2023

Section/Regulation #: N/A

Question #: ZBR-23-103 and

ZBR-23-104

Asked by: Mayor Sohi

Q: *If 8 units can be built on a 50 ft wide lot, how do we ensure or incentivize family-oriented housing units to be provided with 3 or more bedrooms? What impact will it have on achieving our 50% infill targets if total units built on a 50ft lot are reduced to 6 or 7 units?*

A: Three-bedroom Incentives

The Zoning Bylaw does not define family-oriented housing because it regulates land use (not people or relationships). However, incentives for developing three-bedroom dwelling units are proposed to be maintained and enhanced in medium-scale residential, large-scale residential and mixed use zones.

This incentive is not proposed in the small scale residential zones because they allow and commonly experience various ground-oriented housing types that contain three or more bedrooms. It is Administration's opinion that the focus of this incentive should be on the areas of greatest need, which tend to be higher-density areas and larger scale developments, where three bedroom dwellings are not built as often.

Infill Targets

One of the "big moves" outlined in The City Plan is to accommodate 50% of new dwelling unit growth through infill. Most of this infill will be concentrated within the nodes and corridors, but some will also be added within established neighbourhoods. Over the past five years, an average of 30% of net new dwellings have been infill.

The Zoning Bylaw Renewal Initiative intends to establish a regulatory environment that supports increasing the percentage share of new unit growth in the redeveloping area. The zoning approach to this objective is multi-faceted; however, one of the proposed solutions is the creation of the proposed (RS) Small Scale Residential Zone that allows for diverse housing types, simpler regulations and a more flexible building envelope.

It is difficult to determine how further limiting the number of dwellings on a site in the proposed RS Zone would impact The City Plan's infill goals, except to say that limiting the number of units on a site can affect the feasibility of development. Ultimately, project viability depends on various factors, including regulatory barriers, site size, site location, servicing requirements and the proposed housing type.

Reducing the number of permitted dwellings to 6 or 7 would also represent a further limitation on existing development rights for many larger lots currently zoned (RF3) Small Scale Infill Development Zone, which would currently be allowed to build more dwellings than this (by

including secondary and garden suites). For example, a 600 m² lot in the RF3 Zone can currently accommodate 4 principal dwellings (e.g. 4 units of Row Housing) plus 4 secondary suites, plus up to at least one garden suite, for a total of at least 9 dwellings (depending on site and building configuration). Under the proposed RS Zone a lot of this size would be capped at 8 dwellings of any kind (including secondary suites and backyard housing). Administration views this as a reasonable limitation given this zone will be applied more broadly than the RF3 Zone is currently located, and that proposed new rule would allow more principal dwellings than could be built under the current requirements.

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Date submitted: July 27, 2023

Question #: ZBR-23-105

Section/Regulation #: N/A

Asked by: Mayor Sohi

Q: *Have you done any analysis of the diversity and affordability of housing types that have been developed in the RF3 Small Scale Infill Zone (used in Richie and Bonnie Doon) compared to the RF1 Zone? Have recent developments in the RF3 Zone been family oriented?*

A: Administration is not aware of any such analysis with respect to affordability.

Regarding housing diversity, through its [Growth Monitoring](#) program Administration reports on broad infill trends in the Redeveloping Area. While some consideration is given to zoning, this data is more commonly reported at the neighbourhood level. In addition, one can view recent trends in the mix of housing types being built in each neighbourhood using the [Redeveloping Infill Tool](#).

Regarding family-oriented housing, the small scale residential zones, including the (RF3) Small Scale Infill Development Zone, allow and commonly experience various ground-oriented housing types that contain three bedrooms. This is typically in the form of single detached, semi-detached and row housing developments.

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Date submitted: July 27, 2023

Question #: ZBR-23-106

Section/Regulation #: N/A

Asked by: Mayor Sohi

Q: *How might the Zoning Bylaw Renewal impact those interested in pursuing a use change for very short-term uses of a space? I.e using empty storefronts for pop-up shops, gallery showcases, performances, etc.*

A: It is proposed to continue exempting certain activities from requiring a change of use development permit. This exemption applies when the use is permitted in the zone, there are no alterations to the exterior appearance of the space, and the use meets the applicable size and location criteria.

For example, a business owner looking to open a temporary clothing store in a storefront previously used as a cafe in the (MU) Mixed Use Zone would not require a development permit. However, they might require other approvals like a building permit, especially if they plan on making interior modifications.

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Date submitted: July 27, 2023

Question #: ZBR-23-107

Section/Regulation #: N/A

Asked by: Mayor Sohi

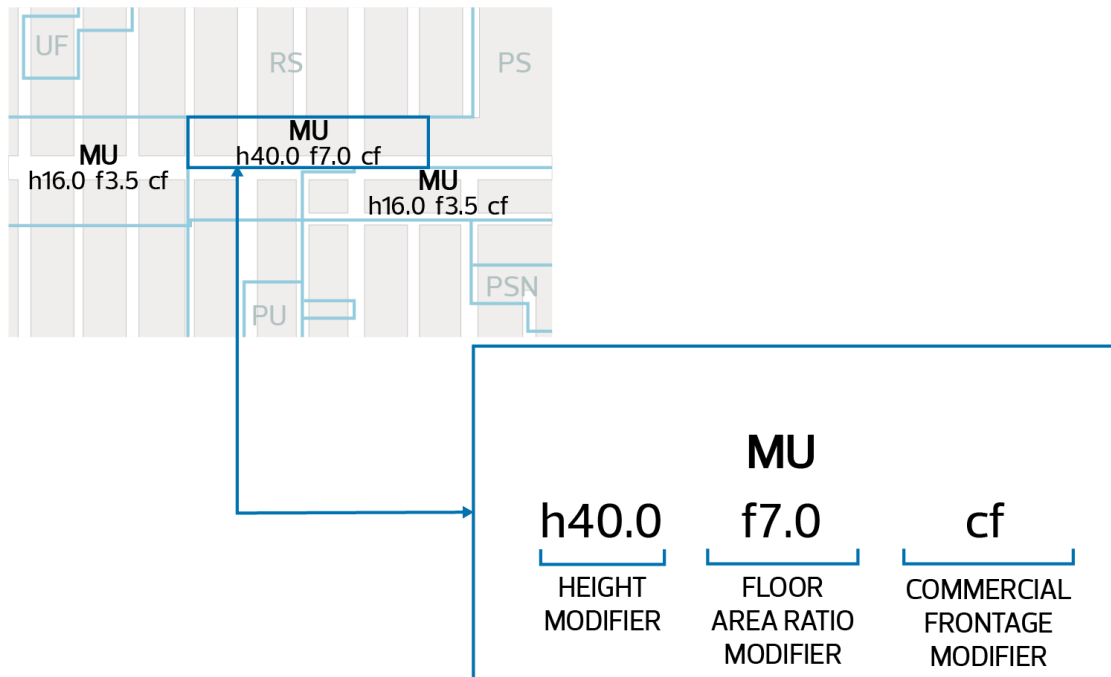
Q: *Can Administration provide some examples of how zone modifiers work in the Zoning Bylaw Renewal?*

A: The proposed new Zoning Bylaw introduces zone modifiers as a new tool to tailor development regulations to a specific site's context, while allowing the rest of the zone to remain the same. The modifier tool enables a reduction in the number of standard zones across the city, meaning that fewer zones can be used to accommodate more contexts. The proposed zone modifiers include maximum building height, floor area ratio (building size relative to site size) and commercial frontage. Zone modifiers can be changed depending on the context of the site and policy direction through the rezoning process.

As part of the City-wide Rezoning, zone modifiers will be applied to specific zones to recognize current development rights. In the future, they will be applied to specific zones through the rezoning process based on policy direction and site context.

- In the (MU) Mixed Use Zone, Zone Modifiers will be used to establish height and floor area ratio, and to require commercial uses at ground level in specific areas to maintain and reinforce existing commercial activity on main streets or as directed through policy.
- In the (RM) Medium Scale Residential Zone and the (RL) Large Scale Residential Zone, modifiers will establish the maximum height and floor area ratio for medium-scale and large-scale housing, based on the neighbourhood contexts and any applicable policy direction.
- In the (RSM) Small-Medium Scale Transition Residential Zone, modifiers will be used to establish maximum height based on the context of the site and policy direction.

Zone modifiers will be identified directly on the Zoning Map with a label that indicates the application of a specific development regulation.



The Zone Modifier highlighted by the image above shows a site in the MU Zone with a height limit of 40.0 m, a maximum floor area ratio of 7.0 and a commercial frontage requirement, meaning that the ground floor of the development facing a street must consist of non-residential uses. The other regulations of the base MU Zone, such as permitted uses, setbacks and design regulations remain unchanged.

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Date submitted: July 27, 2023

Question #: ZBR-23-108

Section/Regulation #: N/A

Asked by: Mayor Sohi

Q: *Generally, what will the monitoring and performance framework for the Zoning Bylaw Renewal look like? How will we monitor its progress in achieving its intended outcomes in the short, medium and long-term? What are key indicators that we will be monitoring closely?*

A: The monitoring plan for the proposed new Zoning Bylaw is currently in development. Administration is looking at potential data sources and ways to collect data to effectively learn from and report on performance. Pending the approval of the proposed new Zoning Bylaw, Administration will finalize data sources, develop strategies for presenting the findings and implement reporting methods.

Administration will present its Zoning Bylaw Work Plan to Urban Planning Committee early in 2024. Included in this plan will be at least one omnibus bylaw scheduled for 2024 to respond to errors and any unintended consequences that may have arisen as a result of implementing a new Zoning Bylaw.

In the medium term, Administration will identify more of the criteria that will need to be gathered and reported on. Some examples of key indicators will include information such as development permits types and volumes, the number and type of variances approved, Subdivision and Development Appeal Board (SDAB) outcomes, usage of Direct Control zoning, and qualitative feedback from Council, the public, applicants and staff. This data will be collected starting from the effective date of the new Zoning Bylaw, January 1, 2024.

Administration anticipates a one-year or 18-month check-in with Urban Planning Committee in 2025 on the performance of the new Zoning Bylaw, if approved. This will be an opportunity to report back on the early results of monitoring, receive feedback from Council, and propose changes where necessary.

In the long term, continual monitoring of City Plan targets will occur through Administration's regular reporting on City Plan Measurements (first update on targets to be presented Q1 2024 at Urban Planning Committee) and on growth trends through its Growth Monitoring program. These reports reveal development trends and gaps that can inform future decision making on policy and zoning changes that may be considered.

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Date submitted: July 27, 2023

Question #: ZBR-23-109

Section/Regulation #: N/A

Asked by: Mayor Sohi

Q: *What role will public hearings play in the future District Planning process? Once District Plans are created, what will the rezoning process look like - will areas automatically be rezoned or will there be further opportunities for public hearings?*

A: The Zoning Bylaw is a tool to implement the vision set out in various statutory plans like the draft District Plans.

Statutory plans, like the draft District Plans, require approval through a separate public hearing. Statutory plans will not result in an automatic rezoning of lands throughout the city.

Any rezoning application, including updates or revisions to Zone Modifiers, will be reviewed against the future District Plans and will require a public hearing. The procedure for processing rezoning applications is outlined in Section 7.50, Zoning Bylaw Amendments, of the proposed new Zoning Bylaw.

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Date submitted: July 27, 2023

Question #: ZBR-23-110

Section/Regulation #: N/A

Asked by: Mayor Sohi

Q: *The Zoning Bylaw Renewal involves a City-wide rezoning. Does Administration anticipate that this rezoning will cause a significant increase in land valuations?*

A: A property's zoning may impact its valuation, but zoning is only one consideration amongst several factors.

The City-wide rezoning approach intends to minimize the risk of increased land valuations. This objective is achieved by rezoning the entire City all at once and ensuring, to the best extent possible, that all properties are rezoned to their closest equivalent. By distributing changes in development rights uniformly throughout the city, Administration anticipates it will diminish the potential for artificial 'land scarcity', which in the past might have influenced land valuations.

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Date submitted: July 27, 2023

Question #: ZBR-23-111

Section/Regulation #: N/A

Asked by: Mayor Sohi

Q: *If the following were to be compared - what are the predicted land cost impacts from a generalized city-wide rezoning via the ZBR vs. targeting specific areas for upzoning under our current Zoning process?*

A: Targeted upzoning aims to significantly enhance development potential in specific areas or specific sites. Such upzoning is typically associated with the required infrastructure upgrades to support the development. This type of area or site-specific rezoning typically has an immediate and meaningful increase in land valuations.

Meanwhile, City-wide rezoning is a broad initiative applied uniformly across the entire City. Its Intention is to rezone properties to their closest equivalent zone. The City-wide rezoning does not factor in or fund specific infrastructure upgrades. Because any changes in development rights would be universal, it is not likely to have the impact that a site-specific rezoning would have.

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Date submitted: July 27, 2023

Question #: ZBR-23-112

Section/Regulation #: N/A

Asked by: Councillor Knack

Q: *Some feedback has been provided that the draft Zoning Bylaw should be tested in a few communities before being rolled out city-wide. As RF3 is the most comparable zone to the RS zone, can you provide the names of the communities which have had a significant portion (more than 30%) of the community already zoned RF3 and how long they have had that zoning?*

A: The (RF3) Small Scale Infill Development Zone first appeared in 1980 with the approval of Land Use Bylaw 5996. This early version of the RF3 Zone allowed for single detached housing, semi-detached housing, duplex housing, row housing (up to 4 units) and apartment housing (up to 4 units) and has evolved over the years to allow for multi-unit housing with no maximum units.

The following neighbourhoods have a significant portion of their geographic area zoned (RF3) Small Scale Infill Development Zone:

- Newton
- Montrose
- Eastwood
- Delton
- Alberta Avenue
- Parkdale
- Spruce Avenue
- Westwood
- Prince Charles
- Inglewood
- Grovenor
- Queen Alexandra
- McKernan
- Allendale
- Ritchie
- King Edward Park
- Bonnie Doon
- Hazeldean
- Cloverdale
- Forest Heights

More research would be required to determine when the RF3 zoning was applied to these neighbourhoods.

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Date submitted: July 27, 2023

Question #: ZBR-23-113

Section/Regulation #: N/A

Asked by: Councillor Knack

Q: *While change in property value is not a relevant land use consideration, I have received questions from people about the impact zoning changes can have on property values. Of these communities already zoned RF3, do we have any data related to change in assessed values since that zoning was first put in place (both for the overall communities and specific properties beside newer development)?*

A: Administration has not conducted this type of analysis. In performing such an analysis, the City would need to delineate the impact of the many factors that have affected values in rezoned neighbourhoods. More analysis could be conducted, but that work would require a dedicated project and an investment of additional staff and time.

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Date submitted: July 27, 2023

Question #: ZBR-23-114

Section/Regulation #: RS Zone

Asked by: Councillor Knack

Q: *My understanding is that three storeys would still be possible with a max height of 10.0m. Therefore, why is the maximum height recommended to be 10.5m?*

A: Yes, a three-storey residential development is possible with a maximum height of 10.0 m. However, the proposed 10.5 m height provides more flexibility to account for a variety of factors that will help increase the likelihood that the three-storey built form (and the different housing options that it represents) can be achieved, factoring in a blend of both technical constraints and market preferences. This includes:

- Variations in grade
- Sewer invert heights
- Basement heights
- 8-9 foot ceiling heights
- Sub-floor heights
- Roof heights and variations in roof design
- Room for increased insulation

Because each of these factors is a variable that can be site- and project-dependent, there is no single height measurement in the 10-metre range that will accommodate a three-storey form in all cases. However, setting the height limit at 10.5 m offers greater adaptability to address different site and structural challenges that might emerge.

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Date submitted: July 27, 2023

Question #: ZBR-23-115

Section/Regulation #: RS Zone

Asked by: Councillor Knack

Q: *The 1.5m setback is supposed to provide the ability for a walkway, what's the minimum walkway width required to meet accessibility requirements?*

A: The proposed (RS) Small Scale Residential Zone requires a 1.5 m setback from the property line separating two lots when a row housing or multi-unit housing development faces that property line.

The Parking, Access, and Site Circulation section of the proposed new Zoning Bylaw requires a minimum pathway width of 0.9 m when leading to main entrances of row housing developments. This would accommodate 1-way barrier-free travel, where traffic volumes for users is not expected to be high enough to warrant two-way pathways.

There is no minimum requirement for walkways for row housing (and other small scale detached housing) under the Alberta Building Code. The Alberta Building Code requirement for apartments and buildings for seniors or people with disabilities require a minimum exterior pathway width of 1.1 m for barrier-free travel. The City's Access Design Guide recommends a minimum pathway width of 1.8 m for two-way barrier-free exterior travel.

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Date submitted: July 27, 2023

Question #: ZBR-23-117

Section/Regulation #: RS Zone

Asked by: Councillor Knack

Q: *Why is cluster housing not listed as an option in the RS Zone? Would that prevent something like Horizon Village in Glenwood from being able to be built within the RS Zone?*

A: In the proposed (RS) Small Scale Residential Zone, the "Residential" Use allows for various housing types including single detached housing, semi-detached housing, row housing and multi-unit housing. Cluster Housing is not listed in the zone because it's not its own Use or built form. Cluster Housing is a housing arrangement. Any housing type allowed under the Residential Use can be organized as Cluster Housing, such as a grouping of single detached homes, semi-detached homes, row housing, multi-unit housing or a mix of these forms. As long as a Cluster Housing development, such as Horizon Village, meets the bylaw regulations, then it is allowed in the proposed RS Zone.

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Date submitted: July 27, 2023

Question #: ZBR-23-118

Section/Regulation #: RS and RSF Zones

Asked by: Councillor Knack

Q: *Will flag lots be permitted in the RS and RSF zones? If not, why?*

A: An application for a flag lot subdivision could be made under a Direct Control Zone. However, past investigations into the feasibility of flag lot subdivisions have identified significant challenges from a functional and servicing perspective that prevent Administration from broadly permitting this lot configuration through standard zones.

The proposed (RS) Small Scale Residential Zone and (RSF) Small Scale Flex Residential Zone contain minimum site dimension, minimum setback and maximum site coverage requirements. Any application for subdivision would be required to meet the minimum zoning requirements, including minimum site width and depth, in addition to any technical requirements. In addition, backyard housing is not permitted to be subdivided from other principal dwellings on a site.

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Date submitted: July 27, 2023

Question #: ZBR-23-119

Section/Regulation #: RS Zone

Asked by: Councillor Knack

Q: *With the revision to only allow a maximum of 8 units on a lot, does that still apply if someone were to consolidate 2 or more 50' lots or is this written in a way that allows for more than 8 units if someone has the equivalent of 2 or more lots? An example of this would be a rezoning in 2021 for two lots in North Glenora on the west side of 139th Street across from the school.*

A: The eight-unit limit still applies if two or more internal lots are consolidated into a single site. If there are two adjacent unconsolidated sites that each satisfy the minimum site area per dwelling requirement, then each site could conceivably be permitted to build up to eight units.

The eight-unit limit would not apply to the North Glenora rezoning site because it would be considered a corner site, so this regulation would not apply.

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Date submitted: July 27, 2023

Question #: ZBR-23-120

Section/Regulation #: RSF Zone

Asked by: Councillor Knack

Q: *While we have allowed front driveways on collector road in newer communities, should this be reconsidered going forward? The draft regulations would continue to allow front driveway access on a collector road.*

A: A number of zones in the proposed new Zoning Bylaw (RS, RSM, RM, MUN and MU) require that vehicle access be taken from an alley, where the site is next to an alley. This regulation protects existing sidewalks from new driveway crossings, supports front-yard landscaping and protects treed boulevards.

The proposed (RSF) Small Scale Flex Residential Zone requires that vehicular access be taken from an alley where the back of the site is next to an alley, with some exceptions. The first exception allows street access for 50% of dwellings on a site (e.g. where one half of a semi-detached house accesses the lane and the other half accesses the street). The second exception allows for front driveways if other homes on the same side of the street do not have alley access. These exceptions currently exist in the (RLD) Residential Low Density Zone and are proposed for continuation to provide flexibility in new neighbourhoods.

The RSF zone also states that narrower housing types (e.g. row housing and zero lot line development) must not be developed with front attached garages when located on a collector road or across from a school or park site. This regulation reduces front driveway concentration in areas with high pedestrian traffic and where on-street spaces for pick-up and drop-off are frequently needed. This regulation addition aligns with existing neighbourhood plan policies.

Subdivision and Development Permit applications are reviewed by the City department responsible for transportation planning. All requests for vehicle access require approval from Transportation. Transportation uses the [Access Management Guidelines](#) to inform their decision. The current practice recommends that no more than 30% of small-scale residential lots facing a collector road may have direct access to the collector road.

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Date submitted: July 27, 2023

Question #: ZBR-23-121

Section/Regulation #: MUN Zone / 3.3

Asked by: Councillor Knack

Q: *MUN Zone section 3.3 references subsection 3.2.3 which does not seem to be listed in the draft. Should this line have referred to subsection 3.2.2?*

A: Thank you, the correction has been made in the final draft.

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Date submitted: July 28, 2023

Question #: ZBR-23-122

Section/Regulation #: N/A

Asked by: Councillor Salvador

Q: *To clarify, under the new zoning bylaw, front-back lot subdivisions will not be permitted?*

A: An application for a front-back lot subdivision could be made under a Direct Control Zone. However, past investigations into the feasibility of front-back subdivisions have identified significant challenges from a functional (i.e. waste removal, driveway location) and servicing perspective (cost of extending services).

The draft (RS) Small Scale Residential Zone requires a minimum lot depth of 30 m, a minimum rear setback of 10 m and a maximum site coverage of 45% which would not accommodate front-back lot subdivisions in most cases. In addition, backyard housing is not permitted to be subdivided from other principal dwellings on a site.

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Date submitted: July 28, 2023

Question #: ZBR-23-123

Section/Regulation #: RS Zone

Asked by: Councillor Salvador

Q: *RS.3.3.1. Specifically limits Food and Drink Services, Health Services, Indoor Sales and Services, and Offices only to lots “where an Interior Side Lot line of Site Abuts a site in a non-residential Zone that permits Commercial Uses at the time of Development Permit Application.” Why are these uses not permitted on sites that abut sites in any zone that permit commercial uses at the time of a Development Permit? This would allow these uses to gradually spread from the current commercial cores in neighbourhoods.*

A: The primary intent of the proposed (RS) Small Scale Residential Zone is to allow for residential uses. The proposed zone does not intend to allow a gradual spread of commercial uses along a residential block.

Allowing commercial uses more broadly within the RS Zone creates some risks. If these uses are “permitted on sites that abut sites in ANY zone that permits Commercial Uses” (including residential zones, which also permit Commercial Uses), it could result in commercial developments scattered throughout a residential neighbourhood in addition to allowing a gradual spread from a commercial node. This is because any residential site within a neighbourhood would become eligible to be developed into a commercial use without the need to tie it locationally to a non-residential “anchor”. This would likely weaken the objective of concentrating non-residential uses within nodes and corridors as described in The City Plan and future district plans.

While Administration recognizes the potential benefit of allowing the gradual spread of a commercial core as described, the proposed regulation is an incremental approach to introducing more commercial activity within neighbourhoods. This approach is an attempt to manage the degree of expected change by balancing different opinions heard through engagement feedback.

Additionally, expanding home-based business opportunities, which are currently and will continue to be allowed throughout residential neighbourhoods, provides a different option for neighbourhood commercial activity at a smaller scale.

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Date submitted: July 28, 2023

Question #: ZBR-23-124

Section/Regulation #: RS Zone

Asked by: Councillor Salvador

Q: *What is the design rationale behind the regulations in RS.5.2? There are many examples of beautiful buildings that violate this rule and aesthetically unappealing buildings that comply with it.*

A: This regulation's intent is to ensure that a variety of building designs are built along a street. The regulation is not intended to apply to both halves of a semi-detached house or a set of row housing units.

In response to the May to July 2023 engagement, a clarifying statement has been added as part of the regulation in the proposed new Zoning Bylaw to indicate that the regulation doesn't apply to two-halves of a semi-detached house or between the units of a row house.

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Date submitted: July 28, 2023

Question #: ZBR-23-125

Section/Regulation #: N/A

Asked by: Councillor Salvador

Q: *Will you be able to condominiumize backyard homes along with other dwellings?*

A: In the majority of cases, backyard housing will not be able to be condominiumized due to limitations in the Alberta Condominium Property Act. This is a limitation Administration has become aware of since its initial communications on this topic. However, in the circumstances where developments have multiple residential buildings on a site and each building (including the backyard housing) has more than 1 unit, a condominium may be possible.

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Date submitted: July 28, 2023

Question #: ZBR-23-126

Section/Regulation #: RS Zone

Asked by: Councillor Salvador

Q: *Under RS.4.2.1 the front setback has been increased to 4.5m from 3m. What is the rationale behind the universal front setback of 4.5m? What urban design principles, beyond engagement feedback, contributed to the decision to increase the front setback from 3m to 4.5m?*

A: After reviewing feedback regarding building placement and landscaping, Administration concluded that implementing a universal front setback would create a better balance between existing and new housing. This will allow for more space in the front yard for landscaping, including planting trees, and reduce the degree to which buildings are staggered along a street. In the view of Administration this change does not significantly compromise the urban design benefits to the streetscape of a smaller front setback

These adjustments aim to improve the appearance and environmental quality of the neighbourhood's streetscape while supporting the social benefits offered by the interaction between a dwelling, its residents, and the street.

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Date submitted: July 28, 2023

Question #: ZBR-23-127

Section/Regulation #: RS Zone

Asked by: Councillor Salvador

Q: *Please explain the rationale behind limiting RS sites with 8 or more dwellings to corner sites. Will this encourage property subdivision when large amounts of land could be consolidated for interesting development forms like pocket neighbourhoods, bungalow courts, and other forms like courtyard apartments (e.g. El Mirador)?*

A: Restricting the number of dwellings on interior lots is intended to manage the intensity of development in the (RS) Small Scale Residential Zone and address concerns received through engagement about the degree of proposed change. This proposed regulation would allow the development of cluster housing with more than eight dwellings on corner sites. Corner sites generally tend to have a greater capacity to manage potential land use impacts due to the fact that they have an additional street frontage to accommodate different site designs and configurations, and typically share a single side lot line with a neighbour.

The dwelling limit may result in more subdivisions (or fewer lot consolidations) for developments on interior sites with eight or more units, depending on the size of the site, site design and market demand.

This proposed regulation is an incremental step towards allowing more density in established neighbourhoods while being sensitive to concerns and perceptions of change. In cases where a mid-block site may be appropriate for cluster housing development such as a pocket neighbourhoods or courtyard apartments with more than eight units, the Development Planner may consider it as a variance.

Administration will monitor future variances and development trends in this zone to inform whether future zoning changes should be considered.

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Date submitted: July 28, 2023

Question #: ZBR-23-128

Section/Regulation #: RS and RSF Zones

Asked by: Councillor Salvador

Q: *If the Zoning Bylaw Renewal is looking to level the playing field between greenfield development and infill development, please elaborate on why RS has a maximum height of 10.5m and RSF has a maximum height of 12m? What urban design principles or technical constraints contributed to this decision?*

A: While Administration has made a deliberate effort to reduce the regulatory gap between infill and greenfield development, “levelling the playing field” has not been a stated goal of the Zoning Bylaw Renewal Initiative. Generally speaking, the proposed (RS) Small Scale Residential Zone and (RSF) Small Scale Flex Residential Zone reflect an opinion that developing within an existing context requires a different level of sensitivity to that context than a neighbourhood undergoing its first generation of development. From an urban design standpoint, this approach can be thought of as supporting compatibility between new development and its surrounding context.

The proposed RS and RSF zones offer comparable development opportunities, acknowledging the distinct contexts and considerations of greenfield and infill development, especially concerning potential impacts on neighbouring properties and subdivision design.

In a small-scale residential context, the 12 m height limit is often used to allow for a three storey development with a drive-under garage. Currently, this development form is primarily achieved through Direct Control Zones and Special Area Zones in developing areas. The RSF Zone proposes a 12 m maximum height, in part to address existing market demand and reduce dependence on Direct Control and Special Area zoning. In most parts of the Redeveloping Area, the maximum height is proposed to increase to 10.5 m to allow more flexibility in 3-storey housing design while recognizing the existing context of the area.

Should there be a need for a 12 m height for small-scale residential projects in a redeveloping zone, a rezoning application to the RSF Zone or the (RSM) Small-Medium Scale Transition Residential Zone may be pursued.

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Date submitted: July 28, 2023

Question #: ZBR-23-129

Section/Regulation #: N/A

Asked by: Councillor Salvador

Q: *Please clarify whether group homes will be permitted on sites with secondary suites and backyard homes.*

A: A group home may be permitted on a site with secondary suites and/or backyard housing, providing it complies with the Alberta Building Code.

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Date submitted: July 28, 2023

Question #: ZBR-23-130

Section/Regulation #: MU Zone

Asked by: Councillor Salvador

Q: *If the minimum ground floor height under MU is 4.0m, are 4 storeys still possible at 16m, and 6 storeys at 23m? Has this been verified through modelling? What would the average ceiling height be on each floor?*

A: Based on a review of past development permit applications and input from a consultant, floor-to-floor heights typically range from 3.0 to 4.0 m for commercial and mixed use buildings, and slightly taller floor heights on the ground floor.

The information reviewed and modelling for the commercial and mixed use zones, which includes the minimum 4.0 m ground floor height proposed in the mixed use zones for non-residential uses, confirmed that 4 storeys are possible at 16 m in height and 6 storeys at 23 m in height.

The modelling scenarios for the MU Zone are included in the '[Commercial and Mixed Use Zone Modelling](#)' listed in the document library at edmonton.ca/zoningbylawrenewal.

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Date submitted: July 28, 2023

Question #: ZBR-23-131

Section/Regulation #: RM Zone

Asked by: Councillor Salvador

Q: *Are the floor area ratio bonuses additive if both requirements for inclusive design are satisfied under RM.4.2, or is it to a maximum of 0.7? Could these incentives be separated to provide up to 1.4 FAR.*

A: The Floor Area Ratio (FAR) bonuses for inclusive design and three-bedroom units are not additive; however, they can be combined so that a mix of inclusively designed and 3-bedroom dwellings may be used to achieve the FAR bonus. The proposed bonus has been increased from what the (RA7) Low Rise Apartment Zone and (RA8) Medium Rise Apartment Zone currently allow. The proposed increase would enable buildings that meet the specified criteria to fill most of the potential building envelope, as established by minimum setbacks and maximum height on a small to medium-sized site.

The final draft of the proposed new Zoning Bylaw has added two new FAR bonuses intended to incentivize:

- retention of buildings on the inventory of historic resources; and/or
- provision of supportive housing where a minimum of 30% of sleeping units meet inclusive design requirements.

These two new bonuses could be stacked with the inclusive design and three-bedroom floor area ratio bonus (up to a maximum FAR bonus of 1.4). However, opportunities to stack these incentives would likely be rare. In addition, a bonus FAR of 1.4 would likely only serve as an incentive on larger sites (as opposed to smaller sites where the minimum setbacks and maximum height become a stronger limiting factor for how much FAR can practically be used).

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Date submitted: July 28, 2023

Question #: ZBR-23-132

Section/Regulation #: N/A

Asked by: Councillor Salvador

Q: *Does the zoning bylaw include any reference to green building standards or energy efficiency? Is zoning an appropriate tool to incentivize more energy efficient buildings? Beyond encouraging low-carbon, location-efficient development through zoning, what other tools do we have to support climate resilience through built form?*

A: While the proposed new Zoning Bylaw enables more housing types across the residential zones – which will support more compact neighbourhoods and reduced greenhouse gas emissions in comparison to current growth patterns – there are no regulations or incentives proposed that reference green building standards or energy efficiency of buildings.

The National Buildings Code and National Energy Code include energy efficiency standards. Provinces and territories have jurisdiction over adopting these codes, and the Government of Alberta has recently signalled the adoption of Tier 1 for the province. The province has not announced a plan for adopting the highest tier (Tier 5), which would be consistent with a net-zero energy-ready standard.

In response to a Council Motion on June 15, 2022, Administration is reviewing opportunities, challenges and options for implementing and enforcing higher levels of energy efficiency than the national energy code as adopted by the province. An update on this review will be shared in Q1 2024.

In Q4 2023, Administration will begin designing a planning and development framework to identify the process that will guide the integration of climate consideration into all aspects of the urban planning and development continuum. The timeline for the Planning and Development Framework will be confirmed in Q2 2024, with the implementation of the identified actions to follow.

Pending the approval of the proposed new Zoning Bylaw, there will be opportunities to align Administration's post-Zoning Bylaw Renewal work with the development of the climate change planning and development framework. The work will identify processes and tools to accelerate climate resilience, such as enacting a Green Development Standards Bylaw, lobbying the province to accelerate building code updates, continuing or expanding financial incentive programs, ensuring streets and public infrastructure are built or retrofitted to climate-resilient standards, greater enforcement on non-compliance and supporting the development industry in capacity building.

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Date submitted: July 28, 2023

Question #: ZBR-23-133

Section/Regulation #: MU Zone

Asked by: Councillor Salvador

Q: *Please elaborate on the rationale behind the setbacks required above 16m for buildings under MU.4.3.7. Has administration consulted with building specialists or conducted analysis on the cost implications of a setback at this height for midrise structures? What is the design rationale for 16m vs. 23m?*

A: The design rationale for building setbacks above a certain height in a mixed use context is to mitigate the perceived mass of buildings along the street and, in turn, the visual impact of the buildings on the public realm. The required setback above 16 m will minimize shadows and microclimatic impacts (e.g. downdrafts) on streets, accommodate outdoor amenity spaces and create a comfortable, human-scaled public realm. Typically, a height of 16.0 m aligns with four-storey buildings, while a 23 m height is consistent with six-storey structures, factoring in the elevated ground floor heights seen in this zone.

16.0 m was chosen as the height where a larger setback would be required because it creates a pedestrian friendly streetscape across a range of different contexts and aligns with the current Main Streets Overlay. The draft regulation states that the increased setback could apply at a higher building height if the street wall on the abutting site is taller than 16 m.

Administration sought advice from a consultant with respect to the technical and financial implications of building setbacks and the advice received, in addition to feedback consistently received from the development industry, indicates that building setbacks increase construction costs. This is true regardless of the height at which the setback occurs. Administration weighed this advice against the potential value of the regulation when proposing requirements for building setbacks.

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Date submitted: July 28, 2023

Question #: ZBR-23-134

Section/Regulation #: N/A

Asked by: Councillor Salvador

Q: *To support non-vehicle related commerce and resolve mode based discrimination (and consequently income based), has the definition for Drive-through Services considered introducing a requirement for other modes (pedestrian, cyclist, scooter, etc.) to access service when walk-in services are not open? Can the Zoning Bylaw require that drive-through facilities serve customers using modes other than a vehicle such as pedestrians, bicyclists, and scooters?*

A: While the Zoning Bylaw regulates Uses, it does not regulate how a business operates. Requiring drive-through facilities to serve customers using transportation modes other than a motor vehicle is outside of the Zoning Bylaw's jurisdiction.

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Date submitted: July 28, 2023

Question #: ZBR-23-135

Section/Regulation #: RS Zone

Asked by: Councillor Salvador

Q: *For RS, how would 10.5m in height differ from 10m in height in terms of sound separation (between floors and potentially dwellings), insulation (considering heightened desire for energy efficiency), ceiling heights, and other quality of life benefits for occupants?*

A: The difference depends on how a builder intends to use the extra 0.5 m. Design variations could include more floor-to-ceiling height, a taller basement with larger windows, more insulation between floors or in the roof or more flexibility in roof pitch. Factors like the choice of building materials and site grading also play a role. It's important to note that the Zoning Bylaw does not dictate these elements.

A three-storey structure is feasible within a 10 m height maximum, however options to accommodate the factors described in the question would be more limited than with the proposed 10.5 m maximum. In other words, the lower the building height, the more compromises need to be made - compromises which could impact quality of life for occupants. The proposed height of 10.5 m is intended to accommodate a 3-storey building in consideration of a range of factors including those described in the question, while ensuring that the scale of the building is compatible with the surrounding neighbourhood.

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Date submitted: July 28, 2023

Question #: ZBR-23-136

Section/Regulation #: N/A

Asked by: Councillor Salvador

Q: *Why has a minimum setback been introduced for rear detached garages? Wouldn't this be better left to building code/fire code?*

A: Currently, the Mature Neighbourhood Overlay requires a minimum 3.0 m distance between a primary dwelling and a rear detached garage. In previous drafts of the proposed new Zoning Bylaw, this regulation was proposed to be removed and left up to the building code. Engagement feedback revealed a strong desire from residents to maintain the 3.0 m minimum distance to ensure the availability of rear yard outdoor amenity space and to prevent scenarios where a detached garage is built so close to the house that it creates similar massing impacts to a rear attached garage. Rear attached garages are not proposed to be permitted in the proposed (RS) Small Scale Residential Zone.

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Date submitted: July 28, 2023

Question #: ZBR-23-137

Section/Regulation #: RSF Zone

Asked by: Councillor Salvador

Q: *RSF.3.3.1 restricts commercial development to sites abutting commercial zones. If an RSF property develops a commercial use, would an adjacent RSF property be able to have a commercial use as well, or is no further incremental development possible?*

A: Sites that are zoned to the proposed (RS) Small Scale Residential Zone, (RSF) Small Scale Flex Residential Zone, or (RSM) Small-Medium Scale Transition Residential Zone are only permitted to develop commercial uses where they share a side lot line with a non-residential zone that allows commercial uses. This regulation would not allow further incremental commercial development.

The intent of this regulation is to allow limited expansion of neighbourhood commercial nodes while requiring that further expansion of commercial development goes through the rezoning process.

Note that there are no locational restrictions for home based businesses.

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Date submitted: July 28, 2023

Question #: ZBR-23-138

Section/Regulation #: RSF Zone

Asked by: Councillor Salvador

Q: *RSF.3.5.3 restricts the maximum floor area of child care facilities. Have we consulted with child care providers about whether this is a sufficient amount of floor area?*

A: Child care providers were consulted with respect to the practical implications of this floor area. The number of children that can be served by a 300m² child care facility varies, depending on the age range of the children and the provincial standards for space provision. Based on information from child care providers regarding the minimum space requirements for children of different ages, the City estimates that such a facility could serve approximately 50 children.

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Date submitted: July 28, 2023

Question #: ZBR-23-139

Section/Regulation #: RS, RSF and RSM Zones

Asked by: Councillor Salvador

Q: *Have we assessed the technical viability of cluster housing in the RS, RSF and RSM zones? This stands to be an attractive form of housing for a broad range of demographics. What does our modelling say about the viability of this form of housing?*

A: Yes, we have modelled some examples of cluster housing using the proposed new regulations. Many examples of cluster housing already exist in Edmonton and have been developed under a variety of zones including the (RF3) Small Scale Infill Development Zone, (RF5) Row Housing Zone and Direct Control Zones. The cluster housing examples provided in the City's zone modelling documents (available at edmonton.ca/ZoningBylawRenewal - search 'modelling') were based on recently approved development permits for this type of housing arrangement.

The technical requirements for cluster housing are influenced by several factors, including site dimensions, dwelling size and type, and site location. Additionally, the feasibility of these developments is subject to market dynamics, which fall outside the scope of the Zoning Bylaw.

The proposed zoning regulations are drafted to enable cluster housing. Moving forward, these regulations will be monitored. If zoning barriers are identified to this type of housing in the future, amendments to the regulations can be considered.

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Date submitted: July 29, 2023

Question #: ZBR-23-140

Section/Regulation #: RS Zone / 3.5

Asked by: Councillor Salvador

Q: *Please provide the land use and planning rationale for RS.3.5 which limits locations for Child Care Services with significant preference to corner sites on collector or arterial roadways.*

A: In the proposed (RS) Small Scale Residential, (RSF) Small Scale Flex Residential and (RSM) Small-Medium Scale Transition Residential zones, Child Care Service is listed as a permitted use. This provides greater certainty for child care providers than the current approach in Zoning Bylaw 12800, which lists Child Care Services as a discretionary use in small scale residential zones, as well as setting locational requirements.

In the proposed new Zoning Bylaw, locational and size limitations have been placed on the Child Care Service Use to maintain the primarily small scale residential purpose of these zones. Clear limitations allow for an incremental approach towards expanding where these activities are permitted and set common expectations for residents and child care operators. The criterion that allows child care facilities on corner sites along collector or arterial roads was chosen to support higher-intensity activities on streets that can accommodate additional traffic. Smaller-scale dayhomes can be accommodated on any residential site as a home based business.

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Date submitted: July 29, 2023

Question #: ZBR-23-141

Section/Regulation #: N/A

Asked by: Councillor Salvador

Q: *Please clarify the requirement for urban agriculture to be developed in conjunction with another use. Would this prohibit a vacant RS lot from being used for the purpose of urban agriculture? An example property could be bare-land purchased adjacent to an existing dwelling being used for urban agriculture, but not formally consolidated as a single lot.*

A: The (RS) Small Scale Residential Zone, (RSF) Small Scale Flex Residential Zone, (RSM) Small-Medium Scale Transition Residential Zone and (RM) Medium Scale Residential Zone regulation states: "Urban Agriculture must not be the only Use in a principal building." This means that if urban farming activities are conducted inside a building, they must coexist with another use. The objective behind this regulation is to prevent the exclusive use of a building for urban agriculture in a residential zone. This regulation does not apply to urban agriculture occurring outdoors.

It is also worth noting that personal food gardens are proposed to be categorized as landscaping and will not be regulated as a use.

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Date submitted: July 29, 2023

Question #: ZBR-23-142

Section/Regulation #: N/A

Asked by: Councillor Salvador

Q: *Was consideration given to supporting basic solar ready design for new residential buildings (i.e. roof orientation)?*

A: Basic solar-ready design for new developments (e.g. roof orientation, lot orientation) was considered during the drafting of the bylaw. This was also suggested by public engagement feedback.

In June 2022, a corrective action report for the Energy Transition Strategy (UPE00604) identified the need for activating climate-resilient urban development. A service package was approved to support the creation of a Climate Resilience Planning and Development framework through the 2023-2026 Operating Budget and is scheduled to begin in Q4 2023.

Pending the approval of the proposed new Zoning Bylaw, this may include opportunities to align Administration's post-Zoning Bylaw Renewal work with the development of the climate change planning and development framework or investigate other options such as a Green Development Standards Bylaw. It is recommended that options for solar-ready design such as roof orientation be considered through this work.

In the meantime, the proposed new Zoning Bylaw proposes to further reduce barriers to solar installations by:

- Simplifying requirements to allow more flexibility in how solar panels may be arranged on the roof or wall of a building.
- Allowing solar collectors on any building not listed on the Inventory or Register of Historic Resources without the need for a development permit. Buildings on the Inventory can still get approval for solar panels but they require review by the City's heritage planners.

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Date submitted: July 30, 2023

Question #: ZBR-23-143

Section/Regulation #: N/A

Asked by: Councillor Janz

Q: *List of consultants (if any) that the City of Edmonton paid that worked on the City Plan, District Plan and the Zoning Renewal.*

A: For the Zoning Bylaw Renewal Initiative:

- Green Space Alliance
- Populus Community Planning Inc.
- Yellow Pencil
- Sticks & Stones
- DDB

Listing consultants for The City Plan and the District Plan project is out of scope as it is not related to the motion to provide responses to questions related to the Draft Zoning Bylaw presented in Attachment 1 of the June 20, 2023, Urban Planning and Economy report UPE01636.

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Date submitted: July 30, 2023

Question #: ZBR-23-144

Section/Regulation #: N/A

Asked by: Councillor Janz

Q: *When the new district plans come into effect, and a developer requests upzoning to the zoning per the district plan, will homeowners and/or the community league receive mail notification when the upzoning application is received by the City (ie, before approval), will homeowners have the opportunity to appeal the upzoning application, and if so what will this process look like?*

A: Rezoning applications will be subject to the rezoning amendment process detailed in section 7.50 (Zoning Bylaw Amendments) in the proposed new Zoning Bylaw. Written notification of rezoning applications must be sent to:

- Municipal addresses, and addresses of assessed owners of land, located within a minimum 60.0 m radius of the rezoning site.
- The president of the applicable community leagues.
- The executive director of any applicable business improvement areas.

Notice of a proposed rezoning is required to be sent when the application is first received by the City and again prior to the City Council Public Hearing. In some cases, a notification sign must also be posted on the site.

All rezoning amendments must be brought to Council for consideration at a Public Hearing. During the Public Hearing, City Council may hear from the applicant and any other members of the public interested in the rezoning. Rezoning bylaws considered by City Council may be approved, refused, referred back to administration, or postponed to a future council date. City Council makes the final decision on rezoning applications.

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Date submitted: July 30, 2023

Section/Regulation #: N/A

Question #: ZBR-23-145, ZBR-23-146,
ZBR-23-147

Asked by: Councillor Janz

- Q:**
1. *How can the Zoning Bylaw do more to achieve broader sustainable development outcomes before it is approved by Council?*
 2. *Given the increasing frequency and severity of the impacts of climate change we are experiencing today, what Zoning Bylaw opportunities remain before it is approved by Council to develop regulations that:*
 - a. *Ensure the city achieves or exceeds its carbon reduction targets,*
 - b. *Every new and infill project constructed is climate ready and energy efficient,*
 - c. *Balance the outcomes of proposed Site & Building, Design and Landscaping regulations to achieve economic & development outcomes with the need to achieve environmental outcomes and climate resilience and healthy, livable and affordable neighbourhoods.*
 3. *What is the timeline for developing a Climate-resilient Planning & Development Framework and Green Development Standards?*
 - a. *What is the risk of approving the Draft Zoning Bylaw before the work identified as “future opportunities” is done and integrated into the proposed regulations.*
 - b. *How is the Draft Zoning Bylaw structured to facilitate amendments to incorporate the outcomes of these future opportunities into the regulations after the Zoning bylaw has been approved and implemented?*

A: Questions 1 and 2

The proposed new Zoning Bylaw will support reductions in carbon emissions by enabling more compact and complete communities. Transitioning to a higher density built form and more diverse land uses that include opportunities for housing, recreation, schools and employment will support more mobility options, make more efficient use of City infrastructure and reduce outward growth. By increasing density, the City can enhance its potential for reducing greenhouse gas emissions and improving climate resilience. These changes are important first steps in building climate resilience within the city's development processes.

Any changes to incorporate additional climate resilient standards would require further research, consultation and engagement. This would require additional staff time and resources, resulting in a delayed approval of the proposed new Zoning Bylaw.

Question 3

Administration will begin designing a climate resilience planning and development framework to identify the process that will guide the integration of climate consideration into all aspects of the urban planning and development continuum. This work was approved through the 2023-2026 Operating Budget.

The timeline for the Planning and Development Framework will be confirmed in Q2 2024, with the implementation of the identified actions to follow. Green Development Standards may be one component of the climate-resilience planning and development standards.

a. Climate change is a long-term challenge for municipalities. The risks presented by climate change exist under the current Zoning Bylaw, and delaying approval of the proposed new Zoning Bylaw will not reduce the risk.

b. Pending the approval of the proposed new Zoning Bylaw, there will be opportunities to align Administration's post-Zoning Bylaw Renewal work with the development of the Climate Resilience Planning and Development Framework. The structure of the proposed new Zoning Bylaw is not a barrier to future amendments to incorporate climate resilience requirements. These future regulations could be drafted to apply broadly to all developments, some development types, some specific uses or applied within specific zones. It will be dependent on the type of regulation proposed and the policy direction from City Council.

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Date submitted: July 30, 2023

Question #: ZBR-23-148

Section/Regulation #: N/A

Asked by: Councillor Janz

- Q:**
1. *What is the current Green Area (hectare) per 100,000 population?*
 2. *How is this measured and reported?*
 3. *What gain in the city's Green Area is expected via the new Zoning Bylaw?*

- A:**
1. The Green Area strategic measure refers to the Green and Blue Network in The City Plan, which has not been formally defined or qualified. Breathe, the City's Green Network Strategy, established a baseline of 7.6 hectares of open space per 1,000 residents in the city of Edmonton. The City based this value on Edmonton's 2017 demographic and open space information.
 2. Work to update and expand on open space metrics, in alignment with the strategic measures identified in The City Plan, will be undertaken through implementing Breathe. Implementation work is funded and will advance over the next few years. A primary goal of Breathe is to ensure all residents have equitable access to open space. Upcoming implementation includes:
Updates to existing open space standards and guidelines.
Further work to assess the open space network at the neighbourhood and district scale. This assessment will consider open space provision measures of supply, distribution, quality and diversity.
 3. Through the Zoning Bylaw Renewal Initiative, properties are proposed to be rezoned to the closest equivalent zone under the proposed new Zoning Bylaw. There is no proposed addition to or subtraction of the city's open spaces through Zoning Bylaw Renewal.

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Date submitted: July 30, 2023

Question #: ZBR-23-149

Section/Regulation #: N/A

Asked by: Councillor Janz

Q: *Advancing equity: What are the pros and cons to requiring a Minimum 30% Green Site Area in all Small, Medium and Large Scale Residential Zones so that all residents, regardless of housing type, distance to a park, income or mobility challenges, have easy access to a healthy Green Area?*

A: The question covers some benefits of dedicating a minimum percentage of a site to a green area, also sometimes referred to as a soft landscape area or green asset area. Dedicated green space also provides climate resilience benefits such as reducing stormwater runoff, increasing biodiversity and reducing the urban heat island effect. Breathe, Edmonton's Green Network Strategy, provides guidance to ensure the city's growth supports each neighbourhood with a network of high-quality, accessible and connected open spaces. The City Plan and policies related to the Green and Blue network reinforce the Green Network Strategy. Some of the downsides of requiring sites to provide a minimum 30% green site area are that it could impact personal choice in how residents use their property and limit the space available for other on-site amenities (e.g. decks, patios, pools). Depending on how a 'green site area' is defined could require property owners to maintain a certain level of vegetation, regardless of their preferences, financial situation or physical abilities.

Based on the engagement feedback received on the May 2023 draft of the proposed new Zoning Bylaw, Administration is proposing changes to replace the maximum 70% impermeable material regulations for small scale residential development with a new minimum 30% soft landscaping area requirement. Administration proposes supporting this with a new definition for Soft Landscaping:

Soft Landscaping means Landscape materials that allow water infiltration and absorption into the ground to reduce stormwater runoff and to be capable of supporting living plants, such as trees, shrubs, flowers, grass, or other perennial ground cover. This does not include materials that prevent water infiltration or materials such as artificial turf, decking, bricks, and pavers.

Administration does not propose to apply the minimum Soft Landscaping area requirement to development within the Medium and Large Scale Residential Zones; however, development within these zones must comply with the landscaped setback requirements. In addition, development within these zones with more than eight dwellings must provide an amenity area for residents on the site, which may be provided as a common outdoor amenity area. The landscaping section of the proposed bylaw also requires all open space, including common outdoor amenity areas, to be landscaped.

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Date submitted: July 30, 2023

Question #: ZBR-23-150

Section/Regulation #: Residential Zones

Asked by: Councillor Janz

Q: *Is it possible to achieve 30% Minimum Green Site Area in all proposed standard zones to provide room for Green Infrastructure? What are the pros and cons?*

A: Based on engagement feedback received on the May 2023 draft of the proposed new Zoning Bylaw, Administration is proposing changes to replace the maximum 70% impermeable material regulations for small scale residential development with a new minimum 30% soft landscaping area requirement. For the (RSM) Small-Medium Scale Transition Residential Zone, Administration proposes a minimum 25% soft landscaping area. This provides more flexibility for decks and pathways on compact sites.

A minimum soft landscaping area is not proposed for the Medium and Large Scale Residential Zones (RM and RL), mixed use or non-residential zones; however, development within these zones must comply with the landscaped setback requirements. In addition, development within these zones with more than eight dwellings must provide an amenity area for residents on the site, which may be provided as a common outdoor amenity area. The landscaping section of the proposed bylaw also requires all open space, including common outdoor amenity areas, to be landscaped.

Providing room for green infrastructure on sites within the larger scale residential zones, mixed use zones, and non-residential zones could contribute to climate resilience. However, applying a minimum soft landscaping area requirement in these zones beyond the minimum landscaping requirements would significantly change how sites are developed in Edmonton and could affect the feasibility of developing these sites.

In June 2022, a report for the Energy Transition Strategy (UPE00604) identified the need for activating climate resilient urban development. A service package was approved to support the creation of a Climate Resilience Planning and Development framework through the 2023-2026 Operating Budget. This work will begin in Q4 2023 and will examine the entire development continuum to identify specific climate change requirements needed in the different planning processes. This work will also include looking at which policy or regulatory tools may be best suited for which outcomes, and what are the implementation requirements.

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Date submitted: July 30, 2023

Question #: ZBR-23-151

Section/Regulation #: N/A

Asked by: Councillor Janz

Q: *How do each of the draft Zoning Bylaw proposed zones relate to storm water runoff from sites as site imperviousness increases? (see Table 2.1 Runoff Coefficient & Zoning, EPCOR Vol. 3-02 Stormwater Management and LID Design Manual). How could requiring a Minimum Green Site Area affect this relationship?*

A: The City and EPCOR are working with the development industry to modernize the design standards for Edmonton’s water and sewer infrastructure in alignment with the proposed new zones. The design standards will incorporate new runoff coefficients that correspond to the proposed new zones.

Minimum green site area requirements may be useful for calculating runoff coefficients directly. However, runoff coefficients for the proposed zones that do not have minimum green site areas can be evaluated through a combination of other methods, such as mapping the impervious area of developed areas that fall within the new zones, statistical analysis and rainfall-runoff modeling.

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Date submitted: July 30, 2023

Question #: ZBR-23-152

Section/Regulation #: Residential Zones

Asked by: Councillor Janz

Q: *What is the potential for private realm LID strategies (identified by Epcor) to provide Green Infrastructure to offset insufficient Green Area where 30% cannot be achieved on a site?*

A: Low Impact Development can be used in the private realm to reduce the volume and slow down the stormwater runoff generated from impervious areas before entering the drainage system. For example, the City and EPCOR have recently published the [Low Impact Development Guidelines for Corner Lot Infill Developments](#). EPCOR, the City and development partners, are working to develop a Green Hectares program. The program aims to enable Low Impact Development by removing design and construction standards barriers and exploring opportunities to incentivize Low Impact Development in both the public and private realms.

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Date submitted: July 30, 2023

Question #: ZBR-23-153

Section/Regulation #: Residential Zones

Asked by: Councillor Janz

Q: *Breathe, Edmonton's Green Network Strategy, recognizes that private yards can play a part in preserving and enhancing the ecological quality and connectivity of the City's green network (p 107). Connected Green Areas have more ecological value than disconnected Green Areas. What Zoning Bylaw regulations are needed to connect private Green Areas on every block?*

A: Administration does not recommend introducing regulations to connect private green areas (back yard or front yard) on every block. There would be a number of implications in regulating private open space to ensure a connected private green space area on every block.

For the City to implement this requirement, information regarding the private open space on lots within a block must be available for all new developments. Additionally, development permits may be necessary for improvements made to existing properties that do not currently require development permits, such as re-landscaping a yard or moving a small shed onto a site. However, it is important to note that this requirement may hinder property owners from installing fences on their property, even if it is for safety or security purposes. Additionally, enforcing minimum connected private green areas on every block may require more staff to monitor and ensure compliance.

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Date submitted: July 30, 2023

Question #: ZBR-23-154

Section/Regulation #: 5.80 Landscaping

Asked by: Councillor Janz

- Q:** *What are the pros and cons of making the following Section 5.8 Landscaping revisions and additions to improve the function of landscaping as green infrastructure that contributes environmental and social benefits and increases our Green Area (ha)/100,000 population. This would also contribute toward achieving a 20% tree canopy, the city's carbon reduction target and the Climate Resilience Strategy & Action Plan:*
- a. *Revise Subsection 2.2 – A 30% Minimum Green Site Area must be landscaped with Natural Vegetative Assets - trees, shrubs, grass, perennial ground cover - that contribute green infrastructure and environmental benefits to the site, except where:*
 - i. *One or more Low Impact Development (LID) strategies that meet standards provided in the EPCOR Vol. 3-02 Stormwater Management and LID Design Manual may substitute and offset some or all of the Green Site Area based on a weighted performance standard of each LID strategy. (NOTE: this work would need to be done, see Paris Land Use Plan, pp. 72 – 75).*
 - b. *Revise Subsection 3.2 – Remaining site area that exceeds impervious building site coverage and Green Site Area may be landscaped with permeable or impermeable materials.*
 - c. *Eliminate Subsection 3.4 and include green roofs as one of the weighted LID strategies to replace impermeable site coverage.*
 - d. *Adding to Section 7. Preserving Existing Trees & Shrubs a regulation for the protection of preserved mature trees (fencing, arborist assessment & requirements) during construction.*
 - e. *Adding to Section 10 Landscape Securities:*
 - i. *That the Landscape Security be required of small-scale multi-unit housing types, no exceptions.*
 - ii. *That the Landscape Security be transferrable from the permit applicant to new homeowner if the property is sold prior to completion of final grading & landscaping.*
 - iii. *That a Landscape Plan (Section 11) identify all pre-development deciduous and coniferous trees on the site and diameter at breast height (DBH). And also include a Landscape Planting Plan and/or Plant Schedule identifying new tree & shrub species and their mature spread and height.*
 - iv. *That a Landscaping inspection be required for refund of the Landscape Security (in person, remote video inspection or proof of completion signed by a horticulturist or landscaping professional)*

- A:** The following information provided is in the order of the suggested revisions and additions noted in the question:
- (a) Based on the engagement feedback received on the May 2023 draft of the proposed new Zoning Bylaw, Administration is proposing changes to replace the maximum 70% impermeable material regulations for small scale residential development with a new minimum 30% soft landscaping area requirement.

- (b) It is unclear what the benefit would be of landscaping the remaining site area that exceeds the building's impervious site coverage and green asset area with both impermeable and permeable materials. The proposed new Zoning Bylaw does require landscaping for all remaining open space while allowing some areas to be hard-surfaced to the satisfaction of the Development Planner.
- (c) The proposed changes noted above to replace the maximum impermeable material requirement with a minimum soft landscaping area requirement will allow green roofs to count towards the minimum soft landscaping area.
- (d) The proposed new Zoning Bylaw has regulations in the landscaping section that allow a Development Planner to require mitigation measures to preserve and protect existing vegetation on site intended to meet landscaping requirements. Mitigation measures identified in the proposed landscaping section include measures specified in a landscape or tree protection plan and recommendations from an arborist or horticulturalist report.
- (e) Landscape securities
 - (i) The proposed landscape securities section does apply to development that includes Multi-Unit Housing, regardless of scale.
 - (ii) When enforcement is needed, the City can only use the landscape security to install, maintain or complete the required landscaping. Changing the landscape security regulations to allow for release of securities to new property owners has not been pursued for legal and operational reasons.
 - (iii) The information and content required to be identified in a landscape plan for Multi-unit Housing, Cluster Housing, and non-residential development is proposed to be removed from the landscaping regulations section and instead integrated with the application form. This will consolidate the requirements and reduce duplication. The application form that outlines the landscape plan information will include the requirement to provide information on the location, size and condition of health of existing trees and shrubs proposed for preservation. It will also include the requirement to show the proposed location for all new trees, shrubs, perennials and ground covers, clearly labelled and cross-referenced with a plant list.
 - (iv) Landscape inspections will continue to be required in order to ensure the required landscaping has been installed and maintained prior to the release of the security for Multi-unit Housing, Cluster Housing, and non-residential development.

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Date submitted: July 30, 2023

Question #: ZBR-23-155

Section/Regulation #: RS Zone

Asked by: Councillor Janz

Q: *How can the RS Zone achieve a balance of the sustainable development outcomes which are the goal of 4.2 Land Use Patterns, Land Use Policy of the MGA? Municipalities are encouraged to establish land use patterns which embody the principles of sustainable development, thereby contributing to a healthy environment, a healthy economy and a high quality of life.*

A: Edmonton's municipal development plan, The City Plan, establishes the framework for future land uses, the provision of municipal infrastructure and policy directives consistent with requirements and guidance set out under the Municipal Government Act, Edmonton Metropolitan Regional Growth Plan and with Alberta Land Use Policies.

The proposed new Zoning Bylaw is intended to enable development that will build the city as envisioned in The City Plan. The proposed bylaw enables development opportunities that will help to realize The City Plan's vision to live locally (a community of communities), bring the nodes and corridors to life, enable incremental infill with diverse and flexible housing options, support economic opportunities, enhance equity, protect Edmonton's natural systems and advance climate actions through more effective land use planning. Further details on alignment with The City Plan's directions can be found in [Appendix 1 - City Plan Policy Alignment](#) of Charter Bylaw 20001 scheduled for the October 16, 2023 Public Hearing.

Specific to the proposed (RS) Small Scale Residential Zone, this zone will support

- Diverse and innovative housing options for all Edmontonians across all neighbourhoods;
- Improved access to amenities and services closer to where Edmontonians live;
- New opportunities for home based business owners to provide goods and services to their neighbourhood;
- Developments which continue to provide landscaping;
- Greater certainty in the development review process for applicants and the public; and
- Creating a compact city that can help reduce carbon emissions caused by transportation, urban sprawl and infrastructure expansion and maintenance.

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Date submitted: July 30, 2023

Question #: ZBR-23-156

Section/Regulation #: RS Zone

Asked by: Councillor Janz

Q: *What site and building regulations can be adjusted to both increase density and achieve positive local environmental outcomes to build healthy, climate resilient and livable neighbourhoods for current and future residents in redeveloping communities? With the current proposed RS Zone Maximum Site Coverage of 47% and 10 m rear setback, is it possible to achieve a 30% Minimum Green Site Area if a site is developed to its maximum potential? Can this be achieved with a 44% Maximum Site Coverage and a 40% of lot depth Minimum Rear Setback?*

A: The new Zoning Bylaw proposes meaningful change to address the impacts of climate change. As a tool primarily intended for regulating land use - that is, what can be built where - the new Zoning Bylaw proposes land use changes that can help to reduce greenhouse gas emissions and support an energy transition by enabling a more compact built form. Over time, these changes will influence the choices people make in how and where they live, how far they need to travel to access services and amenities, and what modes of transportation may be feasible for them to do so. The impact these changes can have over the long term should not be overlooked.

Administration is aware that responding to and addressing concerns about climate impacts as soon as possible is important and that delays will result in greater impacts and costs in the future. Understanding the implementation, other technical dependencies and the potential for enforcement of changes is crucial to appropriately incorporate climate resilience regulations, such as EV parking requirements or wildfire protection, into the Zoning Bylaw. This involves identifying the resources required, potential effects on city-wide infrastructure or properties and potential costs to the City, service providers, property owners and industry.

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Date submitted: July 30, 2023

Question #: ZBR-23-157

Section/Regulation #: RS Zone

Asked by: Councillor Janz

Q: *If height is increased to allow 3 storey small scale development, can the Maximum Building Site Coverage of 47% for the RS Zone be reduced to 44% without reducing the potential for density possible with a Minimum Site Area of 75 m²/dwelling unit?*

A: Given that the Zoning Bylaw does not set a minimum dwelling size, such a change would not likely reduce the potential density that could be achieved on most sites. However, any change to reduce development potential impacts the flexibility and range of potential options for different housing configurations. It should be noted that the maximum site coverage in the current (RF3) Small Scale Infill Development Zone is 45% for multi-unit housing, so such a change would result in a reduction of development rights for that housing type.

In response to the May to July 2023 engagement feedback, the maximum site coverage in the proposed (RS) Small Scale Residential Zone has been reduced to 45% in the proposed new Zoning Bylaw to ensure that new buildings are sensitively scaled to their surroundings.

A 2% site coverage bonus is also proposed where:

- A front porch is provided;
- A building on the Inventory of Historic Resources is retained; or
- Supportive Housing or a minimum of 20% of all Dwellings comply with inclusive design requirements.

This proposal generally aligns with the current 45% maximum site coverage regulation for multi-unit housing in the current RF3 Zone.

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Date submitted: July 30, 2023

Question #: ZBR-23-159

Section/Regulation #: RS Zone

Asked by: Councillor Janz

Q: *ZBRI Draft Small Scale Zone Scenario Modelling, February 2023, shows all but one housing types can be built within a Minimum Rear Setback of 40% of lot depth, except Cluster Housing (p. 13) with an “L” shaped configuration facing the front and flanking street, where, under the Existing RF3 Zone a portion of the building could not extend beyond the 40% Minimum Rear Setback.*

- I. Could cluster housing be accommodated with a 40% of lot depth Minimum Rear Setback if the following regulation were added - a 7.5 m interior side setback to an interior side lot line between the Minimum Rear Setback and the rear property line?*
- II. Can a larger rear setback which improves building alignment provide better sun access, air flow and room for larger trees and greater outdoor amenity area (private or common) to increase livability and quality of life for residents.*
- III. What are the pros and cons of better building alignment?*

A: I. The feasibility of accommodating cluster housing within a 40% minimum rear setback, given a minimum 7.5 m interior side setback, hinges on multiple factors. These include the size of the site, the number of buildings proposed and the building location. Under the proposed new Zoning Bylaw, any dwellings located partially or wholly within the rear setback are classified as backyard housing (not cluster housing) and have a smaller maximum site coverage and maximum height. Allowing cluster housing into the rear setback area conflicts with the definition of backyard housing and would allow for taller buildings in the rear setback space, which is not the intent.

II. While some of this may be true, the implication of this is to maintain the current rear setback requirement which perpetuates large yards at the expense of supporting additional density in the city's Redeveloping Area. In addition, residents may still choose to build and purchase homes with larger rear yards if they value the space and quality of life that it offers. Others may not share this set of values, and offering some flexibility in where on a site a building may be located increases the likelihood that people can find a housing and yard arrangement that works for them.

III. Setbacks in the current and proposed new Zoning Bylaw establish the location in which a building can be located. There is currently no obligation for buildings along a residential block to be built in alignment with one another. Whether buildings are aligned or offset is a result of individual choices made within the regulations of the Zoning Bylaw. In the opinion of Administration this variety is a natural part of a neighbourhood's evolution over time.

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Date submitted: July 30, 2023

Question #: ZBR-23-160

Section/Regulation #: RS Zone

Asked by: Councillor Janz

Q: *Which Minimum Rear Setback, the existing 40% of lot depth or the proposed RS Zone 10 m Minimum Rear Setback has greater potential to mitigate environmental and social impacts to existing and future RS Zone development including: disruption of air flow, increased heat island effect, loss of sun access for solar energy, loss of amenity area and loss of green site area?*

A: The existing rear setback requirement based on 40% of lot depth for properties in the Mature Neighbourhood Overlay is likely to result in larger rear yards. That said, developments are not obligated to build up to the rear setback line and the building wall may end before reaching this line, in part due to other regulations such as maximum site coverage. Both setback options could produce similar outcomes, depending on factors like lot size, market preferences, and whether a rear detached garage is provided.

The primary purpose of a minimum rear setback is to control the limits of building placement on a property. The minimum setback only determines the building envelope. It does not limit paved areas, which can also impact the heat island effect. The proposed new Zoning Bylaw continues to limit the amount of pavement allowed on site through a proposed new minimum soft landscaping requirement. Developments can be designed within both scenarios to provide adequate amenity area and green site area. Sun access may be affected to an extent, but other factors such as lot orientation, and building or tree height can also determine sun availability on a site.

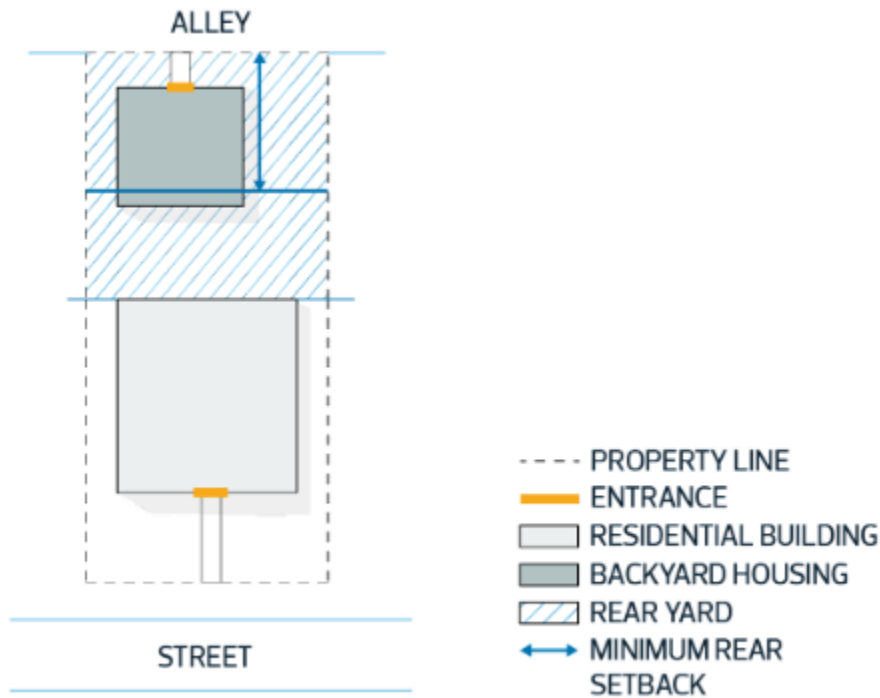
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Date submitted: July 30, 2023
Section/Regulation #: RS Zone

Question #: ZBR-23-161
Asked by: Councillor Janz

Q: *What are the pros and cons of requiring a 25% of lot depth Rear Building envelope to maintain rear building alignment and keep Backyard Housing in the back of the yard?*

A: Backyard Housing is proposed to be defined as “a building, containing 1 or more Dwellings, that is located wholly within the Rear Yard, and partially or wholly within the Rear Setback of the applicable Zone, of a Residential Site.”



Implementing a rear building envelope that spans 25% of the lot depth would set a clear boundary for the positioning of the rear building. However, this could limit the dimensions, location and architectural design of backyard housing. The proposed backyard housing definition achieves similar outcomes to the 25% building envelope by requiring the building to be located at least partially in the rear setback, however, it provides more flexibility in the size and placement of the backyard house on the property.

In response to engagement feedback, a minimum 3.0 m separation is proposed to be required between the backyard house and any other principal dwelling on the same site. This requirement will further restrict where a backyard house can be located on a property.

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Date submitted: July 30, 2023

Question #: ZBR-23-162

Section/Regulation #: RS Zone

Asked by: Councillor Janz

Q: *What are the pros and cons of requiring a 15% lot depth separation between Backyard Housing and principal buildings?*

A: Requiring a 15% lot depth separation between backyard housing and principal dwellings is an alternative building separation method that achieves similar outcomes as the proposed 3.0 m separation in the proposed new Zoning Bylaw by breaking up building massing.

Using 15% of lot depth as the separation measure would create a larger building separation requirement (4.5 m on a 30 m deep lot; 6.0 m on a 40 m deep lot) than exists under the current Zoning Bylaw (4.0 m). Larger separation requirements may result in:

- Less space available for some housing forms such as cluster housing or backyard housing.
- A lower potential number of dwellings that could be built on a site.
- Non-conforming garden suites (i.e. garden suites that are already built may be in violation of the proposed new Zoning Bylaw).
- More backyard space for outdoor amenities or tree planting.

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Date submitted: July 30, 2023

Question #: ZBR-23-163

Section/Regulation #: Medium/Large Scale Residential Zones

Asked by: Councillor Janz

Q: *Given the variety of site dimensions and contexts within the Anthony Henday, what would be the benefit of having contextual modifiers for different contexts? For instance, a Rear Setback of 10 m (or 25% of site depth) on sites with no lanes, and a 40% of Site Rear Setback for Sites with lanes? Would this not continue to encourage the development of Backyard Housing on the lots most suitable for Backyard Housing?*

A: Maintaining a 40% setback requirement on sites with rear alleys would result in larger rear yards and the benefits these offer, such as large amenity areas. However, maintaining this setback requirement is not recommended as it limits the flexibility of different development scenarios and the potential for increased density that this flexibility represents. It is Administration's opinion that the benefits of enabling efficient use of existing land and infrastructure throughout the Redeveloping Area outweighs the benefits of perpetuating a large rear yard requirement for a large proportion of this area. Furthermore, there is nothing to prevent a larger rear yard from being provided or existing rear yards from being maintained, should the landowner choose to do so.

The proposed minimum 10 m rear setback regulation is increased from the current standard zone setback of 7.5 m but reduced from the current Mature Neighbourhood Overlay requirement of 40% of Site Depth (which typically results in rear yards of 12 m or more). This simplifies the regulation and allows for flexibility of building placement but still ensures adequate space for a rear yard and backyard housing.

Having two different minimum rear setbacks for sites with and without alleys would neither encourage nor discourage backyard housing, as both setbacks can accommodate backyard housing. However, a lesser rear setback requirement may increase the likelihood of accommodating other dwelling types on the remainder of the site as well.

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Date submitted: July 30, 2023

Question #: ZBR-23-164

Section/Regulation #: Medium/Large Scale Residential Zones

Asked by: Councillor Janz

Q: *The City of Edmonton has created Design Guidelines for Mid-Rise Buildings, Podiums and Towers to “ensure mid-rise buildings and podiums - through building and street wall height, setbacks and step backs - are sensitive to their context and contribute to a human scaled public realm which is comfortable in all seasons.” How were these Guidelines used to create the draft Zoning Bylaw regulations for the RM and RL Zones, or any other Medium or Large scale zones? If the Guidelines were not used, why not and what guiding principles were used instead?*

A: The draft Tall Building Design Guidelines guidelines were used to help inform the regulations in the proposed new Zoning Bylaw. In addition, Administration considered a number of factors in forming the draft regulations, including input from staff in other work areas, feedback received through public engagement, existing development rights, and the need to balance multiple competing objectives across the range of different contexts in which these zones will be applied.

Examples of areas where the draft Tall Building Guidelines informed the proposed zones include:

- Requiring buildings in the proposed (RM) Medium Scale Residential and (RL) Large Scale Residential zones, and residential uses on the ground floor in the (MU) Mixed Use Zone, to have a minimum 4.5 m setback from an abutting street where no tree boulevard is present. This distance is recommended for townhouse units in the draft guidelines; however, this space is also intended to provide room for landscaping and to provide a transition from public to private spaces.
- Allowing the ground floor of non-residential buildings in the proposed RL Zone that take the form of a Main Street Development (as defined in the proposed new Zoning Bylaw) to be built closer to the street.
- Requiring ground floor non-residential uses in the proposed MU Zone to be built closer to the street.
- Allowing portions of towers in the proposed MU Zone to extend to ground level to accommodate a public amenity.
- Requiring a 4.5 m tower stepback from the face of a podium or street wall in the proposed MU Zone.
- In the RL and MU zones, the maximum tower floor plate is within the range identified in the draft guidelines for towers (750 - 1,000 m²), as is the minimum 25 m distance between towers.

The current and proposed Zoning Bylaws also include criteria for wind study requirements for taller buildings. Based on engagement feedback on the September 2022 draft of the new Zoning Bylaw, a regulation was included in both the proposed RL and MU Zone which gives the Development Planner flexibility and guidance when considering variances to the tower regulations. This would take into account factors such as:

- The orientation and placement of the Tower and associated visual, sun, shadow and microclimatic impacts on amenity areas, pathways and neighbouring residential or mixed use developments.
- The context of the site in relation to the location and height of buildings on adjacent sites.
- Recommendations and mitigation measures specified in any required technical studies or applicable urban design guidelines.

The proposed RM, RL and MU Zones also require main entrances to incorporate weather protection features like canopies, awnings, overhangs, vestibules, recessed entrances or other architectural elements to provide all-season weather protection. This is informed by regulations in the current bylaw and the Winter City Design Guidelines.

Regarding the setbacks mentioned in the draft guidelines that were not included in the proposed RM, RL and MU Zones, Administration balanced the recommendations against other factors including the objective of not reducing current development rights or creating non-conforming buildings.

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Date submitted: July 30, 2023

Question #: ZBR-23-165

Section/Regulation #: Medium/Large Scale Residential Zones

Asked by: Councillor Janz

Q: *What is the best location for green areas - front or rear setbacks of apartments? What are the pros and cons of each location?*

A: The best location for a green area or landscaped area depends on a variety of factors, such as the preference of the property owner, the orientation of the lot in relation to access to sun or shade (which might inform preferences for different types of plant material), maintenance needs and the location of other activities occurring on the site (such as amenity areas, parking, etc.). Regardless of the location, the current Zoning Bylaw and the proposed new Zoning Bylaw require the minimum setbacks at grade and all remaining open space to be landscaped.

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Date submitted: July 30, 2023

Question #: ZBR-23-166

Section/Regulation #: Medium/Large Scale Residential Zones

Asked by: Councillor Janz

Q: *Anecdotal evidence indicates that Edmontonians seem to be fairly satisfied with the street level experience with apartments in Oliver. Oliver apartments tend to have a 6 m front setback with a green area (except those on Jasper Ave), plus many streets have boulevard trees. The front setback green area with trees creates a comfortable human scale environment, with protection from wind in the winter, shade in the summer and room for outdoor amenity area or semi-public area. Would the City consider requiring a minimum 6 m front setback for residential medium and high scale zones? What are the pros and cons of a 6 m vs 3 m front setback in the draft Zoning Bylaw?*

A: Although increasing the front setback to 6.0 m would provide additional room for larger trees and potentially more room for outdoor amenity areas, increasing this setback would reduce the development potential for zones that are intended to accommodate higher-density development, especially on smaller sites. It would also reduce existing development rights and potentially create non-conforming buildings, which would not align with the rezoning principles established for the Zoning Bylaw Renewal Initiative.

The minimum setbacks in the proposed (RM) Medium Scale Residential and (RL) Large Scale Residential Zones factor in the minimum setbacks of equivalent zones, with consideration for landscaping and the transition from public to private space. For example, the current (RA7) Low Rise Apartment Zone and (RA8) Medium Rise Apartment Zone require a minimum 4.5 m front setback. Meanwhile, the current (RA9) High Rise Apartment Zone requires a minimum 3.0 m front and flanking side setback (for portions of the building 15.0 m in height or below with residential on the ground floor).

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Date submitted: July 30, 2023

Question #: ZBR-23-167

Section/Regulation #: Medium/Large-scale Residential Zones

Asked by: Councillor Janz

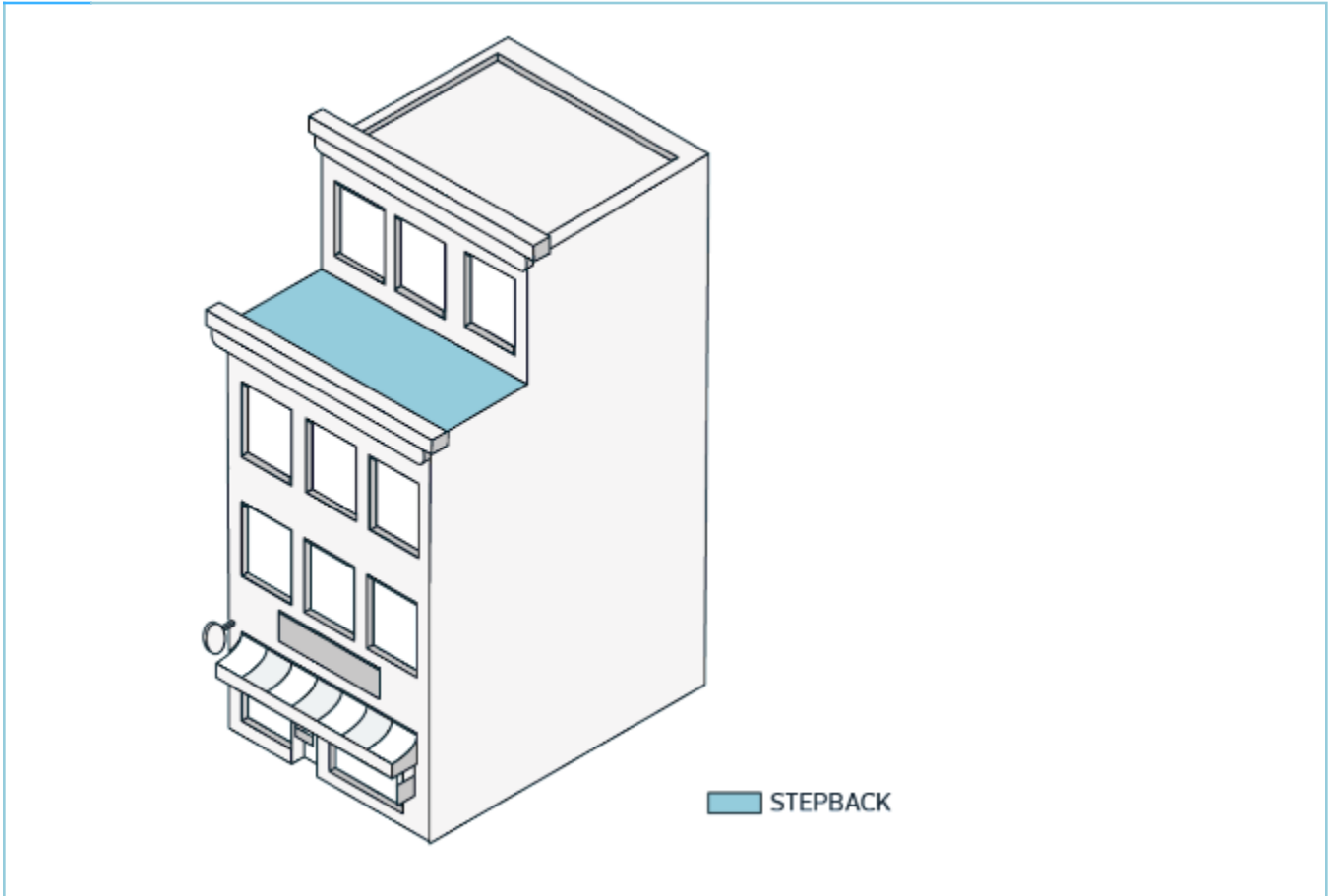
Q: *Where a minimum 3 m front setback, or a 1 m front setback for commercial areas is required at ground level, would the City consider requiring a 6 m setback for portions of the building above 16 m (or 23 m) as a means of increasing sun access for neighbouring properties and the sidewalk, plus reducing wind tunneling on the street? What are all the pros and cons?*

A: In order to support the outcomes described in the question, the proposed (RL) Large Scale Residential Zone requires a 6.0 m setback from a lot line along a street for portions of a tower above 23.0 m in height. The proposed (MU) Mixed Use Zone requires a setback of 4.5 m for portions of a building above 16.0 m in height. In addition, when a tower is proposed in the MU zone, portions of the tower above 23.0 m in height must be setback 4.5 m more than the minimum ground-level setback. These regulations are intended to establish a podium tower configuration, where required by the zone, and reduce the perception of massing of tall buildings and wind impacts along a street.

In addition, the Special Information Requirements section of the proposed new Zoning Bylaw allows the Development Planner to require a wind impact assessment where a building is at least 20.0 m tall. The Development Planner may impose conditions on the development permit necessary to mitigate wind-related impacts, including a change in building design.

Similar stepback (see diagram below) requirements from the street are not proposed for the (RM) Medium Scale Zone, which does not allow for tower development. However, to support a sensitive building transition to neighbouring residential sites, the RM Zone proposes increased setback requirements from the rear or side property lines when next to a small-scale residential zone with a maximum height of 12.0 meters or less.

The downside of stepbacks is that they can be expensive to build and lead to a less energy-efficient building envelope. Requiring a 6.0 m setback for portions of a medium-scale building often results in a 6.0 m setback for the whole building rather than a stepback for just the upper portions of the building.



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Date submitted: July 30, 2023

Question #: ZBR-23-168

Section/Regulation #: Medium/Large-scale Residential Zones

Asked by: Councillor Janz

Q: *How will a 3 m Rear Setback accommodate waste management, parking, and a landscape buffer, while also being compatible with the transition zones which have a 6 m rear setback? What are the pros and cons of providing a minimum 6 m Rear Setback or greater?*

A: Transitions to smaller scale residential zones are built into the proposed (RM) Medium Scale Residential Zone by requiring either a 3.0 m, 6.0 m or 9.0 m setback from an abutting site in a small scale residential zone. The size of the setback depends on the height and length of the proposed building in the RM Zone. This setback applies if the RM Zone abuts a small scale residential zone at the side or the rear.

The proposed RM Zone requires a minimum 3.0 m setback from an alley. Alleys are typically 6.0 m wide, providing additional separation from sites across the alley. Consideration of whether a development needs a rear setback larger than 3.0 m to accommodate things like waste collection, parking and any other infrastructure can be made during the design phase of the project and will be reviewed by the City's relevant technical departments at the time of the development permit application. Where necessary to meet these functional requirements, a larger setback from the alley can be provided. The RM Zone does not require a landscape buffer between a site and an alley.

A larger rear setback requirement reduces flexibility for building placement. An average of 30% of variances granted for multi-unit housing per year are for reduced setbacks. Smaller setback requirements are another reason for applicants choosing Direct Control Zoning for medium-scale residential development rather than a standard zone. The smaller minimum setback from alleys makes the RM Zone more effective and flexible when an alley is present. It allows for greater design variation while still maintaining appropriate transition requirements.

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Date submitted: July 30, 2023

Question #: ZBR-23-169

Section/Regulation #: Medium/Large-scale Residential Zones

Asked by: Councillor Janz

Q: *The draft Zoning Bylaw requires a minimum 3 m Side Setback for buildings greater than 12 m, and a 6 m Setback for portions of the building greater than 23 m. What are the advantages/disadvantages to having the step back at the 16 m Height rather than the 23 m Height?*

A: The regulations this question seems to refer to pertain to setbacks in the proposed (RM) Medium Scale Residential Zone abutting sites other than small-scale residential sites. Please note that for portions of buildings surpassing a height of 16 m and located adjacent to a site within a small-scale residential zone, a larger setback requirement is proposed.

During the May to July 2023 engagement, concerns were raised that the setback requirements for portions of buildings taller than 23 m in the proposed (RM) Medium Scale Residential Zone would require too much separation between similarly sized buildings and disincentivize eight-storey residential construction in areas where plans and policies encourage this scale of development. In response to the feedback, the additional minimum setback requirement for portions of medium-scale buildings above 23 m was removed for situations other than where abutting small-scale residential zones.

A larger required setback for portions of buildings taller than 16 m (or 23 m) would result in slightly more separation space and less shading between buildings of similar size. However, whether the advantages are felt by the residents ultimately depends on the design of the building and the placement of landscaping, pathways, balconies and windows.

Some disadvantages of a larger required setback for portions of buildings taller than 16 m (or 23 m) include less flexibility and buildable area available to medium-rise buildings (even in areas where medium-rise buildings are supported by planning policy). This could potentially make medium-rise developments more difficult to build and result in fewer dwellings per site. A larger setback also has the potential to create non-conforming buildings because it would be larger than the side setback required under the current RA7 and RA8 zones.

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Date submitted: July 30, 2023

Question #: ZBR-23-170

Section/Regulation #: Medium/Large-scale Residential Zones

Asked by: Councillor Janz

Q: *To create more sun access for adjacent apartments to the North, would the City consider a Minimum Side Setback of 6 m where the proposed building abuts the south property line of a neighbouring Site? What are the advantages and disadvantages?*

A: Currently, the (RA7) Low Rise Apartment Zone and (RA8) Medium Rise Apartment Zone require a minimum 3.0 m side setback for buildings over 10.0 m in height when next to a site zoned for low or medium-rise apartments. This requirement balances the competing interests of mitigating impacts on surrounding properties with the need to support density and make efficient use of land and infrastructure.

The proposed (RM) Medium Scale Residential Zone keeps this setback requirement to continue supporting the City's density goals while maintaining existing development rights and reducing the risk of creating non-conforming buildings. A larger minimum side setback could reduce development potential, especially on smaller sites, and has the potential to result in more Direct Control rezoning applications.

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Date submitted: July 30, 2023

Question #: ZBR-23-171

Section/Regulation #: Medium/Large-scale Residential Zones

Asked by: Councillor Janz

Q: *The design regulation requiring front street entrances for each ground level unit facing the street has been omitted from the draft Zoning Bylaw. Why?*

A: The design regulation requiring front street entrances for each ground level unit has been revised, not omitted. This proposed regulation applies in the (RM) Medium Scale Residential Zone where the building wall facing the street is longer than 30 m and the building has a minimum front setback of 4.5 m or less.

This revised approach offers design flexibility for smaller scale apartments that are already broken up into smaller facades, each with its own building entrance. Longer apartment buildings are required to provide individual entrances for ground floor units to break up the massing of the facade and encourage street-level engagement along a lengthy building wall.

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Date submitted: July 30, 2023

Question #: ZBR-23-172

Section/Regulation #: Medium/Large-scale Residential Zones

Asked by: Councillor Janz

Q: *What are the pros and cons to requiring Inclusive Design in all Medium and Large Scale residential developments, rather than providing incentives for Inclusive Design?*

A: Barrier-free design is regulated through the Alberta Building Code and generally apply to all buildings except for:

- Detached houses
- Semi-detached houses
- Houses with a secondary suite
- Duplexes
- Triplexes
- Townhouses
- Row houses
- Boarding houses

The Alberta Building Code's barrier-free design requirements generally apply to shared or public areas of a building. Additionally, the proposed new Zoning Bylaw's inclusive design requirements incentivize:

- Barrier-free design in small, medium and large scale housing forms.
- Inclusively designed areas within a dwelling.

Requiring all dwellings in medium and large scale residential development to be inclusively designed would further expand opportunities for accessible dwellings. However, a change of this scale was not considered as part of Zoning Bylaw Renewal. As such, the disadvantages of requiring inclusion design specific to medium and large scale residential developments have not been researched.

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Date submitted: July 30, 2023

Question #: ZBR-23-173

Section/Regulation #: Medium/Large-scale Residential Zones

Asked by: Councillor Janz

- Q:** *To attract more people to live in higher density housing we need regulations which would make multi-unit living more attractive and livable, especially in the busy, vibrant, but noisy Nodes and Corridors. What are the pros and cons of introducing the following regulations:*
- A. All dwellings shall have at least one quiet facade with a window.*
 - B. All dwellings shall have windows facing at least two different directions for access to natural light and air circulation, (which will also reduce carbon emissions for lighting and cooling).*
 - C. There shall be no mechanical devices (such as air conditioners or heat pumps) which emit noise or hot air into the side setback of adjacent dwellings.*

A: A. Addressing noise concerns presents challenges in both regulation and enforcement. Noise can originate from various directions, and defining a universally accepted "quiet" standard is subjective. Implementing such a regulation would complicate the process for applicants, necessitating the involvement of sound experts to conduct noise assessments. The City would also need to allocate specialized staff to review these assessments for compliance. Moreover, this could lead to increased costs due to the need for special building materials.

B. While the aspiration to design dwellings that facilitate natural airflow is commendable, its incorporation into the Zoning Bylaw might pose difficulties and restrict design options. Given the architectural layout of some buildings, it might not always be feasible to have windows on multiple sides.

C. Such restrictions, while potentially benefiting neighbouring properties, could compromise the ability of dwellings to locate mechanical units such as air conditioners in places that work for the floorplan of the dwelling.

Overall, while the purpose of such regulations are well-intentioned, their introduction could complicate building designs and reduce options for the homeowner or resident.

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Date submitted: July 30, 2023

Question #: ZBR-23-174

Section/Regulation #: N/A

Asked by: Councillor Janz

Q: *Garneau is slated to absorb 20% of density, moving forward. Are any steps being taken to address infrastructure needs (schools, water supply, hydro)? i.e. the need for AC, given our changing climate and people's ability to afford AC? AC is one of the worst options environmentally for cooling, but - with increased concrete surfaces, removal of mature trees, and developments that reduce or eliminate air flow through entire blocks, it's becoming the only option. Is anyone examining the consequences of this from a sustainable, "liveable" city perspective?*

A: Responding to the steps being taken to address infrastructure needs specific to Garneau is out of scope as it is not related to the motion to provide responses to questions related to the draft Zoning Bylaw presented in Attachment 1 of the June 20, 2023, Urban Planning and Economy report UPE01636. However, a more generalized response is provided below in regards to infrastructure requirements, climate vulnerability assessment and next steps to integrate climate change into the urban planning and development continuum.

In 2021, the City and EPCOR completed an initial assessment of the node and corridor infrastructure requirements to support growth. The City will leverage this work as individual neighbourhoods continue redeveloping and providing long-term planning for utility infrastructure. The City and EPCOR are also working to modernize infrastructure standards to reflect future development needs. Ongoing assessment of infrastructure capacity will occur through the development process.

[A climate vulnerability assessment](#) included considerations for space heating and cooling costs during the development of The City Plan. While this assessment provides city-wide estimates, it informs the overall approach of The City Plan in guiding Edmonton's future growth. Balancing Edmonton's different climate, economic and social opportunities requires a complex set of trade-offs and considerations that is an ongoing discussion and collaboration between City Council and its residents.

The Zoning Bylaw is one of many planning tools to integrate aspects of climate resilience within the land development process. In Q4 2023, Administration will begin designing a Climate Resilience Planning and Development Framework to identify the processes and tools required to integrate climate change into all aspects of the urban planning and development continuum. The timeline for the Planning and Development Framework will be confirmed in Q2 2024, with the implementation of the identified actions to follow. There will be opportunities to align Administration's post-Zoning Bylaw Renewal work with the development of the Climate Resilience Planning and Development Framework. Other actions and programs may be necessary to address individual or neighbourhood impacts from climate change.

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Date submitted: July 30, 2023

Question #: ZBR-23-175

Section/Regulation #: N/A

Asked by: Councillor Janz

Q: *With the wide-scale removal of mature trees (and six councillors refusing to support a bylaw that would protect mature trees on private lots), what measures are being taken to ensure that the many thousands of trees (not mature) the city intends to plant will survive? This is increasingly sounding like carbon capture - i.e. a nice idea. Who will plant them (volunteers)? Who will supervise the care and watering of these 1M+ trees?*

A: The Greener As We Grow program will plant two million trees on public property to help Edmonton meet The City Plan's target. The program's funding is through capital funding (tax levy), Corporate Tree Reserve and grant funding. Initiatives included in this program are:

- Growth planting of open space and boulevard trees.
 - Planted by City staff and contractors.
- Replacement planting of a back-log of 16,000 dead open space and boulevard trees.
 - Planted by City staff and contractors.
- Growth planting of native trees and shrubs in naturalized areas.
 - Planted through a combination of contractors, as well as volunteers (supervised by City staff) with the Root for Trees program.

Tree establishment, monitoring and watering receive funding through a capital profile and grants for the first two to three years after planting. After that, trees on public property are part of the City Operations' regular urban forest inventory to care for and maintain. After the two to three year establishment period, ornamental open space and boulevard trees are on a regular condition inspection and pruning cycle. In naturalization and natural areas, maintenance includes:

- Weed control.
- Infill planting where needed to support replacement planting and biodiversity enhancement.
- Removal of hazardous branches and trees (e.g. hanging over a path or road) where needed.

Ensuring that City Operations receive funding for growth in the urban forest canopy is essential to ensuring these maintenance activities can occur.

The City has a funded capital profile called Soft Landscaping, in addition to the Greener As We Grow profile. This profile includes various landscaping projects, including yearly planting of up to 3,000 trees in dead or vacant spots. These landscaping projects ensure that the City continuously replaces the approximately 3,000 trees that die each year from natural or other causes.

In addition to the work described above, the Public Tree Bylaw protects all trees on public property with protection, inspection and permit requirements for when construction occurs around trees (to prevent damage to the trees from construction activity). For trees on public property that are

removed or damaged, equitable compensation is obtained from the third party involved and it is deposited into the Tree Reserve to fund replacement planting.

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Date submitted: July 30, 2023

Question #: ZBR-23-176

Section/Regulation #: 5.70 Inclusive Design

Asked by: Councillor Knack

Q: *Have the Inclusive Design regulations been reviewed by the Accessibility Advisory Committee? What was their feedback?*

A: Administration circulated the draft Zoning Bylaw to the Accessibility Advisory Committee and requested to attend an Accessibility Advisory Committee meeting to discuss the proposed requirements and solicit feedback. However, there was no direct feedback received from the Committee. Administration relied on the [City of Edmonton's Access Design Guide](#) and advice from internal accessibility and building code experts in creating the updated inclusive design section.

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Date submitted: July 30, 2023

Question #: ZBR-23-178

Section/Regulation #: Landscaping

Asked by: Councillor Knack

Q: *Since section 7 has an option to substitute 2 new trees for 1 mature tree, what would the perceived challenges of retaining the requirement for 2 new trees on a lot less than 8.0m in width?*

A: The proposed incentive is designed to be more beneficial for larger sites, which have a higher minimum tree planting requirement. Feedback from both staff and industry indicated challenges in meeting the current minimum tree requirement, especially on sites with limited space. As a result, the proposed new Zoning Bylaw proposes reducing the minimum number of trees from two to one on narrow sites.

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Date submitted: July 30, 2023

Question #: ZBR-23-179

Section/Regulation #: N/A

Asked by: Councillor Knack

Q: *There has been feedback about using 'green asset space'. Has this been considered and how does this differ from what is currently proposed?*

A: Based on May to July 2023 engagement feedback, changes are proposed to replace the maximum impermeable area regulations for small scale residential development with a new minimum soft landscaping area requirement. Accompanying this change is the introduction of a definition for Soft Landscaping, which is outlined as:

“Soft Landscaping means Landscape materials that allow water infiltration and absorption into the ground to reduce stormwater runoff and to be capable of supporting living plants, such as trees, shrubs, flowers, grass, or other perennial ground cover. This does not include materials that prevent water infiltration or materials such as artificial turf, decking, bricks, and pavers.”

This approach differs from the previous proposal to simply limit the impermeable area because instead of limiting the unwanted outcome, it more directly articulates the desired outcome. In doing so, this change would also now limit the amount of artificial turf, decking and permeable paving that can be used on a lot.

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Date submitted: July 30, 2023

Question #: ZBR-23-180

Section/Regulation #: Parking, Access and Site Circulation

Asked by: Councillor Knack

Q: *In the diagram and text it refers to a continuous raised or precast curbing. Will that raised section include the portion that connects the pathway to the entrance? If not, what changes would need to be made to include that?*

A: Subsection 4.8 of proposed Section 5.100 (Parking, Access and Site Circulation) intends to ensure that areas used primarily for vehicle parking and circulation are clearly delineated from areas used by pedestrians or for landscaping.

Subsection 3.1.1 of proposed Section 5.100 (Parking, Access and Site Circulation) ensures that pedestrian and active mobility routes are designed to provide clearly defined, safe, efficient and convenient circulation patterns. If a curbed area described in Subsection 4.8 intersects with a pathway, the development planner will review the circumstances to ensure that appropriate measures are taken. These measures could include providing a raised pathway over a drive aisle or creating a curb crossing down to the drive aisle. The goal is to ensure that pedestrian and active mobility routes align with the requirements set forth in Subsection 3.1.1. In addition, parking facilities are reviewed by the City's Transportation staff, who consider matters of safety and functionality for vehicles, pedestrians, and active modes of transportation in their review of development permit applications.

If the intent of this question is to ask whether a raised pathway which crosses a drive aisle is required in all cases - it is not. This was not considered to be required in all cases in order to allow flexibility in how different sites are designed. If that were a desired outcome, a text amendment would be needed to add a regulation that would require this in all cases.

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Date submitted: July 30, 2023

Question #: ZBR-23-181

Section/Regulation #: RS Zone / 4.3.2

Asked by: Councillor Knack

Q: *Our policy is to ensure that all areas have a sidewalk going forward, correct? If so, won't every lot at some point have a sidewalk? Therefore allowing this regulation to proceed may create challenges.*

A: The general practice is to require sidewalks for new subdivisions and through neighbourhood renewal.

However, there are some existing lots (e.g. within cul-de-sacs) that do not have a sidewalk provided (or approved). In this scenario, Administration proposes a minimum driveway length measured from the property line to ensure enough space is provided for a parked vehicle if a sidewalk is constructed in the future. The measurement of 6.0 m from the garage to the existing or approved sidewalk and 5.5 m from the garage to the property line (where no sidewalk is present) is generally equivalent. This method of measurement allows for new sidewalks to be constructed in the future where they are not currently present.

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Date submitted: July 30, 2023

Question #: ZBR-23-182

Section/Regulation #: Site Performance Standards

Asked by: Councillor Knack

Q: *We can often receive complaints about noise from air conditioners and other mechanical equipment. Are there any regulations related to noise that can help with that?*

A: For Non-Residential Uses and Home Based Businesses, Subsection 2 of Section 5.60 (Site Performance Standards) enables the development planner to require mitigation measures or add conditions to a development permit. This is to mitigate nuisance impacts such as noise.

For Residential Uses, the [Community Standards Bylaw](#) remains the best tool for the City to manage disruptive noises within communities. The City's enforcement teams will continue to investigate and work with neighbours in instances where air conditioning units produce disruptive noises that negatively impact neighbours.

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Date submitted: July 30, 2023

Question #: ZBR-23-183

Section/Regulation #: RS Zone

Asked by: Councillor Stevenson

Q: *Has modeling been done to show the shadow impact of the proposed height of 10.5m in RS compared to 8.9m and 10m? This would include a range of generic lots, with north/south and east/west orientations.*

A: Administration prepared sun/shadow modelling comparing these heights based on an earlier draft of the (RS) Small Scale Residential Zone. An updated version is being prepared and is intended to be made available prior to Public Hearing at edmonton.ca/zoningbylawrenewal.

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Date submitted: July 30, 2023

Question #: ZBR-23-184

Section/Regulation #: Landscaping

Asked by: Councillor Stevenson

Q: *Has modeling been done to show how the landscape requirements are implemented on typical lot sizes, alongside site coverage? Do landscaping requirements take precedence over the maximum impermeable site coverage regulations? (ie landscape requirements must be met first before the maximum impermeable site coverage allowances come into effect)*

A: Modeling of smaller scale development, including Single Detached Housing, Semi-Detached Housing and Row Housing, identified that both the minimum landscaping requirements and the previously-proposed maximum impermeable material area requirements could be met. However, changes to the draft Zoning Bylaw have since been made based on feedback received during the May to July 2023 public engagement period. Specifically, the maximum impermeable material area requirements are proposed to be replaced with a new minimum soft landscaping area requirement. This change includes a new definition for Soft Landscaping, which is proposed to be defined as:

Soft Landscaping means Landscape materials that allow water infiltration and absorption into the ground to reduce stormwater runoff and to be capable of supporting living plants, such as trees, shrubs, flowers, grass, or other perennial ground cover. This does not include materials that prevent water infiltration or materials such as artificial turf, decking, bricks, and pavers.

The proposed minimum landscaping requirements do not take precedence over the proposed minimum soft landscape area requirements - the regulations work together and are not in conflict.

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Date submitted: July 30, 2023

Question #: ZBR-23-185

Section/Regulation #: RS Zone / 3.2.1

Asked by: Councillor Stevenson

Q: *8 UNIT RESTRICTION*

What is the land use rationale for placing a limit of 8 units on mid-block RS sites, given other built form restrictions that would limit the size of the building?

Wasn't there previously a similar regulation in RF3 limiting development to 4 units that was found to create challenges?

Is it possible this regulation will encourage further subdivision?

Is it possible this regulation will create barriers for innovative housing like cluster housing?

A: Restricting the number of dwellings on interior lots is intended to manage the intensity of development in the (RS) Small Scale Residential Zone and address concerns received through engagement about the degree of proposed change. This proposed regulation would allow a development to have more than eight dwellings on corner sites. Corner sites generally tend to have a greater capacity to manage potential land use impacts due to the fact that they have an additional street frontage to accommodate different site designs and configurations, and typically share a single side lot line with a neighbour.

The dwelling limit may result in more subdivisions (or fewer lot consolidations) for developments on interior sites with eight or more units, depending on the size of the site, site design and market demand.

This proposed regulation is an incremental step towards allowing more density in established neighbourhoods while being sensitive to concerns and perceptions of change. In cases where a mid-block site may be appropriate for a development with more than eight units, the Development Planner may consider it as a variance. Administration will monitor future variances and development trends in this zone to inform whether future zoning changes should be considered.

Administration removed the (RF3) Small Scale Infill Development Zone regulation limiting apartment housing, row housing and stacked row housing to 4 dwellings as part of the Missing Middle Zoning Review amendment approved by City Council in 2019. Administration did this in conjunction with updating the general purpose statement of the RF3 Zone to enable a wider variety of housing options in this zone. However, it should be noted that the proposed new RS Zone would apply more broadly than the current RF3 Zone - the proposed 8 dwelling limit on mid-block sites is also an acknowledgement of this.

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Date submitted: July 30, 2023

Question #: ZBR-23-186

Section/Regulation #: N/A

Asked by: Councillor Stevenson

Q: *LODGING HOUSE USE*

What is the land use rationale for including this definition?

What are the equity implications of including this definition?

What is the land use rationale for limiting the number of sleeping units in a Lodging House to 8?

What other tools, such as the Business License, can be used to address operational concerns with residential buildings?

Why are Lodging Houses not included in all zones where Residential Uses are permitted (for example, BRH, BLMR, CCA, OLD, ORH, etc)

There seems to be instances where relevant regulations aren't specified for Lodging Houses (for example, amenity area requirements, accessible parking spaces). How would these be handled?

A: **Lodging House definition**

Including the “Lodging House” general definition is necessary to regulate specific aspects of this residential activity. The proposed Residential Use includes all types of residential activity, including lodging houses. Lodging houses are permitted wherever the Residential Use is allowed unless the use is otherwise restricted in that Zone. The Residential Use is permitted in residential, commercial and mixed-use zones, thereby offering many locations across the city for lodging houses.

Sleeping Unit Limit

The eight sleeping unit limitation is intended to regulate the intensity and scale of a lodging house in the proposed (RS) Small Scale Residential Zone, (RSF) Small Scale Flex Residential Zone, and (RSM) Small-Medium Scale Transition Residential Zone. This limitation represents an increase from the “6 residents” currently permitted in most of the equivalent small scale residential zones and was chosen as a threshold to generally align with the proposed 8 dwelling unit maximum on interior sites in the RS Zone. Larger lodging houses can be accommodated in larger-scale residential zones such as the (RM) Medium Scale Residential Zone.

Equity Implications

The 2021 University of Alberta report “Edmonton’s Zoning Bylaw Under the Lens of Equity” does not specifically recommend a dwelling limit but does indicate the following with respect to land use impacts: “If appropriately regulated, lodging houses could fill an important affordable housing gap. However, because of a higher number of people occupying the lodging housing, it could lead to unintended outcomes. Some cities like Toronto have permitted lodging housing in many of their residential zones but placed them under their municipal licensing system because of the land use impacts associated with them, and to keep the occupants safe and healthy.” The proposed limit on the number of sleeping units in the smaller-scale residential zones is in part an extrapolation of the findings of this report.

More importantly however, the proposed new Zoning Bylaw would generally allow lodging houses as a permitted rather than discretionary housing type, as they typically are in the current Zoning Bylaw. In addition, due to being permitted in more zones, lodging houses would be allowed in more parts of the city than they currently are. These are significant equity outcomes.

Other Tools

The City addresses different operational aspects of lodging houses through multiple bylaws and regulations, such as the Business Licence Bylaw, Alberta Building Code, and Community Standards Bylaw. However, enforcement staff continue to identify that having all available tools, including zoning enforcement capabilities for Lodging Houses, is the most effective way to address unsafe living conditions.

Special Area Zones

Existing lodging house permissions in Special Areas have been carried forward. If a Special Area Zone does not currently permit lodging houses, they are not proposed to be allowed in the updated Special Area Zone. This is consistent with the overall approach for Special Areas, where current uses were aligned with the new proposed uses wherever possible. While Administration recognizes that there may have been a benefit to making more in-depth updates to certain aspects of Special Area Zones, including to support outcomes such as this, the sheer number of Special Area Zones and the associated area-specific considerations of each of them necessitated scope management. Maintaining the consistency of this approach across all Special Areas was key to limiting the potential for 'scope creep'.

General Regulations

Regulations that apply to the Residential Use are applicable to all types of residential developments, including lodging houses.

The minimum amenity area requirement has been revised in the proposed new Zoning Bylaw to include lodging houses.

In the May 2023 draft of the Zoning Bylaw, the minimum parking requirements did not include barrier-free parking spaces for lodging houses specifically. This was an oversight that has been corrected in the final draft. The proposed new Zoning Bylaw now includes a specific requirement for lodging houses with nine or more dwellings or sleeping units, ensuring that barrier-free parking spaces are provided in these instances.

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Date submitted: July 30, 2023

Question #: ZBR-23-187

Section/Regulation #: RS, RSF and RM Zones

Asked by: Councillor Stevenson

Q: *RS/RSF/RM - What was the land use rationale for restricting Childcare Services to corner sites and/or abutting collector roadways, given the potential for Home Based Childcare which can be located mid-block?*

A: In the proposed (RS) Small Scale Residential, (RSF) Small Scale Flex Residential and (RSM) Small-Medium Scale Transition Residential zones, Child Care Service is listed as a permitted use. This provides greater certainty for child care providers than the current approach in Zoning Bylaw 12800, which lists Child Care Services as a discretionary use in small scale residential zones, as well as setting locational requirements.

In the proposed new Zoning Bylaw, locational and size limitations have been placed on the Child Care Service Use to maintain the primarily small scale residential purpose of these zones. Clear limitations allow for an incremental approach towards expanding where these activities are permitted and set common expectations for residents and child care operators. The criterion that allows child care facilities on corner sites along collector or arterial roads was chosen to support higher-intensity activities on streets that can accommodate additional traffic. Smaller-scale dayhomes can be accommodated on any residential site as a home based business.

Home based childcare is allowed midblock because the proposed new Zoning Bylaw further restricts its size and capacity due to the proposed Home Based Business regulations and Home Based Child Care definition. As a result, home based childcare is less likely to create land use impacts than facility-based child care.

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Date submitted: July 30, 2023

Question #: ZBR-23-188

Section/Regulation #: No Development Permit Required

Asked by: Councillor Stevenson

Q: *Am I correct in understanding that a vacant lot waiting development can be used for Urban Agriculture if it is exclusively outdoors, and would not require a development permit?
Is there a reason why such Urban Agriculture use are not able to construct buildings smaller than 10m2 to support these operations?*

A: A vacant lot can be used for urban agriculture without a development permit, provided urban agriculture is listed as a permitted use in the zone or listed in a Direct Control Zone.

If a building (such as a maintenance shed) is smaller than 10 m2 and meets the regulations outlined in the bylaw, it can be used for urban agriculture without a development permit. However, it cannot be located in the (NA) Natural Areas Zone or be a hen enclosure.

It is also worth noting that personal food gardens are proposed to be categorized as landscaping and will not be regulated as a use.

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Date submitted: July 30, 2023

Question #: ZBR-23-189

Section/Regulation #: RSM Zone

Asked by: Councillor Stevenson

Q: *Is the RSM purpose statement suggesting that a zone like RM couldn't be located next to an RS site or are there provisions in RM that provide for appropriate transitions next to an RS site?*

A: Provided it complies with relevant statutory plan policy, the proposed (RM) Medium Scale Residential Zone can be located next to the proposed (RS) Small Scale Residential Zone. The RM Zone contains specific setback regulations where it is next to a smaller scale residential zone, defined as a residential zone with a maximum height of 12.0 m or less. The minimum setback requirements of the RM Zone increase in response to the height and length of the RM Zone building, supporting a sensitive transition to smaller-scale residential zones. Facade articulation is also required where an RM Zone building wall faces a site in a residential zone, to minimize the perception of massing.

The proposed (RSM) Small-Medium Scale Transition Residential Zone could be used between an RS Zone site and an RM Zone site, but it primarily functions to accommodate longer and taller forms of Row Housing developments on large sites.

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Date submitted: July 30, 2023

Question #: ZBR-23-190

Section/Regulation #: Multiple Zones (e.g. RM Zone)

Asked by: Councillor Stevenson

Q: *FAR BONUSES*

The introduction of a 50m² Common amenity area for children is a new requirement for the existing bonus. What feedback has the City received in terms of the feasibility of meeting this requirement and any barriers it may create to providing more 3 bedroom units?

Are the bonuses for inclusive design requirements and 3 bedroom units stacking? (ie can you achieve both and receive a 1.4 FAR bonus?)

A: The proposed requirement for three-bedroom units to have access to on-site amenities such as play areas for children and enhanced storage is based on the survey results identified in the September 9, 2013, Sustainable Development Report CR_81 - Market Analysis Multi-unit Family Oriented Housing. The survey results highlighted that having an outdoor playground nearby or on the premises and having access to additional storage space were top priorities for families.

External feedback received included the following comments and concerns:

- The Floor Area Ratio (FAR) bonus in the current Zoning Bylaw is not high enough to incentivize three-bedroom units (which take up more space).
- Common amenity areas are expensive to provide and, when provided, are rarely used.
- The common amenity area requirement will disincentivize the development of three-bedroom units.
- Common amenity areas should be inclusive spaces for children and adults.
- Three-bedroom units are also needed by households that don't have young children.

In response to concerns, the FAR bonus has been increased with the intent of more effectively incentivizing three-bedroom units. The requirements for outdoor common amenity areas and bulk storage have been kept to help ensure that the additional FAR is used to build dwellings that accommodate diverse groups of people, including families. That said, incentives can be difficult to 'calibrate' and lessons from other jurisdictions are not always instructive because the success of an incentive depends in large part on the specific market conditions of the time and location. Administration will monitor usage of the proposed incentives and will continue to gather feedback from City staff and applicants in order to better understand why they are or are not being used in certain situations. If necessary, Administration can adjust these incentives through a future Zoning Bylaw text amendment based on these learnings.

The Floor Area Ratio (FAR) bonuses for inclusive design and three-bedroom units do not 'stack'; however, they can be combined so that a mix of inclusively designed and 3-bedroom dwellings may be used to achieve the FAR bonus. The proposed bonus has been increased from what the (RA7) Low Rise Apartment Zone and (RA8) Medium Rise Apartment Zone currently allow. The proposed increase would enable buildings that meet the specified criteria to fill most of the potential building

envelope, as established by minimum setbacks and maximum height on a small to medium-sized site.

The final draft of the proposed new Zoning Bylaw has added two new FAR bonuses intended to incentivize:

- retention of buildings on the inventory of historic resources; and/or
- provision of supportive housing where a minimum of 30% of sleeping units meet inclusive design requirements.

These two new bonuses could be stacked with the inclusive design and three-bedroom floor area ratio bonus (up to a maximum FAR bonus of 1.4). However, opportunities to stack these incentives would likely be rare. In addition, a bonus FAR of 1.4 would likely only serve as an incentive on larger sites (as opposed to smaller sites where the minimum setbacks and maximum height become a stronger limiting factor for how much FAR can practically be used).

Note that for the proposed (MU) Mixed Use Zone, the maximum Floor Area Ratio calculation does not include the floor area associated with residential uses, provided that at least 10% of the dwellings meet inclusive design requirements or three-bedroom requirements. This is intended to encourage higher density development in the nodes and corridors.

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Date submitted: July 30, 2023

Question #: ZBR-23-191

Section/Regulation #: RM and RL Zones

Asked by: Councillor Stevenson

Q: *DESIGN REQUIREMENTS IN RM AND RL*

Why are ground floor units only required to be street-oriented when the building is greater than 30 m in length?

RL 5.6 is a great regulation - why is it not included in RM?

Are there design requirements for the mid and upper tower portions of developments in RM and RL? RL 5.2 specifically notes that building design guidelines don't apply above 23m.

A: **Entrance Requirements - Building Length**

The proposed (RS) Small Scale Residential Zone and proposed (RSF) Small Scale Flex Residential Zone allow multi-unit housing up to 30.0 m long without requiring individual entrances for ground floor units. This offers design flexibility for smaller scale apartment buildings which do not have the same potential for long, uninterrupted walls as a larger building would. The same approach is proposed for the (RM) Medium Scale Residential Zone. In the RM Zone, smaller scale apartments (less than 30.0 m long) are not required to provide individual entrances for ground floor units. Larger apartments are required to provide individual entrances for ground floor units to help break up the massing of the facade and encourage street interaction along a lengthy building wall.

Entrance Requirements - Semi-Private Space

This requirement is most relevant in more urban or pedestrian-focused environments, which are the expected locations for the proposed (RL) Large Scale Residential Zone and (MU) Mixed Use Zone. While there is a case to be made for extending this requirement to the RM Zone as well, Administration ultimately decided against it. This allows for market-driven, contextually appropriate design solutions, given the diverse range of locations where the RM Zone is expected to be applied.

Tower Design

Building design requirements in the RM Zone apply to the entire building facade, regardless of height. Additional rules apply to towers in the RL Zone, including limitations on maximum floor plate and requirements for tower separation, either from towers on the same site or on neighbouring sites. Building design and facade articulation requirements do not apply to tower facades above 23 m in height or above the podium. This approach concentrates design regulations on the portion of the building with the greatest impact on the public realm while also allowing creative flexibility for unique tower designs.

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Date submitted: July 30, 2023

Question #: ZBR-23-192

Section/Regulation #: RL and Downtown Special Area Zones

Asked by: Councillor Stevenson

Q: *I'm unclear why Residential uses are restricted to specific building forms (ie: row housing) rather than providing density or FAR minimums in RL and the Downtown Special Area zones.*

A: The proposed (RL) Large Scale Residential Zone is primarily intended for larger scale multi-unit housing development. This zone only permits new row housing development when on the same site as multi-unit housing. Smaller scale development and a greater variety of housing forms can be accommodated in the proposed (RM) Medium Scale Residential Zone.

A minimum FAR requirement was not considered for the RL Zone, but a minimum density requirement was considered earlier in the drafting process. However, it was ultimately not included due to:

- The absence of a minimum density in the existing RA9 Zone.
- Concerns about the potential impact on lot consolidation or the absence thereof, and the creation of non-conforming buildings in areas currently zoned as RA9. These areas, which are smaller in size, are intended to remain developable.

Moving forward, the proposed new Zoning Bylaw will be subject to ongoing amendments. The Neighbourhood Structure Plan Terms of Reference will be reviewed in 2024. This review will determine if minimum density values require any adjustments and may inform whether a future Zoning Bylaw amendment to add a minimum density requirement to the RL zone should be considered.

Changes to the Downtown Special Area zones, as with all of the special areas that were retained, were limited to minor adjustments which ensure the special area functions within the new Zoning Bylaw.

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Date submitted: July 30, 2023

Question #: ZBR-23-193

Section/Regulation #: UI Zone

Asked by: Councillor Stevenson

Q: *Why is Supportive Housing not included in the UI appendices, even though other residential definitions like Lodging House, are listed?*

A: The May 2023 draft of the UI Zone only listed uses that are allowed in the current UI Zone. However, the revised UI Zone now lists Supportive Housing as a permitted type of Residential Use. One can find this addition under the appendices listing residential uses. Administration also added Secondary Suites to this list.

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Date submitted: July 30, 2023

Question #: ZBR-23-194

Section/Regulation #: RSF Zone / Commercial Zones for non-Main Street Developments

Asked by: Councillor Stevenson

Q: *What is the land use rationale for not requiring alley access when an alley is present?*

A: RSF Zone

The (RSF) Small Scale Residential Zone requires alley access when the back of the site is next to an alley, with some exceptions carried forward from the existing (RLD) Low Density Residential Zone:

- The first exception allows street access for 50% of dwellings on a site. For example, in a semi-detached house, one half could access the alley while the other half could access the street. This type of housing is popular in new neighborhoods, as shown by the presence of Direct Control Zones and Special Area Zones that permit it. Limiting street access to only 50% of the homes on the property allows flexibility in housing design while ensuring that driveways are spaced out, allowing for landscaping in the front yard. Requiring a minimum of 50% of dwellings to have alley access ensures fewer driveways intersecting sidewalks and ensures the alley is used.
- The second exception allows for front drives where neighbouring homes on the same block face do not have alley access. This provides opportunity for a consistent streetscape.

These exceptions aim to offer flexibility, where appropriate, and minimize the demand for Direct Control and Special Area Zones.

Commercial Zones

In the proposed General Commercial (CG) and Neighbourhood Commercial (CN) Zones, vehicle access is restricted to alleys for main street developments. This provides a safer and more comfortable environment for pedestrians. For developments not classified as a main street, vehicle access from a public street may be allowed. Development Permit applications for commercial development are reviewed by the City department responsible for transportation planning. All requests for vehicle access require approval from Transportation, who use the [Access Management Guidelines](#) to inform their decision.

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Date submitted: July 30, 2023

Question #: ZBR-23-195

Section/Regulation #: RS Zone

Asked by: Councillor Stevenson

Q: *What is the land use rationale for increasing front setback requirements to 4.5m?*

A: After considering feedback from the community, revisions have been made to the building placement and landscaping to achieve a more balanced approach. The revisions increase the amount of space available in the front yard for landscaping elements such as tree planting, and in the view of Administration do not significantly compromise the urban design benefits to the streetscape of a smaller front setback. Furthermore, the modifications aim to reduce the staggered placement of buildings along the street, particularly between existing and new housing developments. These adjustments aim to improve the appearance and environmental quality of the neighbourhood's streetscape while supporting the social benefits offered by the interaction between a dwelling, its residents, and the street.

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Date submitted: July 30, 2023

Question #: ZBR-23-196

Section/Regulation #: Accessory Uses, Buildings and Structures

Asked by: Councillor Stevenson

Q: *Is the site coverage allowance for accessory buildings in addition to the maximum site coverage set out in the main zone? Or is it a maximum proportion allowed within the total site coverage?*

A: The maximum site coverage for accessory buildings is calculated as a portion of the total allowable site coverage for the specific zone. For example, if a zone permits a maximum site coverage of 55% and an accessory building occupies 20% of the site, then the remaining allowable site coverage would be 35%.

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Date submitted: July 30, 2023

Question #: ZBR-23-197

Section/Regulation #: Site Performance Standards

Asked by: Councillor Stevenson

Q: *Recognizing commercial and residential waste may need to be in separate bins, why can they not share a storage area?*

A: In alignment with the 25-year strategy approved by Council, the City has decided to stop commercial waste collection and focus exclusively on residential waste collection services. This strategic shift requires the separation of residential and commercial waste container areas. This separation prevents commercial tenants from using municipal waste services without contributing financially by accessing residential containers. By separating the container areas, the City improves the integrity of the residential waste collection process.

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Date submitted: July 30, 2023

Question #: ZBR-23-198

Section/Regulation #: N/A

Asked by: Councillor Stevenson

Q: *Is there a zoning matrix that shows which uses are permitted in each zone?*

A: A Zoning Matrix is underway and is anticipated to be published prior to the October 16, 2023 Public Hearing and would be found in the document library at edmonton.ca/zoningbylawrenewal.

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Date submitted: July 30, 2023

Question #: ZBR-23-199

Section/Regulation #: Parking, Access and Site Circulation

Asked by: Councillor Stevenson

Q: *The Parking Maximums map seems to exclude the 200m and 600m buffers from Mass Transit Stations?*

A: Sites outside the Capital City Downtown Area Redevelopment Plan, but within a certain distance of a Mass Transit Station or within the boundaries of Appendix 1 of proposed Section 5.80 (Parking, Access, Site Circulation), will continue to have a maximum number of vehicle parking spaces allowed for development. The 200m and 600m buffers are not specifically mapped because they apply to both existing and future Mass Transit Stations. Because the precise location of a future station may shift somewhat as plans change or once the station is constructed, the buffer areas are not included on the Parking Maximums map. Doing so would require a Zoning Bylaw text amendment any time there is even a slight shift in their planned location. Instead, the requirement is specified in the text of Section 5.80. This is consistent with the approach taken in the Main Streets Overlay of the current Zoning Bylaw.

That said, the proposed new Zoning Map, which will be available at maps.edmonton.ca, will include these buffers so that Bylaw users can easily identify sites subject to parking maximums within the specified distances from existing and approved Mass Transit Stations. This approach enables the buffer areas on the interactive map to shift if Council approves updates to future station locations, without the need for a Zoning Bylaw text amendment.

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Date submitted: July 30, 2023

Question #: ZBR-23-200

Section/Regulation #: N/A

Asked by: Councillor Janz

Q: *What opportunities are being missed to use the Zoning Bylaw to develop regulations and tools to respond to the increasing impacts of climate change - extreme heat events, flooding, fires, increasing health impacts - in the regulations being proposed?*

A: The new Zoning Bylaw proposes meaningful change to address the impacts of climate change. As a tool primarily intended for regulating land use - that is, what can be built where - the new Zoning Bylaw proposes land use changes that can help to reduce greenhouse gas emissions and support an energy transition by enabling a more compact built form. Over time, these changes will influence the choices people make in how and where they live, how far they need to travel to access services and amenities, and what modes of transportation may be feasible for them to do so. The impact these changes can have over the long term should not be overlooked.

Administration is aware that responding to and addressing concerns about climate impacts as soon as possible is important and that delays will result in greater impacts and costs in the future. Understanding the implementation, other technical dependencies and the potential for enforcement of changes is crucial to appropriately incorporate climate resilience regulations, such as EV parking requirements or wildfire protection, into the Zoning Bylaw. This involves identifying the resources required, potential effects on city-wide infrastructure or properties and potential costs to the City, service providers, property owners and industry.

Updating regulations in the Zoning Bylaw will have cascading effects through the development processes in the City. As new regulations are considered, these processes must be assessed as a whole system to ensure the effective implementation of new regulations. Climate action may require new technical knowledge from development planners, additional resources for enforcement, and may impact timelines for internal referrals and reviews. If all development processes are not considered collectively, new regulations may not have their anticipated impact.

As a result, Administration will begin designing a Climate Resilience Planning and Development Framework in Q4 2023. This framework will identify the processes and tools required to integrate climate change into all aspects of the urban planning and development continuum. The Planning and Development Framework will enable Administration to take a holistic approach to assess opportunities for change while also considering the potential trade-offs, costs and barriers to ensure the effective implementation of changes.

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Date submitted: July 30, 2023

Question #: ZBR-23-201

Section/Regulation #: N/A

Asked by: Councillor Janz

- Q:** *What planning tools can the Zoning Bylaw provide to achieve climate resilience by ensuring that:*
- I. Energy efficient buildings are built today that will not require retrofitting to be climate ready in the future that will pass the expense on to future infill owners or renters?*
 - II. Future infill redevelopment and renovations of existing buildings adopt renewable energy sources that reduce carbon emissions and future utility costs?*
 - III. A minimum private and public Green Area (ha)/100,000 people is achieved and grows with the population?*
 - IV. Protect and preserve natural landscapes and wetlands and connectivity for wildlife in new developing areas?*
 - V. Sufficient room is provided on every site for larger trees that shade and shelter buildings, absorb storm water and cools the air through evapotranspiration among other Environmental Benefits of Trees?*
 - VI. There is sufficient room on every site for Green Infrastructure which includes natural assets (soil, vegetative ground cover and trees) and Low Impact Development (LID) strategies that achieve multi-functional and cumulative benefits on the same Green Area here for residents, communities and the city?*
 - VII. Buildings are aligned to maximize air flow around and through buildings to provide a cooling effect without reliance on air conditioning?*

A: It is not certain that the Zoning Bylaw is the appropriate tool to achieve all of these outcomes. The Zoning Bylaw is one of many planning tools to integrate aspects of climate resilience within the land development process. In Q4 2023, Administration will begin designing a Climate Resilience Planning and Development Framework to identify the processes and tools required to integrate climate change into all aspects of the urban planning and development continuum. The timeline for the Planning and Development Framework will be confirmed in Q2 2024, with the implementation of the identified actions to follow. There will be opportunities to align Administration's post-Zoning Bylaw Renewal work with the development of the Climate Resilience Planning and Development Framework.

Questions I. and II.

The National Building Code and National Energy Code include energy efficiency standards. Provinces and territories have jurisdiction over adopting these codes, and the Government of Alberta has recently signalled the adoption of Tier 1 for the province. The province has not announced a plan for adopting the highest tier (Tier 5), which would be consistent with a net-zero energy-ready standard.

In response to a Council Motion on June 15, 2022, Administration is reviewing opportunities, challenges and options for implementing and enforcing higher levels of energy efficiency than the national energy code as adopted by the province. An update on this review will be shared in Q1 2024.

Options to further explore mechanisms for regulating energy-efficient buildings outside of the Alberta Building Code will be explored as part of the Climate Resilience Planning and Development Framework.

Questions III. and IV.

The proposed new Zoning Bylaw does not provide policy guidance on where parks and green space should be allocated. Park and green space allocation in neighbourhoods is guided by Breathe: Edmonton's Green Network Strategy and determined by land use plans such as The City Plan, Area Structure Plans and Neighbourhood Structure Plans. A primary goal of Breathe is to ensure all residents have equitable access to open space, and the upcoming Breathe Implementation project will further refine targets and measures.

The proposed new Zoning Bylaw contains a number of park zones that can be used to implement park developments identified in plans. In addition, a number of the proposed Zones include the 'park' use as a permitted development, enabling more public and publicly accessible private parks across the city without having to rezone the land.

There is no proposed addition or subtraction of the city's open spaces through the Zoning Bylaw Renewal. Properties are proposed to be rezoned to the closest equivalent zone under the proposed new Zoning Bylaw.

Question V.

The proposed new Zoning Bylaw contains minimum landscaping requirements, including a minimum number of trees and shrubs. This requirement is generally based on setback requirements, and while most sites will require one or more trees, there may be some situations (e.g. main street style development) where setbacks are minimal or not required. Sites like these may not require a tree (however trees are often provided within the City right-of-way for these areas). The size of tree that may be accommodated will depend on specific site conditions.

Question VI.

Based on engagement feedback received on the May 2023 draft of the proposed new Zoning Bylaw, Administration is proposing changes to replace the maximum 70% impermeable material regulations for small scale residential development with a new minimum 30% soft landscaping area requirement. For the (RSM) Small-Medium Scale Transition Residential Zone, Administration proposes a minimum 25% soft landscaping area. This provides more flexibility for decks and pathways on compact sites.

Question VII.

A climate vulnerability assessment included considerations for space heating and cooling costs during the development of The City Plan. While this assessment provides city-wide estimates, it informed the overall approach of The City Plan in guiding Edmonton's future growth. Balancing Edmonton's different climate, economic and social opportunities requires a complex set of

trade-offs and considerations. This is an ongoing discussion and collaboration between City Council and its residents as the Planning and Development Framework is developed.

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Date submitted: July 30, 2023

Question #: ZBR-23-202

Section/Regulation #: N/A

Asked by: Councillor Janz

Q: *What are the proposed actions to ensure the Zoning Bylaw will enable the city to reach, or even better exceed or accelerate achieving its operational carbon emissions reduction targets as identified in the Edmonton Community Energy Transition Strategy? What are the pros and cons of providing more time to quantify and understand how the Zoning Bylaw will impact carbon emissions by conducting a thorough review using a climate lens before it is presented for approval by Council at an October Public Hearing?*

A: The proposed new Zoning Bylaw will support reductions in carbon emissions by enabling more compact and complete communities. Transitioning to a higher density built form and more diverse land uses that include opportunities for housing, recreation, schools and employment will support more mobility options, make more efficient use of City infrastructure and reduce outward growth. By increasing density, the City can enhance its potential for reducing greenhouse gas emissions and improving climate resilience. These changes are important first steps in building climate resilience within the City's development processes.

The risks presented by climate change exist under the current Zoning Bylaw, and delaying approval of the proposed new Zoning Bylaw will not reduce the risk. Climate change is a long-term, highly variable challenge for municipalities. The flexible nature of the Zoning Bylaw allows regulations to be both proactive in building resilience and reactive to changing impacts and improved local knowledge. The Zoning Bylaw is a living document, so future amendments to the bylaw may be proposed to address climate change as part of the Climate Resilience Planning and Development Framework.

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Date submitted: July 30, 2023

Question #: ZBR-23-203

Section/Regulation #: N/A

Asked by: Councillor Janz

Q: *How could the Zoning Bylaw provide tools to limit the Whole Life Carbon footprint of buildings related to both operational and embodied carbon emissions in the buildings materials and the construction process?*

A: At this time it is not certain that the Zoning Bylaw is the most appropriate tool to regulate these things.

The National Building Code and National Energy Code include energy efficiency standards. Provinces and territories have jurisdiction over adopting these codes, and the Government of Alberta has recently signalled the adoption of Tier 1 for the province. The province has not announced a plan for adopting the highest tier (Tier 5), which would be consistent with a net-zero energy-ready standard.

In response to a Council Motion on June 15, 2022, Administration is reviewing opportunities, challenges and options for implementing and enforcing higher levels of energy efficiency than the national energy code as adopted by the province. An update on this review will be shared in Q1 2024.

In Q4 2023, Administration will begin designing a planning and development framework to identify the process that will guide the integration of climate consideration into all aspects of the urban planning and development continuum. The timeline for the Planning and Development Framework will be confirmed in Q2 2024, with the implementation of the identified actions to follow.

Pending the approval of the proposed new Zoning Bylaw, there will be opportunities to align Administration's post-Zoning Bylaw Renewal work with the development of the climate change planning and development framework. The work will identify processes and tools to accelerate climate resilience, such as enacting a Green Development Standards Bylaw, lobbying the province to accelerate building code updates, continuing or expanding financial incentive programs, ensuring streets and public infrastructure are built or retrofitted to climate-resilient standards, greater enforcement on non-compliance and supporting the development industry in capacity building.

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Date submitted: July 30, 2023

Question #: ZBR-23-204

Section/Regulation #: N/A

Asked by: Councillor Janz

Q: *How could the Zoning Bylaw provide tools and remove barriers to reduce embodied carbon by incentivizing the relocation and reuse of existing buildings so they are kept out of the landfill as Vancouver is doing? Or provide tools and remove barriers by incentivizing retrofitting and repurposing existing buildings as Calgary is doing? Or to preserve and protect more mature trees during infill redevelopment?*

A: The proposed new Zoning Bylaw is not a barrier for people interested in relocating or deconstructing existing buildings as part of a redevelopment proposal. Rather, what affects house relocation are issues such as building conditions, infrastructure constraints during travel, cost, demand, and permits required. These would need to be better understood by Administration to effectively enable house relocations.

The Vancouver Charter gives the City of Vancouver the authority to regulate the construction of buildings, which is done through the Vancouver Building Bylaw. The bylaw was recently updated to establish embodied carbon limits and requirements. Alberta's Municipal Government Act and the City of Edmonton Charter do not provide Edmonton with this same authority to regulate the construction of buildings. Instead, buildings are regulated by the Province through the Safety Codes Act and the Alberta Building Code. Any incentives considered through the proposed new Zoning Bylaw would require additional work and engagement to understand:

- What embodied carbon limits are appropriate for Edmonton.
- What processes need to be established to review this information and regulate this appropriately.

The City of Calgary is proposing minor changes to their Land Use Bylaw to provide development permit and gross floor area ratio exemptions for energy efficient/insulation retrofits and high-performance walls and mechanical systems, respectively. While these types of regulations are not currently in the scope of the Zoning Bylaw Renewal, options to explore these types of incentive mechanisms could be explored as a post-renewal opportunity in alignment with the climate change planning and development framework. The City of Calgary also provides a financial incentive program to convert downtown office space to other uses. Still, the proposed new Zoning Bylaw would not be a barrier if a similar program was considered for Edmonton.

The proposed Zoning Bylaw has regulations in the landscaping section that allows the Development Planner to require yards and setbacks to be unobstructed and undisturbed below or above ground level to preserve and protect existing vegetation on-site to meet landscaping requirements. Furthermore, mitigation measures, as identified in a tree protection plan or as advised by an arborist, can be placed to preserve and protect existing trees intended to meet the

landscaping requirements. Incentives for tree preservation are proposed to be improved by allowing mature trees to count towards more of the minimum tree planting requirements.

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Date submitted: July 30, 2023

Question #: ZBR-23-205

Section/Regulation #: N/A

Asked by: Councillor Janz

Q: *How will Post-Renewal Environmental & Climate Action or “future opportunities,” i.e., Climate Resilience Planning & Development Guidelines and Green Development Standards be incorporated into the Zoning Bylaw after it has been approved?*

A: It depends on the specific topic being regulated and the nature of the regulation. At this time it is not certain that a tool such as a Green Development Standard should be incorporated into the Zoning Bylaw (as opposed to, for example, a dedicated bylaw of its own).

The Zoning Bylaw is one of many planning tools to integrate aspects of climate resilience within the land development process. Administration will begin designing a Climate Resilience Planning and Development Framework in Q4 2023. The Framework will identify the processes and tools required to integrate climate change into all aspects of the urban planning and development continuum. The timeline for the Framework will be confirmed in Q2 2024, with the implementation of the identified actions to follow. There will be opportunities to align Administration’s post-Zoning Bylaw Renewal work with the development of the Climate Resilience Planning and Development Framework.

If approved, and where appropriate, the new Zoning Bylaw can be amended as necessary to incorporate climate-related development standards.

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Date submitted: July 30, 2023

Question #: ZBR-23-206

Section/Regulation #: N/A

Asked by: Councillor Janz

Q: *What are the risks to the city and Edmontonians if Green Development Standards are not incorporated into the Zoning Bylaw after it is approved?*

A: The City Plan identifies levers of change, that are tools, actions or approaches that the City can use to enact change and achieve specific outcomes. The City can apply these levers to varying degrees to achieve the City's climate resilience goal. The levers of change include:

- Policy and Regulation
- Incentives, Pricing and Subsidies
- Infrastructure Investment
- Partnership and Advocacy

As Green Development Standards could include regulations and incentives, they could be categorized under the following levers:

- Policy and Regulation
- Incentives, Pricing and Subsidies

In the future, if proposed Green Development Standards are not approved or incorporated into the Zoning Bylaw, the City may need to rely on other levers to encourage design that is environmentally, socially and economically sustainable.

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Date submitted: July 30, 2023

Question #: ZBR-23-207

Section/Regulation #: N/A

Asked by: Councillor Janz

Q: *Will the proposed actions to increase density, compact urban form, active and transit mobility options and reduce urban sprawl be enough to mitigate environment and climate risk? What studies, analysis and evidence-based data does Administration have to provide assurance this will be enough to respond to future extreme heat events, severe rain and storm events, floods, fires, and associated health risks to citizens?*

A: Any one action by the City of Edmonton is unlikely to be enough to mitigate the environmental and climate risks outlined in the City's Climate Resilient Edmonton: Adaptation Strategy and Action Plan and Community Energy Transition Strategy. The Zoning Bylaw Renewal Initiative has never indicated that what is proposed would sufficiently address these concerns. Addressing the various climate risks requires a suite of actions and programs affecting all aspects of the development and operation of the city.

In Q4 2023, Administration will begin designing a Climate Resilience Planning and Development Framework to identify the processes and tools required to integrate climate change into all aspects of the urban planning and development continuum. The timeline for the Planning and Development Framework will be confirmed in Q2 2024, with the implementation of the identified actions to follow. There will be opportunities to align Administration's post-Zoning Bylaw Renewal work with the development of the Climate Resilience Planning and Development Framework.

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Date submitted: July 30, 2023

Question #: ZBR-23-208

Section/Regulation #: N/A

Asked by: Councillor Stevenson

Q: *How has reconciliation been considered in this draft of the Zoning Bylaw? What feedback was provided on the inclusion of Indigenous ceremonies or gathering in the descriptions or definitions of typical uses or activities? Will the final bylaw include a land acknowledgement?*

A: One of the many priorities of the Zoning Bylaw Renewal Initiative has been to update Edmonton's land use regulations through an equity lens in order to better reflect Edmonton's current size, future direction and diversity. In pursuit of this goal, and to support The City of Edmonton's ongoing reconciliation efforts, the Zoning Bylaw Renewal Initiative has been intentional in engaging Indigenous partners, including Indigenous Memorandum of Understanding (MOU) partners. This engagement was carried out with the support and guidance from the City's Indigenous Relations Office and an Indigenous Engagement Consultant. This form of engagement is aligned with the City of Edmonton Indigenous Framework that aspires to fulfill the four roles the City has as a listener, connector, advocate and partner to Indigenous Peoples in Edmonton.

Through this engagement, Indigenous communities expressed a need to ensure that public and semi-private spaces, particularly the river valley, are available for Indigenous ceremonies and gatherings. There were mixed opinions about exactly how the Zoning Bylaw should enable these activities, exemplified by the following comments made through community conversations that took place in 2020: "The City does not reference Indigenous ceremonies in our zoning" and "Gathering on our land is not a 'special event'...This is a prime example of Colonialism." It is the opinion of Administration that the best way that a regulatory tool like the Zoning Bylaw can enable a desired outcome is sometimes to "get out of the way". Codifying an activity, however well-intentioned, can sometimes have the unintended consequence of creating barriers to that activity. In addition, the Zoning Bylaw must regulate land uses, not users.

As a result, the new Zoning Bylaw proposes no explicit statements or regulations indicating where Indigenous ceremonies can or cannot take place, and therefore creates no known barriers to these practices. Enabling cultural practices in the river valley and on public lands requires alignment supporting this outcome across City policies and procedures and operational decisions around how these lands are managed.

Based on feedback received through engagement, these are some of the ways the proposed new Zoning Bylaw supports Indigenous communities:

- Exempting accessory cultural, religious or spiritual activities (such as smudging ceremonies) from requiring a development permit, provided they do not result in alterations to a building or site.
- The general purpose statement in the proposed (AJ) Alternative Jurisdiction Zone allows future opportunities for the establishment of urban reserves where agreed upon between the City and Indigenous communities.

- The broadening of permitted uses in the proposed residential zones enables housing for Indigenous peoples, including related wrap-around services where necessary.

In addition, with the removal of the Special Event use from the (NA) Natural Areas Zone, the following clarification has been provided for future interpretation purposes in the rationale version of the draft Zoning Bylaw: “Passive, low impact activities such as small cultural gatherings or traditional practices, educational activities, and passive recreation (e.g., nature walks) are understood to be incidental to the Protected Natural Area use and are not intended to be impacted by the removal of the Special Event use.”

The proposed new Zoning Bylaw brought to Council will not include a land acknowledgement, but Administration intends to include a land acknowledgement on the new landing page of the Zoning Bylaw’s website.

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Date submitted: July 30, 2023

Question #: ZBR-23-209

Section/Regulation #: N/A

Asked by: Councillor Stevenson

Q: *Recognizing there may be subsequent work occurring, can you clarify what is happening to The Quarters Special Area during the city-wide rezoning process? I had trouble understanding this through the Know Your Zone map*

A: The majority of sites located in The Quarters area currently have Direct Control zoning, and are also subject to the regulations outlined in the Quarters Overlay of Zoning Bylaw 12800. The purpose of the [Quarters Overlay](#) is to apply common regulations to the Direct Control provisions within its boundaries in order to achieve the objectives of The Quarters Area Redevelopment Plan and Quarters Urban Design Plan. There are [six Direct Control zones](#) within the Quarters, each directly referencing Section 860 (Quarters Overlay) of Zoning Bylaw 12800.

According to the current Zoning Bylaw, any specific reference in a Direct Control zone to a land use bylaw must pertain to the version of the bylaw in effect when the Direct Control zone was initially approved by Council. Unless these Direct Control zones are updated—a task beyond the scope of this project—development within these zones will continue to be required to comply with Section 860 (Quarters Overlay) of the existing bylaw. As it currently stands, although the Quarters Overlay is proposed to be retired along with the rest of Zoning Bylaw 12800, the regulations of the Quarters Overlay will continue to apply to development on the direct control sites until such time as those sites are rezoned.

This regulatory approach is complex. A dedicated project is needed to simplify Quarters' zoning and regulations. Administration is currently considering the timing and potential resourcing needs of when such a project may be possible.

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Date submitted: July 30, 2023

Question #: ZBR-23-210

Section/Regulation #: N/A

Asked by: Councillor Stevenson

Q: *Am I correct in understanding that, as a discretionary use, every Special Event in the River Valley will require notification to properties within 60m? Will this be an increase in the volume of notices currently sent?*

A: Proposed Subsection 6.9 of Section 7.120 (No Development Permit Required) states that a Special Event held in the (A) River Valley Zone on a site owned by the City of Edmonton does not require a development permit if it meets certain requirements set out in Section 6.100 (Special Events).

If a Special Event is hosted on a site in the A Zone not owned by the City of Edmonton, properties within a 60.0 m radius must be notified unless the event does not exceed 7 consecutive days or 7 cumulative days in a calendar year. This requirement may increase the number of notices sent out compared to current practice, however it should be noted that the City owns the majority of land within the A Zone.

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Date submitted: July 30, 2023

Question #: ZBR-23-211

Section/Regulation #: RS Zone

Asked by: Councillor Wright

Q: *What is the impact of temporary shelters having been moved from supportive housing use to community service use? Does this mostly, in effect, allow community groups to offer shelter to those in need?*

A: The expected impact is minimal. Most of the zones proposed to allow Supportive Housing are also proposed to allow the Community Service use. Under the current Zoning Bylaw 12800, community groups can offer shelter services through the Supportive Housing Use definition. This would be possible under the proposed new Community Service definition as well. The change in definition resulted from an assessment of shelter operations to determine the most appropriate Use definition. Administration concluded that the proposed activities allowed through the Community Service Use are a better match for a shelter than the proposed Residential Use.

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Date submitted: July 30, 2023

Question #: ZBR-23-212

Section/Regulation #: RS Zone / 3.3.2

Asked by: Councillor Wright

Q: *Why must the entire building be converted for commercial uses? The rationale states that this prevents potential land use impacts of shared side walls, but how does this differ from residential being permitted above commercial uses?*

A: Typically, when residential is located above commercial uses, the building is purpose-built to accommodate a mix of uses, and occupants know that a mix of activities will occur on the site.

Semi-detached and row house buildings are designed for residential uses. This makes it more challenging to convert a portion of the building for commercial use without potentially creating nuisance impacts on residents of the attached units. This regulation is intended to limit nuisance impacts.

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Date submitted: July 30, 2023

Question #: ZBR-23-213

Section/Regulation #: RS Zone

Asked by: Councillor Wright

Q: *What is the seating capacity of 20m²? What is the rationale for disallowing backyard seating given establishments with this outdoor seating currently exist in residential neighbourhoods, and provide value to said neighbourhoods?*

A: The seating capacity, set at 20m² (or 215 sq. ft.), will vary depending on the size and spacing of chairs and tables used, and the Zoning Bylaw does not set a seating capacity. However, a patio space of that size might be expected to accommodate around 20 people based on other comparable spaces.

The reason Administration recommends restricting rear outdoor patios in residential zones at this time is to reduce potential noise and lighting impacts that could be caused by commercial establishments in neighbourhoods where this is not typical. This represents an incremental approach to introducing commercial activities into neighbourhoods. As new businesses establish themselves in neighbourhoods, Administration can assess their impact and whether changes should be considered.

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Date submitted: July 30, 2023

Question #: ZBR-23-214

Section/Regulation #: RS Zone / 4.2.1

Asked by: Councillor Wright

Q: *Does increasing both the front and rear minimum setbacks decrease the available area for buildings? Does this reduce the ability for certain shorter lots to add secondary dwellings? Does a large front minimum setback not increase massing? Is there a requirement that a tree be planted in this minimum setback, given tree planting is provided as the rationale for the minimum setback increase?*

A: Increasing setback requirements may decrease the area available for building on smaller lots, while larger lots may be less affected.

The ability to add secondary suites would not likely be impacted by the proposed change to setback requirements, because principal dwellings would still have ample buildable space and the decision of whether to dedicate a portion of that space to a secondary suite is ultimately a decision of the builder or homeowner. An increased front setback requirement could theoretically reduce the space available for backyard housing (currently known as garden suites), particularly for very short or shallow lots. However it is the opinion of Administration that the relatively minor proposed change from the previous draft would not significantly impact the ability to build backyard housing.

A larger front setback would not likely increase the massing of the building - it would likely result in less building depth on smaller lots. The front setback is more likely to affect the building's placement in relation to neighbouring buildings.

While there's no requirement to plant the required tree within the minimum front setback or front yard, it's common to place the tree in the front yard to maximize open space in the rear yard. Increasing the minimum front setback would allow for more space in the front yard, making it easier to accommodate a tree and more likely that this is where the builder or homeowner chooses to place it.

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Date submitted: July 30, 2023

Question #: ZBR-23-215

Section/Regulation #: RSF Zone / 4.1.1 to 4.1.4

Asked by: Councillor Wright

Q: *Should the minimum site width allowed only consider utility servicing, and what would the minimum width be, if so?*

A: Minimum site width is a key consideration to ensure adequate space for landscaping, driveway spacing and utility services.

Based on May to July 2023 engagement feedback, the minimum lot width in the proposed (RSF) Small Scale Flex Residential Zone has been reduced for lots with alley access to allow for narrower row housing units. Lots without alley access have a wider minimum site width. This allows a bit more space for front yard landscaping and potentially a tree, given that these lots will be accessed by front driveways.

The proposed RSF Zone sets minimum site widths designed to suit a wide range of dwelling sizes that have been demonstrated to work in developing neighbourhoods.

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Date submitted: July 30, 2023

Question #: ZBR-23-216

Section/Regulation #: RSF Zone / 4.2.5

Asked by: Councillor Wright

Q: *What is the rationale for allowing rear garages in this setting, and in which other settings are they permitted? Please explain the rationale behind the allowance of maximum 50% front vehicle access in this zone, and this restriction not existing in other zones, for example, RS?*

A: Rear Attached Garages

The draft (RSF) Small Scale Flex Residential Zone permits rear-attached garages throughout the zone. The RSF Zone is intended to be applied primarily in developing areas or on large undeveloped sites where subdivisions are designed from the ground up. In this context, rear attached garages can be accommodated alongside other rear attached garages. This permission also is consistent with existing equivalent small scale residential zones.

However, the (RS) Small Scale Residential Zone does not permit rear-attached garages. This is a restriction that continues from the current Mature Neighbourhood Overlay and is intended to mitigate the potential building wall length and massing impacts of this form of housing in redeveloping areas.

Vehicle Access

In the RSF Zone, vehicle access must be from an alley when the rear of the site abuts an alley. Two exceptions, carried over from the existing (RLD) Low Density Residential Zone, are in place:

- The first exception permits street access for half of the principal dwellings on a site. For example, in a semi-detached house, one unit would access the alley while the other could access the street. This arrangement responds to housing demands in new neighbourhoods and ensures spaced-out driveways for front yard landscaping.
- The second exception allows front driveways if it is consistent with other homes on the same side of the street that do not have alley access.

These exceptions aim to offer flexibility in development, particularly in new neighbourhoods, and to minimize the need for Direct Control and Special Area Zones. Such exceptions are not available in the RS Zone, and all vehicle access in this Zone must be from an alley where an alley is present, to preserve existing boulevard trees and maintain the continuity of sidewalks in many of Edmonton's more established neighbourhoods.

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Date submitted: July 30, 2023

Question #: ZBR-23-217

Section/Regulation #: RSF Zone / 6.6

Asked by: Councillor Wright

Q: *This section's rationale states that it aims to increase single detached density. Are there different fire safety regulations which affect single family homes vs. rowhouses/attached homes? Is a high density of single detached homes a higher fire risk than attached homes due to a lack of communication between fire detection/warning systems?*

A: Provincial legislation governs fire safety objectives for buildings under the Safety Codes Act and Building Code regulations. These regulations consider building size, use and proximity to other structures to mitigate fire transmission risks and are reviewed when an applicant applies for a building permit. The proposed new Zoning Bylaw does not impact the fire safety performance standards set by these provincial regulations. Single detached homes and attached homes each present unique advantages and disadvantages related to fire risk. The absence of linked fire detection systems in detached homes is unlikely to be a significant risk to fire spread, as the fire would need to breach the building envelope before detection would occur, which is a late fire condition in a residential setting.

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Date submitted: July 30, 2023

Question #: ZBR-23-218

Section/Regulation #: RM Zone / 2.5

Asked by: Councillor Wright

Q: *What does "indoor sales and services" entail? Why was it previously excluded from equivalent zones?*

A: Indoor Sales and Services is a proposed new use that includes any development where a business offers retail, personal service or commercial school activities inside a building. Examples include animal clinics, art studios, hair salons, indoor markets, pharmacies, retail stores, tailor shops and tattoo parlours. The proposed Indoor Sales and Services use is a broader use than what currently exists, and merges 20 existing uses with similar land use impacts. This consolidation allows businesses greater flexibility without requiring a change of use permit.

It was not necessarily excluded from equivalent zones inasmuch as it just does not exist as a use in the current Zoning Bylaw. Instead, its component parts, for example, General Retail Sales, can be found in many zones of the current Zoning Bylaw.

For example, the two main equivalents to the proposed (RM) Medium Scale Residential Zone in the current Zoning Bylaw are the (RA7) Low Rise Apartment Zone and (RA8) Medium Rise Apartment Zone. The current RA7 and RA8 Zones have limitations on the size and location of retail and personal service options. The proposed RM Zone expands the indoor sales and services scope but maintains size and locational limitations, such as ground-floor placement in residential buildings. This approach maintains the residential focus of the zone while creating more business opportunities.

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Date submitted: July 30, 2023

Question #: ZBR-23-219

Section/Regulation #: RM Zone / 4.3.1

Asked by: Councillor Wright

Q: *With the changing densities desired in the new zoning bylaw, is the new "ideal" or minimum density higher than the former ideal/minimum densities citywide, or in particular areas? Please provide comparison between zone density goals of current and new zoning bylaw*

A: In response to May to July 2023 engagement feedback, Administration has updated the minimum density requirements for the proposed (RM) Medium Scale Residential Zone. These updates are consistent with the existing minimum density requirements in the current (RA7) Low Rise Apartment Zone and (RA8) Medium Rise Apartment Zone.

For the RM h28.0 Zone, a minimum density of 90 dwellings per hectare is recommended. This aligns with the expected average densities outlined in the current Neighbourhood Structure Plan Terms of Reference.

Moving forward, the proposed new Zoning Bylaw will be subject to ongoing amendments. The Neighbourhood Structure Plan Terms of Reference will be reviewed in 2024. The review will determine if the minimum density values require any adjustments and may lead to a future Zoning Bylaw text amendment.

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Date submitted: July 30, 2023

Question #: ZBR-23-220

Section/Regulation #: RL Zone / 4.5.1

Asked by: Councillor Wright

Q: *Why is a maximum floor plate size provided on RL but not RM (4-8 stories)?*

A: The maximum floor plate regulation only applies to towers. The regulation controls the massing of tall buildings and reduces shadow impacts on adjacent properties and public spaces. Towers are buildings taller than 28 metres or eight storeys and are not permitted in the (RM) Medium Scale Residential Zone, which has a height limit of 28.0 metres.

Since buildings in the RM Zone are shorter, the impact of a larger floor plate is reduced. The massing of medium scale residential buildings is proposed to be managed through maximum building length and maximum floor area ratio regulations.

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Date submitted: July 30, 2023

Question #: ZBR-23-221

Section/Regulation #: Edmonton South Special Area

Asked by: Councillor Wright

Q: *If all regulations were agreed upon through the annexation process, how can they be amended now?*

A: When the City of Edmonton annexed a portion of Leduc County effective 2019, an agreement was reached to generally allow landowners in the annexed area to retain their existing development rights. The City added the existing Leduc County Zones and their regulations in Edmonton's Zoning Bylaw as a Special Area, which only applies to the annexed region.

The Edmonton South Special Area updates consist of minor consistency changes that don't affect development regulations or outcomes. These changes are necessary to ensure the Special Area and its associated Zones work seamlessly with the rest of the proposed new bylaw. All development rights for landowners within the Edmonton South Special Area will remain the same under Zoning Bylaw 20001.

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Date submitted: July 30, 2023

Question #: ZBR-23-222

Section/Regulation #: Edmonton South Special Area

Asked by: Councillor Wright

Q: *What regulations were not defined through the annexation process, and would be allowed now?*

A: The Edmonton South Special Area updates were only limited to minor consistency changes that didn't affect development regulations or outcomes.

When the City of Edmonton annexed a portion of Leduc County effective 2019, an agreement was reached to generally allow landowners in the annexed area to retain their existing development rights. The City added the existing Leduc County Zones and their regulations in Edmonton's Zoning Bylaw as a Special Area, which only applies to the annexed region.

The updated General Development Regulations found in Part 5 of the Zoning Bylaw are applicable in Edmonton South. However, when a discrepancy exists between the Special Area regulations and general zoning regulations, the Special Area regulations will apply instead. This means that any new regulations from Part 5 will be implemented for development in an Edmonton South Special Area Zone, unless there is a discrepancy with a regulation in the Edmonton South Special Area.

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Date submitted: July 30, 2023

Question #: ZBR-23-223

Section/Regulation #: Edmonton South Special Area / 4.1.5,
4.1.6

Asked by: Councillor Wright

Q: *As cannabis is a federally and provincially regulated product, what is the rationale for not including cannabis under agricultural operational or processing? Why is it then a permitted use in the 3.65 IBES zone?*

A: Administration's review of cannabis production facilities revealed that they typically occur in industrial, indoor, controlled environments. Such settings do not align with the City's definition of agriculture.

More importantly for the context of the Edmonton South Special Area, the (IBES) Industrial Business Edmonton South Zone is part of the Leduc Annexation Area. As a result, the uses and regulations were directly transferred from the Leduc County Land Use Bylaw without any revisions as part of the Annexation agreement.

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Date submitted: July 30, 2023

Question #: ZBR-23-224

Section/Regulation #: Edmonton South Special Area / 4.1.17

Asked by: Councillor Wright

Q: *Is there a minimum requirement for bicycle parking in other zones or special areas?*

A: The City outlines bicycle parking regulations in Section 5.80 - Parking, Access, and Site Circulation. Unless explicitly exempted by a specific Zone or Section, these regulations apply to all Zones including Special Area Zones.

The bike parking requirements in Section 5.80 apply to various development types, including commercial and community uses, multi-unit housing, supportive housing, lodging houses, health care facilities and transit centres. The bicycle parking requirements for non-residential spaces are based on the total floor area. In contrast, requirements for residential housing depend on the number of dwelling units.

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Date submitted: July 30, 2023

Question #: ZBR-23-225

Section/Regulation #: Edmonton South Special Area / 5.8

Asked by: Councillor Wright

Q: *Since the annexation process came into effect prior to June 2020, was open option parking not considered for this area, or was it non-negotiable as part of this agreement?*

A: Due to the fact that the annexation agreement was generally contingent on landowners in the annexed area retaining their existing development rights, the scope of change in the Edmonton South Special Area was limited to minor consistency edits that did not impact development regulations or outcomes.

This means that since the Edmonton South Special Area requires parking to be provided in the current Zoning Bylaw, it will continue to require parking in the new Zoning Bylaw as well.

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Date submitted: July 30, 2023

Question #: ZBR-23-226

Section/Regulation #: Edmonton South Special Area / 5.12

Asked by: Councillor Wright

Q: *What is the developers' responsibility to replace trees and replace natural wetlands when being cleared for development? What mitigations are required to minimize impact on the environment and biodiversity? Can land designated as a natural area be realistically moved, or an area become naturalized in the same way? Will the natural areas in the Citywide Natural Area Management Plan (Jan 2014) be protected under NA?*

A: Protection of trees and wetlands through the development process is guided by a number of municipal and provincial plans, policies and regulations. The Zoning Bylaw is one tool in a broader toolkit associated with the protection of natural ecosystems. Typically, the Natural Area zone is applied once an area is confirmed for protection, in alignment with surveyed boundaries. This is in conjunction with appropriate Reserve designations, as directed by the Municipal Government Act. Some types of Reserve designation, like Municipal Reserve, can be removed under Council direction and have their boundaries adjusted. Other types, such as an Environmental Reserve, are fixed.

When it comes to rezoning a piece of land, the standard process applies to all zones, including the (NA) Natural Area zone. This means that applying or removing NA zoning from a parcel of land would require a public hearing and approval from City Council. However, removing NA zoning from a protected area is not standard practice and is not typically contemplated. If the land use of a natural area were to change, it would also require amendments to the relevant statutory plan, which would need a public hearing and City Council approval.

In developing neighbourhoods, wetlands must also be reviewed in accordance with provincial policy. Some wetlands are claimed by the Province for protection. Within the City's Wetland Policy, additional wetlands may also be designated for protection within a land use plan. The removal of any wetland, or other water body like a creek, must be approved by the Province. Similar protections do not apply to treestands, but where a treestand has been designated for protection, and damage has occurred, trees may be planted to replace vegetation removed.

In the NA Zone, it is the developer's responsibility to submit a Natural Area Management Plan (NAMP), which identifies the impacts of development and the necessary mitigation measures. These mitigation measures depend on the proposed development, the characteristics of the natural area and the potential impact on the environment and biodiversity. In some cases, these plans include restoration recommendations. Upon approval of the development, the development planner can impose conditions on the Development Permit to ensure the objectives, strategies and operational guidelines outlined in the Natural Area Management Plan are met.

Lands that have been naturalized could be considered for NA zoning. This would depend on the context of the naturalization work. Generally speaking, it takes many decades or even longer for restored or re-naturalized lands to function as a natural ecosystem. As a result, during the

establishment phase, park zoning (such as the proposed (PSN) Neighbourhood Parks and Services Zone) may be a more suitable option.

For the proposed city-wide rezoning, lands were assigned the closest equivalent zone under the new Zoning Bylaw. Lands currently zoned NA will be assigned the new NA zone. The map on page 47 of the [January 2014 City-wide Natural Area Management Plan](#) reflects natural areas that have NAMPs associated with them. In most cases, these natural areas are also zoned NA. However, there are instances where the natural area may pre-date the current Natural Area zone and may be zoned using a park zone. As well, additional natural areas have been designated in City land use plans since 2014, and these sites are not included in the document but have generally been zoned Natural Area. The current and proposed zoning of all natural areas can be accessed using the [Rezoning Map](#).

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Date submitted: July 30, 2023

Question #: ZBR-23-227

Section/Regulation #: Inclusive Design

Asked by: Councillor Salvador

Q: *For 5.70.1.14 Inclusive Design, will the requirement to have a bathroom, kitchen, laundry facilities, and bedroom on the same floor as the dwelling entrance, as opposed to just on the same floor, result in fewer inclusively designed homes? For example, Inclusively Designed Backyard Houses have a floor space incentive on the second storey (up to 70m² from 60m²), but very few of the suites would qualify because the entrance is on the main floor with virtually all of the living space on the second floor. What if elevators or chair lifts are present on the main floor, leading up to an inclusively designed second floor? The same could occur for any secondary suites oriented below grade or on the second storey.*

A: The intent of requiring that a bathroom, kitchen, laundry and bedroom (unless a studio dwelling) is on the same floor as the barrier-free entrance is to ensure that a dwelling is 'visitable' for individuals with mobility constraints. Although this is a more substantial regulation than what is currently required, the inclusive design incentive's scope has expanded significantly compared to Zoning Bylaw 12800.

While the current Zoning Bylaw applies incentives only to supportive housing in the (RA9) High Rise Apartment Zone and Garden Suites, the proposed new Zoning Bylaw extends these incentives to residential developments in the (RS) Small Scale Residential Zone, (RM) Medium Scale Residential Zone, (RL) Large Scale Residential Zone, (MUN) Neighbourhood Mixed Use Zone, and (MU) General Mixed Use Zone. As a result, the regulations were reconfigured to address a wider range of housing forms and layouts.

However, it seems that those housing typologies and layouts referenced in the question may have been overlooked with these changes. While the time for Administration to make changes to the proposed new Zoning Bylaw has passed, Administration will return in 2024 with proposed changes to ensure that these scenarios have been addressed. In the interim, a variance to the relevant regulations may be considered where the intended outcomes of the Inclusive Design section have clearly been met.

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Date submitted: July 30, 2023

Question #: ZBR-23-228

Section/Regulation #: 5.80 Landscaping

Asked by: Councillor Salvador

Q: *For 5.80 Landscaping, were incentives considered to give preference to the planting of native species?*

A: Yes, this was considered. In the project's earlier stages, Administration explored the concept of a Development Permit Point System, as detailed in the [Climate Resilience & Energy Transition Discussion Paper](#) released in August 2020. This system would have encouraged climate-resilient practices within the Zoning Bylaw, such as low-water or native species landscaping requirements. A decision was made not to pursue such an action at this time due to the need to consider this and other such climate-oriented actions with reference to the development process as a whole.

In June 2022, a corrective action report was presented on the Energy Transition Strategy document, highlighting the importance of resilient urban development in the face of climate change. As a result, a service package was approved in the 2023-2026 Operating Budget to establish a Climate Resilience Planning and Development framework, with implementation scheduled for Q4 2023.

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Date submitted: July 29, 2023

Question #: ZBR-23-229

Section/Regulation #: N/A

Asked by: Councillor Janz

Q: *What ZB Height regulations would guarantee roof sun access for adjacent Sites within the same Zone? Section 5.90 of the draft Zoning Bylaw regulates how Height and Grade are measured. These regulations allow parts of buildings to be much higher than the Maximum Height. There are numerous structures which are exempt from any Height regulations, including steeples, domes, monuments, water tanks and large elevator housing and roof stairway housing. There are no regulations limiting the size of these structures either. Even more problematic is the fact that sloped roof Height, since 2015, is measured from Grade to the midpoint of the sloped roof, thus the steeper the slope, and larger the building, the higher the roof can be. For example, an RS corner site with a 20 m wide building could have a shed roof that extends from 3 m above Grade to 17 m at the peak, resulting in a 10 m high roof midpoint (the Maximum Height) and one 17 m high facade. This style may be tempting for people keen on collecting solar energy on their corner site. This is a development right; even though the adjacent neighbour to the north would have very little sun on their 10 m high flat roof, or low slope gable roof. What Height measurement regulations would allow sun access for all buildings in the same Zone, regardless of roof style? Would adding the following regulation improve roof sun access?: Sloped roof peaks and facades shall not exceed the Maximum Height by more than 1.5 m. What would be a better option and why?*

A: No zoning regulations currently exist to guarantee sun access for adjacent sites, as there is no established legal right to sun access.

Regarding roof height, the Zoning Bylaw measures the height of hip or pitched roofs to their midpoint. Subsection 1.7 of Section 5.70 (Measuring Height and Grade) carries forward a requirement of the current Zoning Bylaw that ensures that a roof's peak would not be able to exceed the height limit by more than 1.7 m. This means that the shed roof example cited would not be permitted.

As noted in the question, this method for measuring pitched roof height has been in place since 2015. In that time, Administration has not observed developments such as the one described.

The proposed new Zoning Bylaw also carries forward existing regulations that permit the construction of specialized structures like steeples and domes, which are generally less impactful on adjacent sites when situated on larger or taller buildings. In addition, new regulations are proposed which would limit the size of rooftop elevator or stairway housing.

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Date submitted: July 29, 2023

Question #: ZBR-23-230

Section/Regulation #: 7.50 Zoning Bylaw Amendments

Asked by: Councillor Janz

Q: *Clarify who shall receive a written legal advisement (notice) of rezoning application for a single lot or site rezoning. The Draft ZB, Section 7.5, states written notice shall be sent by ordinary mail to: applicant, assessed owner of land subject to rezoning, municipal addresses and owners of land within 60 m radius, president of Community League and ED of Business Improvement Area(BIA). However, Public Notification Bylaw 18826 states legal advisement must be sent to: assessed owners within 60 m of site or lot, the Edmonton Federation of Community Leagues, and BIA. Are the lists from Bylaw 18826 to be combined with the list from the Zoning Bylaw, or can the list from Bylaw 18826 be substituted for the list in the Zoning Bylaw or vice versa? Why not include both lists in the Zoning Bylaw for transparency and clarity?*

A: The Municipal Government Act (MGA) outlines the legal requirements and methods for advertising certain bylaws, such as a rezoning or text amendment. The proposed Section 7.50 (Zoning Bylaw Amendments) clarifies the current practice and adds to Administration's minimum requirements under the MGA. The minimum requirement set out in Section 7.50 includes sending a written notice by ordinary mail to:

- The applicant;
- The address of the assessed owner of the subject site;
- The addresses (municipal and assessed owners) of land that are wholly or partially within 60.0 m of the subject site;
- The president of any applicable community leagues; and
- The executive director of any applicable business improvement areas.

The purpose of Bylaw 18826 (Public Notification Bylaw) is to provide alternative methods for advertising by the City under specific circumstances. As such, the City may include the Edmonton Federation of Community League where Administration deems appropriate. However, the minimum standard set out in Section 7.50 of Zoning Bylaw 20001 will need to be met for Rezoning Amendments, not including large scale rezonings.

The proposed new Zoning Bylaw expanded the notification method to include municipal addresses within a certain distance from the rezoning site to ensure the City gives comprehensive notification to all residents, including owners and renters.

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Date submitted: July 29, 2023

Question #: ZBR-23-231

Section/Regulation #: N/A

Asked by: Councillor Janz

Q: *Why do Large Scale Rezoning (500+sites) not require the same written notifications requirements as a single lot? Is a 30 day notification on the City website adequate? Bylaw 18826 states that a legal advisement that relates to more than one site or lot must be distributed as a public service announcement to a list of local media outlets. Should the public service announcement requirements not be added to the Zoning Bylaw for transparency and clarity?*

A: On March 15, 2022, Charter Bylaw 19918 amended Bylaw 18826, known as the Public Notification Bylaw, enabling the City to utilize an alternative digital notification method for large-scale rezonings. The amendment creates a more practical and efficient approach to notification for rezoning of the entire city as part of the Zoning Bylaw Renewal Initiative.

Administration proposed a notice with a mandatory 30-day notification period on the City's official website, a recommendation grounded in a jurisdictional scan of public hearing notification and advertising protocols in five Canadian cities: Calgary, Ottawa, Vancouver, Victoria and Winnipeg. These cities increasingly utilize digital platforms to announce rezoning public hearings, with a shared vision to transition fully to digital notifications, where permitted by governing legislation.

The advertising methods outlined in Part II of Bylaw 18826 are alternative methods passed by City Council pursuant to the Municipal Government Act. City Council's prior vote to approve a 30 day website notification period for Large Scale Rezoning indicates that City Council previously considered this method of notification to be adequate.

The alternative advertising methods set out in Part II of the Public Notification Bylaw, including the option for advertising via public service announcements through local media outlets, are optional alternatives that may be used to satisfy legal advertising requirements. As the Large Scale Rezoning section of the Public Notification Bylaw is specifically intended to apply to rezonings of greater than 500 parcels, this method of notification was deemed most appropriate for the city-wide rezoning bylaw.

In addition to the minimum standard set out in Bylaw 18826, Administration is implementing a comprehensive communications plan for the proposed new Zoning Bylaw and Zoning Map City Council Public Hearing which includes 5 rounds of advertisements in the Edmonton Journal, and a wide range of other print and digital media platforms.

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Date submitted: July 29, 2023

Question #: ZBR-23-232

Section/Regulation #: N/A

Asked by: Councillor Janz

Q: *Is the City considering doing a mass rezoning of Sites within Nodes and Corridors once the District Plans are approved?*

A: Urban Planning Committee passed a motion on April 12, 2022 to advance a service package and work plan to initiate the rezoning of select priority areas as part of The City Plan implementation and Growth Management Framework. This service package was funded as part of the fall 2022 SOBA with work scheduled to begin in 2024. Selection of the priority nodes and corridors will build off work currently underway through the District Planning process and Priority Growth Area analysis. Once selected, Administration will assign appropriate zones and undertake further analysis to meet the City's transportation, water resources and drainage standards to support a final recommendation to City Council via public hearing.

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Date submitted: July 29, 2023

Question #: ZBR-23-233

Section/Regulation #: N/A

Asked by: Councillor Janz

Q: *Planners and politicians around the world are attempting to de-concretize and re-green their municipalities (for example, Poland). How does the draft Zoning Bylaw ensure Edmonton will become greener on public lands and private lands, and what more could be done through the Zoning Bylaw?*

A: The City has policies and standards such as the Complete Streets Design and Construction Standards, Breathe: Edmonton's Green Network Strategy, and the Green Building Policy to direct how public property and buildings are developed.

The proposed new Zoning Bylaw carries forward zones that protect Edmonton's open spaces, including parks, natural areas and the river valley and ravine system. The proposed River Valley Zone would prohibit new residential and natural resource development in alignment with The City Plan.

The proposed new Zoning Bylaw carries forward regulations that require planting trees and shrubs for different development types. The regulations also carry forward the requirement for a proportion of plant material to be deciduous and coniferous.

Incentives for tree preservation are improved for larger scale development by allowing mature trees to count towards more of the minimum tree planting requirements.

Enhanced requirements for landscaping in parking lots have also been added, which include:

- Location and size criteria for the provision of trees in landscaped parking islands.
- Minimum tree quantity requirements based on the area of a landscaped island.
- New requirements to provide trees along pathways in parking lots.

Based on engagement feedback, changes are proposed to replace the maximum impermeable material requirements for small scale residential development with a minimum 30% soft landscaping area requirement. This change will reduce the area that can be used for artificial turf or pavers.

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