



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 Councillors related to the Zoning Bylaw Renewal Initiative. To learn more about the initiative, visit [edmonton.ca/zoningbylawrenewal](https://edmonton.ca/zoningbylawrenewal).**

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### General

Question #	Question (General)
<a href="#">ZBR-23-001</a>	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 href="#">ZBR-23-002</a>	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 href="#">ZBR-23-003</a>	If your neighbours have not sold their property, can developers build on this property without acquiring the lots?
<a href="#">ZBR-23-004</a>	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 href="#">ZBR-23-005</a>	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 href="#">ZBR-23-006</a>	Is District Planning (not the Zoning Bylaw) considering increasing existing permitted building heights to allow larger buildings in nodes and corridors?
<a href="#">ZBR-23-007</a>	Will the new Zoning Bylaw change the current zoning regulations in nodes and corridors?

## ZONING BYLAW RENEWAL INITIATIVE | Responses to Councillor Questions

Question #	Question (General)
<a href="#">ZBR-23-008</a>	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 href="#">ZBR-23-009</a>	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 href="#">ZBR-23-010</a>	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 href="#">ZBR-23-013</a>	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 href="#">ZBR-23-024</a>	General Question: Were short-term rentals considered within any residential commercial use regulations? Please elaborate on any regulations pertaining to short-term rentals.
<a href="#">ZBR-23-032</a>	What is the commercial frontage modifier? Where are the details on this modifier? When is it applied? When is it not applied?
<a href="#">ZBR-23-033</a>	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 href="#">ZBR-23-041</a>	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 href="#">ZBR-23-042</a>	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 href="#">ZBR-23-048</a>	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 href="#">ZBR-23-051</a>	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 href="#">ZBR-23-068</a>	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 href="#">ZBR-23-069</a>	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 href="#">ZBR-23-071</a>	Can you explain how the Zoning Bylaw Renewal and more infill housing can help to lead to more affordable housing in the long-term?

## ZONING BYLAW RENEWAL INITIATIVE | Responses to Councillor Questions

Question #	Question (General)
<a href="#">ZBR-23-073</a>	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 href="#">ZBR-23-075</a>	Can you explain in simple steps how development processes will differ if the new Zoning Bylaw Renewal is put into effect?
<a href="#">ZBR-23-076</a>	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 href="#">ZBR-23-081</a>	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?
<a href="#">ZBR-23-082</a>	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 href="#">ZBR-23-083</a>	How will ZBR encourage market-housing affordability? Please give some examples?
<a href="#">ZBR-23-084</a>	Does the city of Edmonton have regulatory tools to achieve entry-level market-housing through ZBR?
<a href="#">ZBR-23-085</a>	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 href="#">ZBR-23-089</a>	How do ZBR changes encourage or discourage urban farming and production? Including the RS zone?
<a href="#">ZBR-23-097</a>	How will the Zoning Bylaw Renewal enable equitable access to parks and green space for residential communities?
<a href="#">ZBR-23-102</a>	How, if at all, will the ZBR promote or support family oriented housing and multigenerational housing?
<a href="#">ZBR-23-106</a>	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 href="#">ZBR-23-109</a>	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 href="#">ZBR-23-110</a>	The Zoning Bylaw Renewal involves a City-wide rezoning. Does Administration anticipate that this rezoning will cause a significant increase in land valuations?
<a href="#">ZBR-23-111</a>	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 href="#">ZBR-23-122</a>	To clarify, under the new zoning bylaw, front-back lot subdivisions will not be permitted?
<a href="#">ZBR-23-129</a>	Please clarify whether group homes will be permitted on sites with secondary suites and backyard homes.

## ZONING BYLAW RENEWAL INITIATIVE | Responses to Councillor Questions

Question #	Question (General)
<a href="#">ZBR-23-144</a>	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 href="#">ZBR-23-186</a>	<p>LODGING HOUSE USE</p> <p>What is the land use rationale for including this definition?</p> <p>What are the equity implications of including this definition?</p> <p>What is the land use rationale for limiting the number of sleeping units in a Lodging House to 8?</p> <p>What other tools, such as the Business License, can be used to address operational concerns with residential buildings?</p> <p>Why are Lodging Houses not included in all zones where Residential Uses are permitted (for example, BRH, BLMR, CCA, OLD, ORH, etc)</p> <p>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>

### Residential Zones

Question #	Question (Residential Zones)
<a href="#">ZBR-23-011</a>	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 href="#">ZBR-23-012</a>	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 href="#">ZBR-23-014</a>	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 href="#">ZBR-23-015</a>	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 href="#">ZBR-23-016</a>	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 href="#">ZBR-23-017</a>	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 href="#">ZBR-23-018</a>	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 href="#">ZBR-23-019</a>	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 href="#">ZBR-23-020</a>	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 href="#">ZBR-23-021</a>	RM - Medium Scale Residential Zone. Design Regulations. 5.1 Is facade colour considered a design feature?

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Question #	Question (Residential Zones)
<a href="#">ZBR-23-022</a>	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 href="#">ZBR-23-023</a>	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 href="#">ZBR-23-025</a>	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 href="#">ZBR-23-060</a>	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?
<a href="#">ZBR-23-070</a>	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 href="#">ZBR-23-074</a>	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 href="#">ZBR-23-078</a>	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 href="#">ZBR-23-093</a>	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 href="#">ZBR-23-094</a>	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 href="#">ZBR-23-095</a>	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 href="#">ZBR-23-099</a>	Can you explain the proposed reduction in the maximum floor area for childcare services in the small scale residential zones to 300 m <sup>2</sup> ? 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 href="#">ZBR-23-117</a>	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 href="#">ZBR-23-119</a>	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 href="#">ZBR-23-138</a>	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?

## ZONING BYLAW RENEWAL INITIATIVE | Responses to Councillor Questions

Question #	Question (Residential Zones)
<a href="#">ZBR-23-151</a>	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?

### Mixed Use Zones

Question #	Question (Mixed Use Zones)
<a href="#">ZBR-23-026</a>	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 href="#">ZBR-23-027</a>	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 href="#">ZBR-23-028</a>	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 href="#">ZBR-23-029</a>	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 href="#">ZBR-23-030</a>	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 href="#">ZBR-23-031</a>	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 href="#">ZBR-23-121</a>	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?

### Commercial Zones

Question #	Question (Commercial Zones)
<a href="#">ZBR-23-034</a>	CB - Business Commercial Zone. How is Supportive Housing defined in the proposed bylaw?
<a href="#">ZBR-23-035</a>	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)
<a href="#">ZBR-23-036</a>	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 href="#">ZBR-23-037</a>	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)
<a href="#">ZBR-23-038</a>	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 href="#">ZBR-23-039</a>	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?

### Agricultural Zones

Question #	Question (Agricultural Zones)
<a href="#">ZBR-23-040</a>	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 href="#">ZBR-23-043</a>	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)
<a href="#">ZBR-23-044</a>	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?



Question #	Question (Overlays)
<a href="#">ZBR-23-045</a>	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?

### Special Areas / Special Area Zones

Question #	Question (Special Areas / Special Area Zones)
<a href="#">ZBR-23-046</a>	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 href="#">ZBR-23-047</a>	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 href="#">ZBR-23-049</a>	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 href="#">ZBR-23-050</a>	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 href="#">ZBR-23-052</a>	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 href="#">ZBR-23-053</a>	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?

### General and Specific Development Regulations

Question #	Question (General and Specific Development Regulations)
<a href="#">ZBR-23-055</a>	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 href="#">ZBR-23-056</a>	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 href="#">ZBR-23-057</a>	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?



**ZONING BYLAW RENEWAL INITIATIVE | Responses to Councillor Questions**

<b>Question #</b>	<b>Question (General and Specific Development Regulations)</b>
<a href="#">ZBR-23-058</a>	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 href="#">ZBR-23-059</a>	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?
<a href="#">ZBR-23-061</a>	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 href="#">ZBR-23-062</a>	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 href="#">ZBR-23-063</a>	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 href="#">ZBR-23-064</a>	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 href="#">ZBR-23-072</a>	Does the Zoning Bylaw Renewal require protection of mature trees on private land? Are there mechanisms to protect mature trees for infill developments?

**Administrative and Interpretive Regulations**

<b>Question #</b>	<b>Question (Administrative and Interpretive Regulations)</b>
<a href="#">ZBR-23-065</a>	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 href="#">ZBR-23-066</a>	Special Information Requirements: Is the use of "may" in the 5.1 clause too passive?
<a href="#">ZBR-23-067</a>	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?

**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](http://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 m<sup>2</sup> 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 m<sup>2</sup> (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 m<sup>2</sup>. For example, a 600 m<sup>2</sup> 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 m<sup>2</sup>.

Commercial uses in smaller scale residential zones are also limited to a maximum floor area of 300 m<sup>2</sup> 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

**Question #:** ZBR-23-020

**Section/Regulation #:** RM Zone

**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.

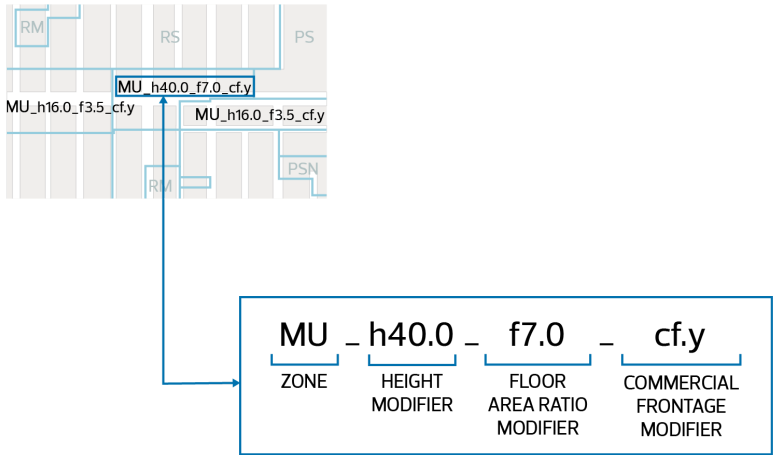
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**Date submitted:** July 17, 2023  
**Section/Regulation #:** RM Zone

**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-23-055

**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

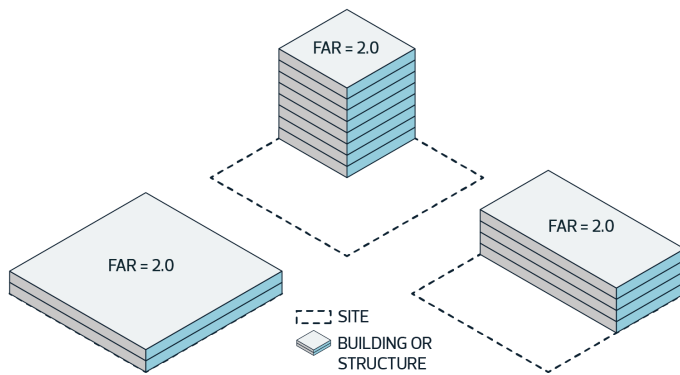
**Section/Regulation #:** N/A

**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-23-078

**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 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-23-089

**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-23-093

**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-23-097

**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-23-099

**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 m<sup>2</sup>? 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 m<sup>2</sup> 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-23-102

**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 m<sup>2</sup>, 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

**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-23-109

**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-23-117

**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-23-119

**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-23-121

**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-23-129

**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-23-138

**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 300m<sup>2</sup> 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 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

**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-23-186

**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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