

Bylaw Amendment Information Brochure

ZONING BYLAW AMENDMENT TYPES PROCESS CLARIFICATION

Edmonton

This document presents a brief description of a variety of Zoning Bylaw amendment types, describes when to use them, and provides key considerations for each type of amendment described.

The applicable section of the Zoning Bylaw is the official record for the preparation of the amendment types described.



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DIRECT CONTROL ZONES

Direct Control zones are used for innovative development in defined areas. The custom zoning regulations should respond to the specific environment and location in which they are located.

Direct Development Control (DC1) zones

are intended for areas with special environmental or historic consideration.

Site Specific Development Control (DC2) zones

are intended for a clearly articulated concept for a single property, or site, which demonstrates specific site constraints or opportunities that a standard zone does not adequately consider.

If you have questions about Direct Control zoning, please email:
developmentservices@edmonton.ca

To view current Direct Control zoning regulations, please visit:
www.edmonton.ca/zoningbylaw



The purpose of this provision is to provide for detailed, sensitive control of the use, development, siting and design of buildings and disturbance of land where this is necessary to establish, preserve or enhance: areas of unique character or special environmental concern, as identified and specified in an Area Structure Plan or Area Redevelopment Plan; or areas or sites of special historical, cultural, paleontological, archaeological, prehistorical, natural, scientific or aesthetic interest, as designated under the Historical Resources Act.

WHEN TO USE

- Specified in the Area Structure Plan/Area Redevelopment Plan
- Used to address special historical or environmental considerations

KEY FEATURES

- Geographic area of application is specified
- Use of the DC1 zone was contemplated during plan preparation or plan amendment
- Submission requires a rationale for the DC1 approach
- Expressly to be used for the development and preservation of historical resources, cultural sites, environmental features, etc.



The purpose of this provision is to provide for direct control over a specific proposed development where any other Zone would be inappropriate or inadequate.

DC2 zones are intended to be a contract between the landowner and City Council, which provides the landowner and City Council with ultimate certainty in what gets developed on a particular site. Discretion of the Development Officer is implicitly removed, unless explicitly mentioned within the text of the zone. Any changes to the document require the same process as an initial application, including Council approval. Where additional development rights are granted over the closest standard zone, justification needs to be provided that demonstrates there are safeguards to protect the public interest in place, and there are sufficient public benefits to offset the increase in private development rights.

WHEN TO USE

- The proposed development exceeds the development provisions of the closest equivalent conventional zone
- The proposed development requires specific/comprehensive regulations to minimize land use conflicts with neighbouring properties
- The site for the proposed development has unique characteristics that require specific regulations
- The ongoing operation of the proposed development requires specific regulations

KEY FEATURES

- Geographic area of application is specified
- Site Plan is appended, which contains building pocket, building footprints, roadways, utilities, landscaping, and context
- Building elevations are attached that shows what is intended to be developed on the site.
- Submission requires a rationale for the DC2 approach
- A summary of pre-consultation is required to accompany the application (notification to surrounding property owners must be done a minimum of 21 days before submitting a rezoning application)



The purpose of a **Special Area Zone** is to provide a means to regulate the use, design and extent of development within specific geographic areas of the city. Special Area Zones can be used to achieve the planning objectives of an Area Structure Plan or Area Redevelopment Plan for areas with special or unique attributes, which cannot be satisfactorily addressed through conventional land use zoning.

A Special Area Zone can only be established if the following conditions are satisfied:

- An approved Area Structure Plan or Area Redevelopment Plan states that a Special Area Zone shall be established in order to achieve clearly stated objectives, and
- The approved Area Structure Plan or Area Redevelopment Plan explains why conventional zoning or other land use control techniques, applied through the Zoning Bylaw, could not appropriately or adequately deal with the special or unique attributes of the specified geographic area.

WHEN TO USE

- Specified by the ASP/ARP, specific objectives are outlined as to the desired outcomes. Changes to the approved concept plan in the ASP/ARP need to be sufficiently justified.
- Approach is justified, specifically, why the outcomes sought cannot be obtained via conventional zoning.
- Geographic area of application is specified.
- When the applicant has a clearly articulated concept for the area, but does not have site specific development detail at the time. This includes whether the roadways will be public or private, where different activity nodes will be located, and have completed required technical studies that confirms that their desired development is feasible.

KEY FEATURES

- Explains the special area further to show how the area will be unique, including objectives such as:
 - Special design elements added that help to create a walkable community
 - Unique architectural features
 - Distribution of public parks/amenity spaces that support quality of life
 - Show where higher density developments will contribute to creating transit oriented development
 - Potential to include neighbourhood commercial as part of these complexes to improve streetscape
 - These objectives may need to be included in the ASP / NSP in addition to the text of a Special Area Zone application, and a plan amendment may be required



TEXT AMENDMENT TO THE ZONING BYLAW

Any person may apply for a text amendment to the Zoning Bylaw.

WHEN TO USE

- The desired outcome will apply to a conventional zone anywhere it is applied, including existing zoned lands and future zoned lands.
- Conventional zones are frequently varied to allow what has become a commonly accepted development practice.
- There is broad desire and acceptance for the change.

Text amendments to the Zoning Bylaw may require extensive or limited public and stakeholder engagement depending on the scope and scale of the change requested.

KEY FEATURES

- Apply in writing to the Development Officer including required fees.
- Application shall include a narrative outlining reasons in support of the application .
- The Development Officer will:
 - Examine the proposed amendment.
 - Prepare a written report on the proposed amendment.
 - Advise the applicant in writing that:
 1. They are prepared to recommend the amendment to City Council without further investigation.
 2. They are not prepared to recommend the amendment.
 3. They require further investigation to make a recommendation.
 4. They are prepared to recommend an alternative.



This is a comprehensive review of the entire Zoning Bylaw, with an emphasis on reviewing the overall structure and content of the bylaw. The Zoning Bylaw has not been substantially updated since 2001, and even then many of the existing regulations and structures of the previous bylaw were simply copied over. The structure and content of the Zoning Bylaw no longer meets the dynamic and complex environment of a city reaching 1 million inhabitants that has a bold vision to transform our urban form and shift our mode split.

The purpose of this project is to undertake a thorough overhaul of Edmonton's Zoning Bylaw. This includes rethinking both how and what we regulate. The goal is to have a new Zoning Bylaw that:

- Is more user friendly for all audiences
- Provides clear and enforceable regulations
- Results in better built form outcomes
- Aligns with strategic policies and objectives

The timeline for this project is up to four years, with completion in 2020–2021.

The Zoning Bylaw Team will engage stakeholders, including the development industry, as the Zoning Bylaw Renewal project progresses. After the team conducts initial research and project planning, more information will be available about how to get involved.

The Zoning Bylaw Renewal project will be aligned with creation of the new Municipal Development Plan (The Way We Grow), which will also include opportunities for public input and feedback.