

Bylaw 17935

A Bylaw to amend Bylaw 12800, as amended,  
The Edmonton Zoning Bylaw  
Amendment No. 2347

WHEREAS City Council at its meeting of February 22, 2001, gave third reading to Bylaw 12800, as amended; and

WHEREAS Council considers it desirable to amend the text of the Edmonton Zoning Bylaw;

NOW THEREFORE after due compliance with the relevant provisions of the Municipal Government Act RSA 2000, ch. M-26, as amended, the Municipal Council of the City of Edmonton duly assembled enacts as follows:

1. Bylaw 12800, as amended, The Edmonton Zoning Bylaw is hereby further amended by :

a) adding a new Administrative Clauses section:

**“26. Development Permit Inspections**

1. A Development Permit Inspection shall be required for the development of:
  - a. new Single Detached Housing, new Semi-detached Housing, new Duplex Housing, and new Garage and Garden Suites for all lands within the area of application of the Mature Neighbourhood Overlay;
  - b. Row Housing, Stacked Row Housing, and Apartment Housing;
  - c. Commercial Uses;
  - d. Industrial Uses;
  - e. Basic Service Uses;
  - f. Community, Educational, Recreational and Cultural Service Uses; and
  - g. any other development, at the discretion of the Development Officer.
2. At the discretion of the Development Officer a Development Permit Inspection may not be required for the development of:
  - a. building maintenance; or
  - b. developments which consist solely of interior alterations.

3. The applicant for a Development Permit must ensure the development is available for a Development Permit Inspection.
  4. The fee for the provision of Development Permit Inspections shall be determined by City Council.”
- b) adding subsection 55.3(1)(f) as follows:
- “f. required Landscaping shall be maintained in a healthy condition for a minimum of 24 months after a Development Officer determines, at the time of Development Permit Inspection, that the required Landscaping has been installed.”
- c) deleting the “and” after the semi-colon in subsection 55.4(1)(m).
- d) deleting the wording of subsection 55.4(1)(n) and replacing with the following:
- “n. the method of providing water to, and maintaining, the proposed Landscaping, and”
- e) adding subsection 55.4(1)(o) as follows:
- “o. a cost estimate for the completion of the proposed Landscaping. This cost estimate shall include taxes and a minimum 10% standard contingency.”
- f) deleting the wording of subsection 55.4(2) and replacing with the following:
- “2. The Development Officer may consider an application for a Development Permit that does not provide all the information required by subsection 55.4(1) if, in the opinion of the Development Officer, the information provided is sufficient to show that the Landscaping provisions of the Bylaw will be met.”
- g) adding subsection 55.4(4) as follows:
- “4. The Development Officer, as a condition of Development Permit approval, shall require that the required Landscaping be maintained in a healthy condition for a minimum of 24 months after a Development Officer determines, at the time of Development Permit Inspection, that the required Landscaping has been installed.”
- h) deleting subsection 55.8 and replacing with the following:
- “55.8 Guaranteed Landscape Security**
1. The Development Officer shall require, as a condition of Development Permit approval, a Guaranteed Landscaping Security from the property owner at the time of Development Permit Inspection, for every application for a development listed in Section 55.3. This Security shall be determined by the Development Officer based on the information provided with the Landscape Plan.

2. The cost of the required Landscaping shall be determined by the Development Officer based on the information provided with the Landscape Plan. If, in the opinion of the Development Officer, the estimated cost to provide the Landscaping is inadequate, the Development Officer may require a higher Landscaping cost for the purpose of determining the security required.
3. A Guaranteed Landscaping Security shall only be accepted in the form of an irrevocable letter of credit or a cheque.
4. If the Guaranteed Landscaping Security is offered in the form of a cheque, it shall be cashed and held by the City, without interest payable, until the Development Officer confirms that the required Landscaping has been maintained in a healthy condition for a minimum of 24 months.
5. If the Guaranteed Landscaping Security is offered in the form of a letter of credit, the following shall apply:
  - a. the letter of credit shall be in a form satisfactory to the Development Officer and shall allow for partial draws by the City;
  - b. the initial term of the letter of credit shall be for at least 30 months and shall automatically renew until such time as the Guaranteed Landscaping Security is no longer required;
  - c. the letter of credit may be amended to a reduced amount, at the discretion of the Development Officer, if the required Landscaping is partially completed; and
  - d. the letter of credit shall be fully released when the Development Officer determines that the required Landscaping has been maintained in a healthy condition for a minimum of 24 months.
6. If the property owner demonstrates to the satisfaction of the Development Officer that the required landscaping has been fully installed at the time of a Development Permit Inspection, the required Guaranteed Landscaping Security shall be reduced to 20% of the cost of the required Landscaping to ensure the required Landscaping is maintained in a healthy condition for a minimum of 24 months.
7. If the required Landscaping is not completed within one growing season of the provision of the Guaranteed Landscaping Security, the City may draw on the security for the City's use absolutely. All expenses incurred by the City, to renew or draw upon the security, shall be reimbursed by the property owner to the City by payment of an invoice or from the proceeds of the letter of credit.
8. In the event that the Guaranteed Landscaping Security is insufficient for the City to complete the required Landscaping should it elect to do so, the property owner shall pay the deficiency to the City immediately upon being invoiced. The City shall provide an accounting to the property owner indicating how the proceeds of the security were applied, within 60 days of the completing the required Landscaping.

9. Further to section 55.8(7), if the Development Officer determines that the required Landscaping has not been maintained in a healthy condition for a minimum of 24 months after the landscaping has been deemed to be complete, the City may draw on the Guaranteed Landscaping Security for the City's use to maintain or replace improperly maintained Landscaping. All expenses incurred by the City, to renew or draw upon the letter of credit, shall be reimbursed by the owner to the City by payment of an invoice or from the proceeds of the letter of credit.
10. Further to section 55.8(8), in the event that the Guaranteed Landscaping Security is insufficient for the City to complete maintenance or replace improperly maintained Landscaping should it elect to do so, the property owner shall pay the deficiency to the City immediately upon being invoiced. The City shall provide an accounting to the property owner indicating how the proceeds of the security were applied, within 60 days of completing the maintenance or replacing the improperly maintained Landscaping."


i) deleting subsection 55.9.

2. This bylaw shall come into effect on June 1, 2017.

READ a first time this	10th	day of	April	, A. D. 2017;
READ a second time this	10th	day of	April	, A. D. 2017;
READ a third time this	10th	day of	April	, A. D. 2017;
SIGNED and PASSED this	10th	day of	April	, A. D. 2017.

THE CITY OF EDMONTON

  
MAYOR

  
CITY CLERK