

Mark-up and Rationale of Proposed Omnibus Plus Text Amendments to Zoning Bylaw 20001: Q4 2025

The Omnibus Plus text amendments will result in changed development outcomes; however, these amendments are minor and do not warrant their own project. The mark-up that coincides with each topic are written with the following format:

Black Font - Existing text in Zoning Bylaw 20001

~~Strikethrough~~ - Proposed deletion from Zoning Bylaw 20001

Underline - Proposed addition to Zoning Bylaw 20001

Alley Access for Multi-Unit Housing in Developing Areas

Through the One Year Review of Zoning Bylaw 20001, Administration heard concerns from industry and City staff regarding alley access requirements triggering significant alley upgrades in Developing Areas, generally outside the Anthony Henday. In the RM - Medium Scale Residential Zone and the RSM - Small-Medium Scale Transition Residential Zone, vehicle access is required to be from the alley where the site abuts an alley. Consequently, at the subdivision stage, if an alley is proposed next to sites zoned RM or RSM, the alley is required to be built to a commercial standard. This is due to the anticipated increased intensity of use and higher traffic volume associated with multi-unit housing that can be developed under these zones, combined with the restriction of vehicle access to the site being exclusively from the alley.

In comparison to a typical residential alley that has a four metre wide paved surface, the commercial standard results in a six metre wide paved surface and a thicker pavement structure to accommodate loading and delivery vehicle operations. This upgrade increases infrastructure costs and has sometimes led applicants to remove alleys from subdivision plans, and redesigning multiple sites originally planned for alley access to be designed for street access instead.

Administration also heard that despite the alley access requirement in the RSM and RM Zone, applicants often have to request a variance in order to accommodate Fire Rescue and Emergency Service access where emergency access cannot be accommodated from the alley.

To address the issue, Administration proposes to introduce an exception to the alley access requirement in the RM and RSM Zones for multi-unit housing and cluster housing developments in the Developing Areas, as identified in The City Plan. The proposed exception is intended to only apply to larger scale residential development, generally on larger sites, where parking areas are accessed from internal roads or drive aisles. This exception will allow Subdivision Planning to apply the residential alley standards to alleys abutting RM and RSM zoned sites intended for multi-unit housing and cluster housing while maintaining the alley access requirement for lower density housing types. The proposed regulation is also intended to provide greater certainty for applicants proposing street access to accommodate emergency vehicle access at the development permit stage without having to request a variance.

While the proposed amendment will allow vehicle access from the street beyond just emergency vehicles, development planners, in consultation with transportation planning, will ensure access locations and configuration aligns with the Access Management Guidelines to maintain pedestrian and vehicle safety.

#	Proposed Markup	Rationale
2.30 RSM - Small-Medium Scale Transition Residential Zone		
1	<p>6. General Regulations</p> <p>Parking, Loading, and Access</p> <p>6.1. Vehicle access must be from an Alley where a Site Abuts an Alley.</p> <p><u>6.2. Despite 6.1., vehicle access may be from a Street for Multi-unit Housing or Cluster Housing where:</u></p>	<p>6.2. To provide an exception to allow multi-unit housing and cluster housing, located within the Developing Areas, as identified in The City Plan, to take vehicular access from an abutting street. The criteria is intended to limit the exception generally to residential developments on larger sites and</p>

	<p><u>6.2.1. the Site is located within the boundaries of the Developing Areas as identified in the Municipal Development Plan;</u></p> <p><u>6.2.2. the development consists of more than 8 principal Dwellings;</u></p> <p><u>and</u></p> <p><u>6.2.3. Parking Areas are accessed from an internal private road or Drive Aisle,</u></p> <p><u>to the satisfaction of the Development Planner in consultation with the City department responsible for Transportation Services.</u></p>	<p>reduce the potential of enabling multiple accesses to the street and front attached garages.</p> <p>The regulation requires the Development Planner to consult with Transportation Services to ensure alignment with the access management guidelines.</p>
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2.40 RM - Medium Scale Residential Zone

<p>2</p>	<p>6. General Regulations</p> <p>Parking, Loading, and Access</p> <p>6.1. Vehicle access must be from an Alley where a Site Abuts an Alley.</p> <p><u>6.2. Despite 6.1., vehicle access may be from a Street for Multi-unit Housing or Cluster Housing where:</u></p> <p><u>6.2.1. the Site is located within the boundaries of the Developing Areas as identified in the Municipal Development Plan;</u></p> <p><u>6.2.2. the development consists of more than 8 principal Dwellings;</u></p> <p><u>and</u></p> <p><u>6.2.3. Parking Areas are accessed from an internal private road or Drive Aisle,</u></p> <p><u>to the satisfaction of the Development Planner in consultation with the City department responsible for Transportation Services.</u></p>	<p>6.2 - Same rationale as Item #1.</p>
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Enforcement Provision Updates

The Development Compliance team's purpose is to investigate and address development and zoning-related infractions under Zoning Bylaw 20001. The team promotes sustainable and responsible development in Edmonton through education, compliance and, where necessary, enforcement. Typical infractions that the team addresses within Zoning Bylaw 20001 include unpermitted or non-compliant secondary suites, to more complex concerns relating to multi-unit developments and land uses across the entire city.

The current wording in the inspections, enforcement, and penalties section has caused issues when trying to enforce and prosecute offences under the Zoning Bylaw. These include challenges experienced by frontline bylaw officers when issuing penalties for certain offences and in prosecuting these offences in court when tickets are contested. Zoning Bylaw 20001 includes regulations that indicate any person is responsible for following the rules within the Bylaw. However, the current wording in Section 7.200, which deals with inspections, enforcement, and penalties, does not state that it is an offense to simply have an illegal building, addition, or use on the property without a development permit.

The Development Compliance team often undertakes enforcement where the current owner might not have been the individual who built a structure or commenced a use without permission. As Section 7.200 is currently written, it makes it challenging for the team to successfully enforce these rules.

The proposed amendment clarifies the scope of persons who may be liable for an offence under the bylaw, including for continuing offences. It also more clearly identifies that it is an offence to allow a contravention of the bylaw to continue, where the individual charged is not the one who initially caused the violation. It clearly establishes that some offences are continuing offences, and that a ticket may be issued for each day that the contravention continues.

While the practice of enforcing against a current property owner for past property owner actions can be viewed as heavy-handed, it is sometimes necessary to ensure overall public safety, trust, and accountability. Clarifying the enforcement regulations sets the expectation that Zoning Bylaw regulations will be adhered to - regardless of who commits the offence. This in turn helps build trust and accountability in the overall development process.

#	Proposed Markup	Rationale
7.200 Inspections, Enforcement and Penalties		
<p>2</p>	<p>2. General Offences</p> <p>2.1. It is an offence for any person to:</p> <p>2.1.1. contravene;</p> <p>2.1.2. cause, allow or permit <u>or undertake a contravention of a contravention of</u>; or</p> <p><u>2.1.3. continue a contravention, regardless of whether the person initially caused, or permitted the contravention of,</u></p> <p>any provisions of this Bylaw.</p> <p>2.2. <u>Without restricting the generality of Subsection 2.1,</u> if a Development Permit is required but has not been issued or is not valid under this Bylaw, it is an offence for any person to:</p> <p>2.2.1. construct <u>or allow</u> a building or structure;</p> <p>2.2.2. make <u>or allow</u> an addition or alteration to a building or structure;</p> <p>2.2.3. commence or <u>allow</u> undertake a Use or change of intensity of Use; or</p> <p>2.2.4. Place <u>or allow the placement of</u> a Sign on land, or on a building or structure.</p> <p>2.3. <u>Without restricting the generality of Subsection 2.1,</u> it is an offence for any person to undertake <u>a development or allow a</u> development in</p>	<p>2.1. - 2.5. (New/Revised) - To clarify the scope of persons who may be liable for an offence under Bylaw, including for continuing offences. The proposed change clearly identifies that it is an offence to allow a contravention of the Bylaw to continue, where the individual charged is not the one who initially caused the violation</p>

	<p>contravention of a Development Permit, including any conditions of approval.</p> <p>2.4. It is an offence for any person not to take the corrective measures specified in a Violation Notice issued as specified in Subsection 5.</p> <p>2.5. It is an offence for any person to continue to develop a development after a Development Permit has expired or has been cancelled or suspended.</p> <p><u>2.6. In the case of an offence that is of a continuing nature, a contravention constitutes a separate offence in respect of each day, or part of a day, on which it continues and a person guilty of such an offence is liable to a fine in an amount not less than that established by this Bylaw for each such day.</u></p>	<p>2.6. (New) - To clearly establish that some offences are continuing offences, and to allow a ticket to be issued for each day that the contravention continues.</p>
<p>3</p>	<p><u>3.1 Without restricting the generality of Subsection 2.1, it is an offence for any person to contravene the following specific offences:</u></p> <p>3.1.1. It is an offence to undertake development of, or addition to, To construct or allow an Accessory building, <u>or an addition to an Accessory building</u>, without a valid Development Permit where a Development Permit is required.</p> <p>3.1.2. It is an offence to use <u>or allow the use of</u> a Recreational Vehicle or an Accessory building for residential living purposes. The following criteria may be considered when determining if a Recreational Vehicle or Accessory building is being used for residential living purposes:</p> <p>3.1.2.1. it is connected to utilities for the purpose of power, water, gas, or sewer services;</p>	<p>3.1. (New) - To clarify the scope of persons who may be liable for specific offences to align with Subsection 2.1, and more clearly establishes that Subsections 3.1.1. - 3.1.8. are offences.</p> <p>3.1.1 - 3.1.8. (Revised) - Updated numbering and to more clearly establish continuing offences, and creates consistency of language between the specific offences.</p>

	<p>3.1.2.2. it is storing food, personal effects, clothing, bedding, personal hygiene products, medication, or similar items;</p> <p>3.1.2.3. it is being occupied for the purpose of sleeping or accommodation;</p> <p>3.1.2.4. it is unsecured and is at risk of non-authorized use;</p> <p>3.1.2.5. the kitchen or sanitary facilities show signs of recent use; and</p> <p>3.1.2.6. other similar criteria.</p> <p>3.1.3. Despite Subsection 3.1.2., a Recreational Vehicle lawfully located in a campground within an Outdoor Recreation Service Use is permitted.</p> <p>3.1.4. It is an offence to construct <u>or allow</u> a Fence, wall or gate <u>that exceeds exceeding</u> the maximum Height specified in this Bylaw without a valid Development Permit where a Development Permit is required.</p> <p>3.1.5. It is an offence to construct <u>or allow</u> a Platform Structure without a valid Development Permit where a Development Permit is required.</p> <p>3.1.6. It is an offence to store <u>or allow the storage of</u> a vehicle that is prohibited or restricted under Subsection 5 of Section 5.120 of this Bylaw in a residential Zone without a valid Development Permit where a Development Permit is required.</p> <p>3.1.7. It is an offence to Hard Surface <u>or allow the Hard Surfacing of</u> an area within a Front Yard or a Flanking Side Yard in a way that</p>	
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contravenes this Bylaw without a valid Development Permit where a Development Permit is required.

3.1.8. ~~It is an offence n~~ot to display a Development Permit notification Sign where a Development Permit notification sign is required, even if this requirement is not listed as a Development Permit condition.

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7. Specified Penalties for Offences

Table 7.1. Specified Penalties for Offences			
Offence	Subsection	Minimum Penalty First Offence	Minimum Penalty Subsequent Offence
Specific Offences			
Development of, or an addition to, an Accessory building, or an addition to an Accessory building without a Development Permit	3.1.1.	\$250.00	\$500.00
Use of a Recreational Vehicle or Accessory building for residential living	3.1.2.	\$500.00	\$1,000.00

7.1.3.1.1 to 7.1.3.1.8 (Revised) - Updated numbering and simplified penalty descriptions.

Over-Height Fence, wall or gate without a Development Permit	3.1.4.	\$250.00	\$500.00
Construction of a Platform Structure without a Development Permit	3.1.5.	\$250.00	\$500.00
Restricted vehicle in a residential Zone without a Development Permit	3.1.6.	\$250.00	\$500.00
Hard Surfacing in contravention of Zoning regulations	3.1.7.	\$1,000.00	\$2,500.00
Failing to display a Development Permit notification Sign	3.1.8.	\$500.00	\$1,000.00