



# Development Process Guide

Edmonton

## Development Terms

### **What is a Use?**

A Use describes the purposes or activities happening on a piece of land or within buildings. Each zone in the current Zoning Bylaw has a list of uses that are either permitted or discretionary.

### **What does a development permit regulate?**

A development permit governs what a landowner plans to do with their land, including the size and location of any buildings, and their use. A development officer will determine whether the proposed use conforms with the zoning bylaw regulations for the site.

### **What does a building permit regulate?**

A building permit reviews the detailed building plan for the site to ensure that it meets minimum safety standards set by the Alberta Building Code.

### **What is a variance?**

A variance is an exception to a specific regulation defined in the Zoning Bylaw that is requested in the development permit application. A variance is considered by the Development Authority based on specific guidelines identified in the Zoning Bylaw.

### **What is an overlay?**

Overlays are used to achieve local planning objectives, such as protecting the environment or reducing risk. Examples in the draft Zoning Bylaw include the Floodplain Protection Overlay, North Saskatchewan River Valley and Ravine System Protection Overlay.

## Engagement and Notification

### **What measures are put in place to minimize the impact of a development on the community?**

Proposed developments have to meet the requirements and regulations of the Zoning Bylaw, which is determined by Council. As part of the Zoning Bylaw review, City staff and external agencies ensure that developments meet the intended purpose and built form of the Zone.

### **What is the City's role in working with an applicant on an application?**

The delegated Development Authority represents the City to advocate best practices in land development by administering the regulations of the Zoning Bylaw. To that end, the Development Authority is in contact with the applicant throughout the application review process to achieve the desired successful outcomes.

### **What public engagement is typically done for a land development (e.g., rezoning)?**

The Zoning Bylaw and Municipal Government Act set out minimum requirements for engaging with the public throughout the development process.

For land development applications, the standard public engagement is for residents within 60m surrounding the development. However, beyond the 60m requirement the file planner can use their discretion in including additional parties in the notification process. This may include the Councillor of the ward where the development is taking place, the community league of the area, and business improvement areas.

Public engagement is not typically required for development permit applications, with the exception where overlay regulations are applied to special areas of the City. The City encourages applicants to work with the community to gain a greater understanding of the neighbourhood context. There is no public engagement related to building permits.

### **Who is notified of new developments?**

Transparency with respect to making citizens aware of proposed development applications is provided through the City's website portal [Daily List of Development Applications | City of Edmonton](#). Special character and overlay areas of the City may also require formal consultation to affected property owners prior to decisions of proposed developments.

Additionally, formal notice of an approved development that is listed as a Discretionary Use, where a variance is granted, or that is within a Direct Control Zone is sent to affected landowners, Community League presidents, Business Improvement Area leads, and is posted on the [City's Public Notices page](#).

## **After a Development Permit Decision is Made**

### **What recourse options are available for a proposed development?**

Developments that are either approved or refused by the City may be appealed by neighbours or the builder to the [Subdivision and Development Appeal Board | City of Edmonton - Tribunals](#).

### **What is the role of SDAB?**

The purpose of the Subdivision and Development Appeal Board (SDAB) is to hear those appeals as required by the Municipal Government Act from persons affected by a decision of the Development Authority and the Subdivision Authority. They hear appeals related to: decisions of the Development Authority regarding development permit applications, enforcement orders issued by the Development Authority, and decisions of the Subdivision Authority regarding subdivision applications.

### **What can an appeal be based on?**

Appeals to the decision of a development can be dependent on a number of factors, but generally they are based on an appellant's position that:

- Errors were made in applying the regulations of the Zoning Bylaw to the development
- The development would unduly interfere with the amenities of the neighbourhood; or materially interfere with or affect the use, enjoyment or value of neighbouring properties.

### **How can I make an appeal?**

Visit the [Subdivision and Development Appeal Board page](#) for more information on Edmonton tribunals and how to file an appeal.

### **Can an applicant reapply if their development is appealed/refused?**

If a development is refused by the City or if the Subdivision and Development Appeal Board upholds or overturns a decision which results in the refusal of a development, the City cannot accept another application from the same or any other applicant for the same site:

- within six months of the date of a refusal by the Development Officer

- within six months of the date of a written decision of the Subdivision and Development Appeal Board on a previous application, if the previous application was appealed to, and subsequently refused by, the Subdivision and Development Appeal Board

An applicant may reapply for a development on the same site prior to six months if the application is for a Permitted Use or a Use listed in a Direct Control Provision and complies with all the regulations of the Bylaw.

### **What happens if a development is found to be non-compliant after it is built or in operation?**

There are a variety of bylaws and legislative tools, such as the [Community Standards Bylaw](#), to ensure developments and businesses are well operated if they are approved. The City also has a [Development Compliance Team](#) that helps uphold the City's strategic vision and Zoning Bylaw 12800 through education, compliance, and enforcement.

## Affordable Housing

### **What is the City's strategy when it comes to affordable housing?**

Please visit the [Affordable and Supportive Housing page](#) to learn more about why, how and where the City is building more affordable and supportive housing, including our strategy in responding to homelessness in our communities.

### **How are affordable housing sites selected?**

The City of Edmonton is a limited funding partner, offering land or grants toward the construction of affordable and permanent supportive housing. Land selected for affordable housing developments must be suitably sized, priced and readily available for rezoning and servicing.

The City prioritizes projects located close to amenities and services for residents, like transit, grocery stores, child care, schools, and community recreation facilities and parks.