

Bylaw 18303

A Bylaw to amend Bylaw 12800, as amended,
The Edmonton Zoning Bylaw
Amendment No. 2529

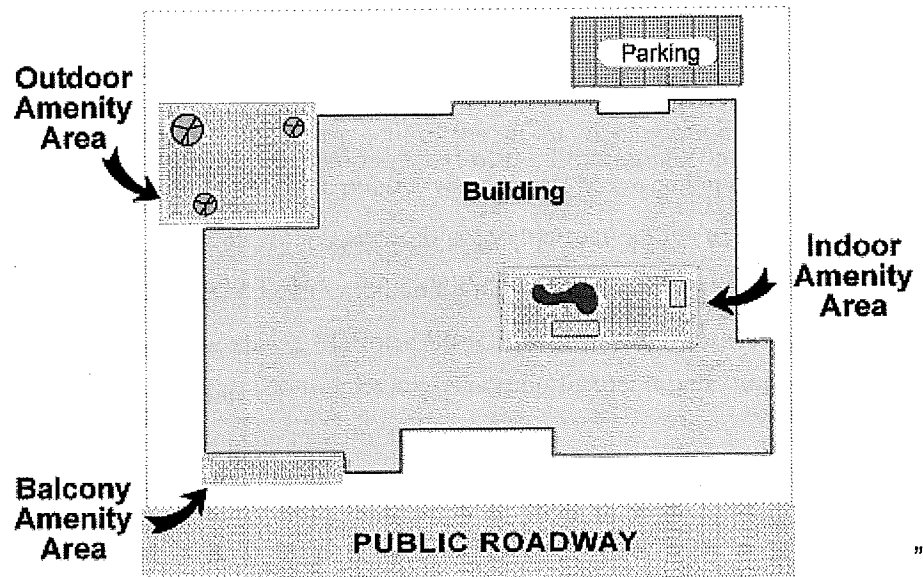
WHEREAS City Council at its meeting of February 22, 2001, gave third reading to Bylaw 12800, as amended; and

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) deleting subsection 6.1(5) and replacing with the following:
 - “5. **Amenity Area** means:
 - a. with respect to Residential Uses, space outside a Dwelling or Sleeping Unit provided for the active or passive recreation and enjoyment of the occupants of a residential development, which may be for private or communal use and owned individually or in common, subject to the regulations of this Bylaw;
 - b. with respect to non-Residential Uses, space provided for the active or passive recreation and enjoyment of the public, during the hours which the development is open to the public, which shall be owned and maintained by the owners of the development, subject to the regulations of this Bylaw; and
 - c. with respect to both Residential and non-Residential Uses, may include indoor or outdoor space, Platform Structures, Rooftop Terraces, and Accessory structures.

The following is an example provided for illustrative purposes only:



- b) adding the following to Section 6.1 in accordance with the alphabetical order of the list and renumbering accordingly:
- “**Common Amenity Area** means communal space provided for the active or passive recreation and enjoyment of all occupants of a residential development.”;
- c) deleting the newly renumbered subsection 6.1(38) and replacing with the following:
- “38. **Family Oriented Dwelling** means a Dwelling suitable as a residence for a Household with children and meeting the following criteria:
- a. the lowest Storey of the Dwelling is no higher than the third Storey of the building;
 - b. the Dwelling has two bedrooms or more, and the average number of bedrooms per Dwelling is not less than 2.25 for all such Dwellings in a development;
 - c. the Dwelling has individual and private access to Grade, except that in the case of Stacked Row Housing access to Dwellings above the first Storey may be shared by two Dwellings; and in the case of Apartment Housing, access to Dwellings above the first Storey may be shared, provided that entrances to not more than six Dwellings are located on any one Storey or landing; and
 - d. the Dwelling has direct access to Amenity Area;”;
- d) deleting the text from the newly renumbered subsection 6.1(41) and replacing with the following:
- “41. **Floor Area Ratio** means the numerical value of the Floor Area of the building or structure relative to the Site upon which it is located, excluding: (a) Basement areas

used exclusively for storage or service to the building; (b) Parking Areas below Grade; (c) Walkways required by the Development Officer; (d) Floor Areas devoted exclusively to mechanical or electrical equipment servicing the development; and (e) indoor Common Amenity Area, divided by the area of the Site.”;

- e) deleting the newly renumbered subsection 6.1(81) and replacing with the following:
 “81. **Platform Structure** means an elevated structure intended for use as outdoor Amenity Area that may project and/or be recessed from the wall of a building, may be surrounded by guardrails, parapet walls or similar features. Common examples include: balconies, raised terraces and decks. This definition does not include a Rooftop Terrace.”;
- f) deleting the newly renumbered subsection 6.1(85) and replacing with the following:
 “85. **Privacy Zone** means an area within the minimum Separation Space which shall be free of buildings, public roadways, Walkways, on-site roadways, communal parking areas and Common Amenity Areas.”;
- g) deleting the newly renumbered subsection 6.1(94) and replacing with the following:
 “94. **Rooftop Terrace** means an elevated structure intended for use as an outdoor Amenity Area that may be surrounded by guardrails, parapet walls or similar features, and is located above:
 a. the uppermost Habitable Room;
 b. the uppermost Commercial Floor Area intended for occupancy; or
 c. in the case of an Accessory building other than a Garden Suite, any roof.
 This definition does not include a Platform Structure.”;
- h) deleting from Section 42 “General Regulations for Separation Space, Amenity Area And Setbacks” and replacing with “General Regulations for Separation Space and Setbacks.”;
- i) adding subsection 44.4 as follows and renumbering accordingly:
 “4. A single Storey Unenclosed Front Porch may project from the first Storey of a Dwelling a maximum of 2.5 m into a required Front Setback, provided that a minimum of 3.0 m is maintained between the Front Lot Line and the Unenclosed Front Porch.”;
- j) deleting Section 46 and replacing with the following:
 “46. **Amenity Area**

1. Unless otherwise specified in this Bylaw, Amenity Area shall only be required for Row Housing, Stacked Row Housing, and Apartment Housing.
2. Unless otherwise specified in this Bylaw, Amenity Area shall be provided in accordance with Table 46(2)

Table 46(2) Amenity Area Requirements			
	Minimum Amenity Area provided on Site per Dwelling	Minimum percentage of total required Amenity Area provided on Site at grade	Maximum percentage of total required Amenity Area provided on Site in a Yard abutting a public roadway other than a Lane at grade,
a. Row Housing	15 m ²	50%	50%
b. Row Housing facing flanking Side Lot Line	15 m ²	50%	100%
c. Stacked Row Housing	7.5 m ²	50%	100%
d. Apartment Housing	7.5 m ²	0%	50%

3. Amenity Area shall:
 - a. have a minimum length and width of 3.0 m, except that if it is provided above the first Storey the minimum length and width shall be 1.5 m;
 - b. where provided outdoors, be permanently retained as open space, unencumbered by enclosed Accessory Buildings or future additions; and
 - c. with respect to Non-residential Use Classes, access to the Amenity Area shall be at no cost to the public during the hours which the development is open to the public.
4. When provided at grade, Amenity Area shall be defined either through a Fence or landscaped elements including but not limited to planters, hedges, hard and soft surface treatment, or raised structures.
5. Amenity Area may be provided in any Yard, except:
 - a. with respect to Residential Uses, required Amenity Area provided at grade in a Yard Abutting an arterial road, as identified in Bylaw

15101, being a Bylaw to Establish the Transportation System for the City of Edmonton, shall be Setback a minimum of 1.0 m from the Lot line Abutting the arterial road.

6. Amenity Area may be located within a required Separation Space, but only if it is intended for the private use of the Dwelling for which the Separation Space is provided.
7. For the purposes of calculating required Amenity Area for Group Homes or Lodging Houses with seven or more Sleeping Units, each Sleeping Unit shall be considered a Dwelling and Amenity Area shall be provided in accordance with the requirements in Table 46(2) for Apartment Housing.
8. Occupants of each Dwelling shall have access to at least the minimum amount of Amenity Area prescribed for the Dwelling type in which they reside, either as private or Common Amenity Area.
9. Where required Amenity Area is provided outdoors as Common Amenity Area, it shall be provided in areas of at least 50 m² and, to the satisfaction of the Development Officer:
 - a. be conveniently located and accessible from the building(s) by all occupants;
 - b. where provided at grade, be clearly visible from above-grade windows;
 - c. have access to sunlight; and
 - d. include seating and artificial lighting.
10. Notwithstanding subsection 46(9)(a), where the total Amenity Area required on Site is less than 50 m², outdoor Common Amenity Area shall be provided in areas of at least 30 m².
11. Where required Amenity Area is provided indoors as Common Amenity Area, it shall, to the satisfaction of the Development Officer:
 - a. be provided in areas of at least 15 m²;
 - b. be separate from common circulation areas, including but not limited to lobbies, corridors, and vestibules; and
 - c. include furniture and fixtures that accommodate active or passive recreation.

12. Common Amenity Area provided indoors shall not be included in the calculation of Floor Area Ratio.”;
- k) deleting Section 47;
 - l) deleting subsection 50.3(5) and replacing with the following:

“5. Accessory buildings and structures shall be located as follows:

 - a. an Accessory building or structure shall be located not less than 18.0 m from the Front Lot Line, unless it complies with the Setback requirements for a principal building;
 - b. an Accessory building or structure shall be located not less than 0.9 m from the interior Side Lot Line, except where it is a mutual Garage erected on the common property line to the satisfaction of the Development Officer, or where a Garage is placed on the common property line in accordance with the provisions of the RPL Zone, or where the Accessory building does not exceed the permitted Fence Height;
 - c. the distance between an Accessory building and the lot line running parallel to any flanking public roadway, other than a Lane, shall not be less than the Side Setback required for the principal building. If the principal building was developed before October 2, 1961, the distance may be reduced, if the placement of the proposed Garage is consistent with the placement of other existing Garages in the same block;
 - d. an Accessory building or structure shall be located not less than 0.9 m from a principal building and any other Accessory building or structure;
 - e. an Accessory building or structure which exceeds 1.85 m in Height shall be located at not less than 0.6 m from the Rear Lot Line; and
 - f. where the Accessory building is a detached Garage and where the vehicle doors of the detached Garage face a Lane Abutting the Site, no portion of the Garage shall be located less than 1.2 m from the Lot Line Abutting the Lane.”;
 - m) deleting subsection 50.3(6);
 - n) deleting subsection 55.7(1)(b)(i) and replacing with the following:

“i. Row Housing or Stacked Row Housing development, where the Amenity Area for the Row Housing or Stacked Row Housing faces Single Detached Housing or a

Site zoned to allow Single Detached Housing as a Permitted Use, public roadways other than a Lane, or a LRT line;”;

- o) deleting subsection 94.1(a)(i) and replacing with the following:
 - “i. indoor Common Amenity Area, separate from entryways, corridors and utility areas, comprises a minimum of 10% of the Floor Area of the development, and has the capacity to seat all residents. Such space shall contain one or more common dining areas;
- p) adding subsection 110.4(8) as follows and renumbering accordingly:
 - “8. Notwithstanding subsection 110.4(7), the maximum Site Coverage for the Principal Dwelling/building and the maximum total Site Coverage shall be increased by up to 2% of the Site Area, in addition to any increase allowed under Section 87, to accommodate single Storey Unenclosed Front Porches.”;
- q) deleting the newly renumbered subsection 110.4(9) and replacing with the following:
 - “9. The minimum Front Setback shall be 4.5 m, except that:
 - a. the minimum Front Setback shall be 3.0 m when a Treed Landscaped Boulevard is provided at the front of the Lot and vehicular access is from a Lane; and
 - b. the minimum distance between the Front Lot Line and the door of an attached Garage shall be 5.5 m.”;
- r) deleting the newly renumbered subsection 110.4(13) and renumbering accordingly;
- s) deleting subsection 115.4(5) and replacing with the following:
 - “5. The maximum total Site Coverage shall not exceed 45%, inclusive of the attached Garage and any other Accessory buildings except that:
 - a. The maximum total Site Coverage shall be increased by up to 2% of the Site Area, in addition to any increase allowed under Section 87, to accommodate single Storey Unenclosed Front Porches.”;
- t) adding subsection 120.4(8) as follows and renumbering accordingly:
 - “8. Notwithstanding subsection 120.4(7), the maximum Site Coverage for the Principal Dwelling/building and the maximum total Site Coverage shall be increased by up to 2% of the Site Area, in addition to any increase allowed under Section 87, to accommodate single Storey Unenclosed Front Porches.”;
- u) deleting the newly renumbered subsection 120.4(9) and replacing with the following:
 - “9. The minimum Front Setback shall be 4.5 m, except that:

- a. the minimum Front Setback shall be 3.0 m when a Treed Landscaped Boulevard is provided at the front of the Lot and vehicular access is from a Lane; and
- b. the minimum distance between the Front Lot Line and the door of an attached Garage shall be 5.5 m.”;
- v) deleting the newly renumbered subsection 120.4(13) and renumbering accordingly;
- w) adding subsection 130.4(4) as follows and renumbering accordingly:

“4. Notwithstanding subsection 130.4(3), the maximum Site Coverage for the Principal Dwelling/building and the maximum total Site Coverage shall be increased by up to 2% of the Site Area, in addition to any increase allowed under Section 87, to accommodate single Storey Unenclosed Front Porches.”;
- x) deleting the newly renumbered subsection 130.4(5) and replacing with the following:

“5. the minimum Front Setback shall be 4.5 m, except that the minimum Front Setback shall be 3.0 m when a Treed Landscaped Boulevard is provided at the front of the Lot.”;
- y) adding subsection 130.4(6) as follows and renumbering accordingly:

“6. Substantially identical floor plans with similar front elevations must be separated by a minimum of one lot unless finishing treatments are substantially different.”;
- z) deleting the newly renumbered subsection 130.4(10) and renumbering accordingly.
- 2. Bylaw 12800, as amended, The Edmonton Zoning Bylaw is hereby further amended by:
 - a) deleting the newly renumbered subsection 130.4(16) and replacing with the following:

“16. General Site Landscaping for principal Dwellings shall be developed in accordance with the following:

 - a. one deciduous tree, one coniferous tree and four shrubs shall be required for each Dwelling;
 - b. all applications for a Development Permit shall include a Site plan that identifies the location, species and size of landscaping required in subsection 130.4(15)(a); and
 - c. all required Landscaping shall be consistent with the relevant requirements of Section 55.”;
 - b) adding subsection 140.4(11) as follows and renumbering accordingly:

“11. Notwithstanding subsection 140.4(10), the maximum Site Coverage for the Principal Dwelling/building and the maximum total Site Coverage shall be

increased by up to 2% of the Site Area, in addition to any increase allowed under Section 87, to accommodate single Storey Unenclosed Front Porches.”;

- c) deleting the newly renumbered subsection 140.4(12) and replacing with the following:

“12. The minimum Front Setback shall be 4.5 m, except that:

- a. the minimum Front Setback shall be 3.0 m when a Treed Landscaped Boulevard is provided at the front of the Lot and vehicular access is from a Lane; and
- b. the minimum distance between the Front Lot Line and the door of an attached Garage shall be 5.5 m.”;

- d) deleting the newly renumbered subsection 140.4(16) and replacing with the following:

“16. Amenity Area shall be provided on Site in accordance with Section 46 of this Bylaw.”;

- e) deleting the newly renumbered subsection 140.4(17) and renumbering accordingly.

- f) adding subsection 150.4(6) as follows and renumbering accordingly:

“6. Notwithstanding subsection 150.4(5), the maximum Site Coverage for the Principal Dwelling/building and the maximum total Site Coverage shall be increased by up to 2% of the Site Area, in addition to any increase allowed under Section 87, to accommodate single Storey Unenclosed Front Porches.”;

- g) deleting the newly renumbered subsection 150.4(7) and replacing with the following:

“7. The minimum Front Setback shall be 4.5 m, except that:

- a. the minimum Front Setback shall be 3.0 m when a Treed Landscaped Boulevard is provided at the front of the Lot and vehicular access is from a Lane; and
- b. the minimum distance between the Front Lot Line and the door of an attached Garage shall be 5.5 m.”;

- h) deleting the newly renumbered subsection 150.4(13) and renumbering accordingly;

- i) deleting subsection 155.4(12) and replacing with the following:

“12. The minimum Front Setback shall be 4.5 m, except that:

- a. the minimum Front Setback shall be 3.0 m when a Treed Landscaped Boulevard is provided at the front of the Lot and vehicular access is from a Lane; and
- b. the minimum distance between the Front Lot Line and the door of an attached Garage shall be 5.5 m.”;

- j) adding to the end of subsection 155.4(16) “Notwithstanding Table 155.4(16), the maximum Site Coverage for the Principal building and the maximum total Site Coverage shall be increased by up to 2% of the Site Area, in addition to any increase allowed under Section 87, to accommodate single Storey Unenclosed Front Porches.”;
- k) adding to the end of subsection 155.4(17) “Notwithstanding Table 155.4(17), the maximum Site Coverage for the Principal building and the maximum total Site Coverage shall be increased by up to 2% of the Site Area, in addition to any increase allowed under Section 87, to accommodate single Storey Unenclosed Front Porches.”;
- l) deleting subsection 155.4(23)(b) and replacing with the following:
 - “b. Where a Site or a Lot within a Zero Lot Line Development has primary vehicular access from a Lane, the following regulations shall apply:
 - i. a Garage, or a Hardsurfaced parking pad shall be provided;
 - ii. the minimum distance from the Rear Lot Line to a Garage or Hardsurfaced parking pad shall be 1.2 m;
 - iii. a Hardsurfaced walkway between the Garage or Hardsurfaced parking pad and an entry to the Dwelling shall be provided;
 - iv. where no Garage is proposed, a Hardsurfaced parking pad to support a future Garage with a minimum width of 4.88 m and depth of 6.10 m shall be constructed a minimum distance of 1.2 m from the Rear Lot Line;
 - v. for Semi-detached Dwellings or Row Housing, where no Garage is proposed, a Hardsurfaced parking pad to support a future Garage with a minimum width of 4.88 m and depth of 5.49 m shall be constructed a minimum distance of 1.2 m from the Rear Lot Line; and
 - vi. any Hardsurfaced parking pad shall include an underground electrical power connection with an outlet on a post approximately 1.0 m in Height, located within 1.0 m of the Hardsurfaced parking pad.”;
- m) deleting subsection 155.4(30) and replacing with the following:
 - “30. Amenity Area shall be provided in accordance with Section 46 of this Bylaw.”;
- n) deleting subsection 160.4(2) and replacing with the following:
 - “2. The maximum Density for Multi-unit Project Development shall be 42 Dwellings/ha; provided that:
 - a. this shall be increased by 1 Dwelling/ha for every 6 required resident parking spaces and associated manoeuvring aisles which are provided

underground, up to a maximum density of 54 Dwellings/ha. For the purpose of this clause, underground parking shall be covered so as to provide useful Site area that would not otherwise be available. Any projection above the Grade of the surface covering such parking shall be less than 1.0 m; shall not be located in a Front Yard; and, shall be integrated with the design of buildings and landscaping so as to be unobtrusive; and

- b. this shall be increased by an additional 10 Dwellings/ha where Common Amenity Area of at least 2.5 m² per Dwelling is provided in addition to Amenity Area required by subsection 46(2) and is developed in accordance with Section 46.”;
- o) adding subsection 160.5(c) as follows:
 - “c. Notwithstanding Table 160.4(5), the maximum Site Coverage for the Principal Dwelling/building and the maximum total Site Coverage shall be increased by up to 2% of the Site Area, in addition to any increase allowed under Section 87, to accommodate single Storey Unenclosed Front Porches.”;
- p) deleting subsection 160.4(6) and replacing with the following:
 - “6. The minimum Front Setback shall be 4.5 m, except that:
 - a. the minimum Front Setback shall be 3.0 m when a Treed Landscaped Boulevard is provided at the front of the Lot and vehicular access is from a Lane; and
 - b. the minimum distance between the Front Lot Line and the door of an attached Garage shall be 5.5 m.”;
- q) deleting subsection 160.4(10) and replacing with the following:
 - “10. Amenity Area shall be provided in accordance with Section 46 of this Bylaw.”;
- r) deleting subsection 160.4(11) and renumbering accordingly;
- n) deleting the newly renumbered subsection 160.4(13)(a) and replacing with the following:
 - “a. 24 m, provided that the building does not contain more than four separate Garages, outside of the boundaries of the Mature Neighbourhood Overlay (MNO), unless exempted under subsection 160.4(16)(b) of this Zone; or”;
- s) deleting the newly renumbered subsection 160.4(16)(b) and replacing with the following:
 - “b. a building containing a rear detached Garages may exceed the maximum width and total number of Garages allowed as specified under subsection 160.4(13)(a) of this Zone, outside the boundaries of the Mature Neighbourhood Overlay (MNO).”;

- t) adding subsection 165.4(1)(d) as follows:
- “d. The maximum Density shall be increased by 10 Dwellings/ha where Common Amenity Area of at least 2.5 m² per Dwelling is provided in addition to Amenity Area required by subsection 46(2) and is developed in accordance with Section 46.”;
- u) adding to the end of subsection 165.4(8) “Notwithstanding Table 165.4(8), the maximum Site Coverage for the Principal Dwelling/building and the maximum total Site Coverage shall be increased by up to 2% of the Site Area, in addition to any increase allowed under Section 87, to accommodate single Storey Unenclosed Front Porches.”;
- v) deleting subsection 165.4(13) and replacing with the following:
- “13. Amenity Area shall be provided in accordance with Section 46 of this Bylaw.”;
- w) deleting subsection 170.4(2) and replacing with the following:
- “2. The maximum Density for Multi-unit Project Development shall be 80 Dwellings/ha; provided that:
- a. this shall be increased by one Dwelling/ha for every six required resident parking spaces and associated manoeuvring aisles which are provided underground, up to a maximum density of 105 Dwellings/ha. For the purpose of this clause, underground parking shall be covered so as to provide useful Site area that would not otherwise be available. Any projection above the Grade of the surface covering such parking shall be less than 1.0 m; shall not be located in a Front Yard; and, shall be integrated with the design of buildings and landscaping so as to be unobtrusive; and
 - b. this shall be increased by an additional 10 Dwellings/ha where Common Amenity Area of at least 2.5 m² per Dwelling is provided in addition to Amenity Area required by subsection 46(2) and is developed in accordance with Section 46.”;
- x) deleting subsection 170.4(4) and replacing with the following:
- “4. The maximum total Site Coverage shall be 40%, with a maximum of 28% for a principal building and a maximum of 12% for Accessory buildings. Where parking is provided underground or Garages are attached or designed as an integral part of Dwellings, the maximum for principal buildings shall be 40%, except that:
- a. the maximum Site Coverage for the Principal Dwelling/building and the maximum total Site Coverage shall be increased by 2% of the Site Area, in

addition to any increase allowed under Section 87, to accommodate single Storey Unenclosed Front Porches.”;

- y) deleting subsection 170.4(5) and replacing with the following:
 - “5. The minimum Front Setback shall be 4.5 m, except that:
 - a. the minimum Front Setback shall be 3.0 m when a Treed Landscaped Boulevard is provided at the front of the Lot and vehicular access is from a Lane; and
 - b. the minimum distance between the Front Lot Line and the door of an attached Garage shall be 5.5 m.”;
- z) deleting subsection 170.4(9) and replacing with the following:
 - “9. Amenity Area shall be provided in accordance with Section 46 of this Bylaw.”.
- 3. Bylaw 12800, as amended, The Edmonton Zoning Bylaw is hereby further amended by:
 - a) deleting subsection 170.4(10) and renumbering accordingly;
 - b) deleting subsection 210.4(2) and replacing with the following:
 - “2. The maximum Density shall be 125 Dwellings/ha; and
 - a. this shall be increased by an additional 15 Dwellings/ha where Common Amenity Area of at least 2.5 m² per Dwelling is provided in addition to Amenity Area required by subsection 46(2) and is developed in accordance with Section 46.”;
 - c) deleting subsection 210.4(10) and replacing with the following:
 - “10. Amenity Area shall be provided in accordance with Section 46 of this Bylaw.”;
 - d) deleting subsection 220.4(2) and replacing with the following:
 - “2. The maximum Density shall be 224 Dwellings/ha; and
 - a. this shall be increased by an additional 25 Dwellings/ha where Common Amenity Area of at least 2.5 m² per Dwelling is provided in addition to Amenity Area required by subsection 46(2) and is developed in accordance with Section 46.”.
 - e) deleting subsection 220.4(12) and replacing with the following:
 - “12. Amenity Area shall be provided in accordance with Section 46 of this Bylaw.”;
 - f) deleting subsection 230.4(2) and replacing with the following:
 - “2. The maximum Density shall be:
 - a. 225 Dwellings/ha for any Site less than 1 350 m²; or
 - b. 325 Dwellings/ha for any Site of 1 350 m² or greater;

- c. 125 Dwellings/ha for any Site less than 885 m²; and
- d. the maximum Density shall be increased by an additional 25 Dwellings/ha where Common Amenity Area of at least 2.5 m² per Dwelling is provided in addition to Amenity Area required by subsection 46(2) and is developed in accordance with Section 46.”;
- g) deleting subsection 230.4(10) and replacing with the following:
“10. Amenity Area shall be provided in accordance with Section 46 of this Bylaw.”;
- h) deleting subsection 310.5(1)(c) and replacing with the following:
“c. Amenity Area shall be provided in accordance with Section 46 of this Bylaw.”;
- i) deleting subsection 320.5(1) and replacing with the following:
1. Apartment Housing shall be permitted only above the office or retail component of a shopping centre.”;
- j) adding subsection 320.5(2) as follows and renumbering accordingly:
“2. Amenity Area shall be provided in accordance with Section 46 of this Bylaw.”;
- k) adding subsection 320.5(3) as follows and renumbering accordingly:
“3. The Apartment Housing component of the development shall be designed and sited so as to minimize any impacts from the commercial component of the development related to noise, traffic circulation or loss of privacy.”;
- l) deleting subsection 330.5(1)(c) and replacing with the following:
“c. Amenity Area shall be provided in accordance with Section 46 of this Bylaw; and”;
- m) deleting subsection 340.5(3)(c) and replacing with the following:
“c. Amenity Area shall be provided in accordance with Section 46 of this Bylaw; and”;
- n) deleting subsection 360.5(1)(c) and replacing with the following:
“c. Amenity Area shall be provided in accordance with Section 46 of this Bylaw.”
- o) deleting subsection 370.4(3) and replacing with the following:
“3. Amenity Area shall be provided in accordance with Section 46 of this Bylaw.”;
- p) deleting subsection 570.4.1(1) and replacing with the following:
“1. The maximum Density shall be 42 Dwellings/ha; provided that this shall be increased by 1 Dwelling/ha for every 6 required resident parking spaces and associated manoeuvring aisles which are provided underground, up to a maximum density of 54 Dwellings/ha. For the purpose of this clause, underground parking shall be covered so as to provide useful Site area that would not otherwise be available. Any projection above the grade of the surface covering such parking

shall be less than 1.0 m; shall not be located in a Front Yard; and, shall be integrated with the design of buildings and landscaping so as to be unobtrusive; and

- a. this shall be increased by an additional 10 Dwellings/ha where Common Amenity Area of at least 2.5 m² per Dwelling is provided in addition to Amenity Area required by subsection 46(2) and is developed in accordance with Section 46.”;
- q) deleting subsection 570.4.1(8) and replacing with the following:
“8. Amenity Area shall be provided in accordance with Section 46 of this Bylaw.”;
- r) deleting subsection 570.4.1(9) and renumbering accordingly;
- s) deleting subsection 571.4.1(1) and replacing with the following:
“1. The maximum Density shall be 42 Dwellings/ha; provided that this shall be increased by 1 Dwelling/ha for every 6 required resident parking spaces and associated manoeuvring aisles which are provided underground, up to a maximum density of 54 Dwellings/ha. For the purpose of this clause, underground parking shall be covered so as to provide useful Site area that would not otherwise be available. Any projection above the grade of the surface covering such parking shall be less than 1.0 m; shall not be located in a Front Setback; and, shall be integrated with the design of buildings and landscaping so as to be unobtrusive; and
a. this shall be increased by an additional 10 Dwellings/ha where Common Amenity Area of at least 2.5 m² per Dwelling is provided in addition to Amenity Area required by subsection 46(2) and is developed in accordance with Section 46.
- t) deleting subsection 571.4.1(8) and replacing with the following:
“8. Amenity Area shall be provided in accordance with Section 46 of this Bylaw.”;
- u) deleting subsection 571.4.1(9) and renumbering accordingly;
- v) deleting subsection 572.4.1(1) and replacing with the following:
“1. The maximum Density shall be 42 Dwellings/ha; provided that this shall be increased by 1 Dwelling/ha for every 6 required resident parking spaces and associated manoeuvring aisles which are provided underground, up to a maximum density of 54 Dwellings/ha. For the purpose of this clause, underground parking shall be covered so as to provide useful Site area that would not otherwise be available. Any projection above the grade of the surface covering such parking shall be less than 1.0 m; shall not be located in a Front Yard; and, shall be

integrated with the design of buildings and landscaping so as to be unobtrusive;
and

a. this shall be increased by an additional 10 Dwellings/ha where Common Amenity Area of at least 2.5 m² per Dwelling is provided in addition to Amenity Area required by subsection 46(2) and is developed in accordance with Section 46.”

w) deleting subsection 572.4.1(8) and replacing with the following:

“8. Amenity Area shall be provided in accordance with Section 46 of this Bylaw.”;

x) deleting subsection 572.4.1(9) and renumbering accordingly;

y) deleting subsection 573.4.1(1) and replacing with the following:

“1. The maximum Density shall be 42 Dwellings/ha; provided that this shall be increased by 1 Dwelling/ha for every 6 required resident parking spaces and associated manoeuvring aisles which are provided underground, up to a maximum density of 54 Dwellings/ha. For the purpose of this clause, underground parking shall be covered so as to provide useful Site area that would not otherwise be available. Any projection above the grade of the surface covering such parking shall be less than 1.0 m; shall not be located in a Front Yard; and, shall be integrated with the design of buildings and landscaping so as to be unobtrusive; and

a. this shall be increased by an additional 10 Dwellings/ha where Common Amenity Area of at least 2.5 m² per Dwelling is provided in addition to Amenity Area required by subsection 46(2) and is developed in accordance with Section 46.

z) deleting subsection 573.4.1(8) and replacing with the following:

“8. Amenity Area shall be provided in accordance with Section 46 of this Bylaw.”.

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

a) deleting subsection 573.4.1(9) and renumbering accordingly;

b) deleting subsection 823.4(2)(g) and replacing with the following:

“g. Elements of the development and of individual dwellings such as windows, doors, balconies, and Amenity Areas should be sited, oriented and designed to minimize their impact on adjacent dwellings, considering such things as daylight, sunlight, ventilation, quiet, visual privacy, shadowing, views, and noise.”;

c) deleting subsection 823.4(3) and renumbering accordingly;

- d) deleting the newly renumbered subsection 823.4(3)(a)(iii) and replacing with the following:
 - “iii. clear delineation of all Amenity Areas at Grade with vertical landscaping features (e.g. hedges, decorative Fences, gates, low walls).”;
- e) deleting Table 823.6(2) and replacing with the following:

Table 823.6(2)			
Tier Number	Recipient Parties:	Affected Parties:	Regulation proposed to be varied
Tier 1	The municipal address and assessed owners of land wholly or partly located within a distance of 60.0 m of the Site of the proposed development and the President of each applicable Community League	The municipal address and assessed owners of land wholly or partly located within a distance of 60.0 m of the Site of the proposed development and the President of each applicable Community League	823.4(1)(a) – Building orientation 823.4(1)(c) – Front setback 823.4(1)(b) – Determination of front lot line 823.4(1)(f) – Height 823.4(1)(g) – Building length 823.4(2) – Building design 823.4(3)(a)(ii) – Landscaping for entry transitions 823.4(4) – Access and parking 823.5 - Additional Development Regulations for Specific Areas
Tier 2	The municipal address and assessed owners of land Abutting the Site and directly adjacent across a Lane from the Site of the proposed development and the President of each applicable Community League	The municipal address and assessed owners of land Abutting the Site and directly adjacent across a Lane from the Site of the proposed development	823.4(1)(d) – Side setback 823.4(1)(e) – Side Setback abutting a property zoned to allow Single Detached Housing as a Permitted Use or the RF5 Row Housing Zone 823.4(3)(a)(i) – Vertical landscaping features 823.4(3)(a)(iii) – Landscaping to delineate Amenity Areas 823.4(3)(b) – Soil depth

f) deleting subsection 910.5.4(d) and replacing with the following:

“d. Amenity Area

i. Notwithstanding subsection 46(2), Amenity Area shall be provided in accordance with the following:

A. A minimum Amenity Area of 3% of gross floor area of residential uses, to a maximum of 6% shall be required for buildings over 2000m² to the satisfaction of the Development Officer. Amenity Areas may include meeting rooms, fitness facilities, outdoor space, and shall be exempt from FAR calculations.

B. Non-residential buildings on sites of less than 1350m² shall not be required to provide Amenity Area.

C. Non-residential or mixed-use buildings on sites greater than 1350m² shall provide a minimum Amenity Area of 3% on the non-residential uses to a maximum of 6% of the development. Amenity Areas may include interior landscaped open spaces, arcades, atriums, plazas and gardens and shall be exempt from FAR calculations.”.

g) deleting subsection 910.6.4(d) and replacing with the following:

“d. Amenity Area:

i. Notwithstanding subsection 46(2), Amenity Areas shall be provided in accordance with the following:

A. A minimum Amenity Area of 3% of gross floor area of residential uses, to a maximum of 6%, shall be required for buildings over 2000m² to the satisfaction of the Development Officer. Amenity Areas may include meeting rooms, fitness facilities, outdoor space, and shall be exempt from FAR calculations. The Development Officer will review Amenity Area provision to ensure it meets the intent.

B. Non-residential buildings on sites of less than 1350m² shall not be required to provide Amenity Area.

C. Non-residential or mixed-use buildings on sites greater than 1350m² shall provide a minimum Amenity Area of 3% on the non-residential uses, to a maximum of 6%. Amenity Areas may include

