

## Summary and Analysis of Proposed Amendments

### Consolidating Regulations

Amenity area regulations are currently dispersed across various sections of Zoning Bylaw 12800. In some cases, a single property may be subject to amenity area regulations located in general regulations Sections 46 or 47, the Zone in which it is located, and an Overlay. This makes it challenging to know which requirements apply, creating uncertainty for applicants and challenges in interpretation for Development Officers.

Stakeholder feedback revealed a desire for simplification and consolidation of amenity area requirements. The regulations governing minimum amenity area are proposed to be consolidated into one section of Zoning Bylaw 12800. The consolidation will provide consistent standards on the amount of amenity area required for all housing types and zones. The consolidation will also introduce consistent quality requirements for common amenity areas, including minimum sizes, location, safety, landscaping and furniture, and access to sunlight.

The consolidation of requirements will ensure consistent standards across the city and make it easier for applicants and Administration to interpret and implement amenity area requirements.

### Standardizing Amenity Area Requirements for medium and high density development

Currently, there is an inconsistent range of requirements for the quantity of amenity area for Row, Stacked Row, and Apartment Housing, depending on the Zone they are located in. Table 1 below provides a simplified summary of differing requirements in a number of standard residential zones and does not include Special Area Zones.

**Table 1 - Existing Amenity Area requirements**

<b>ZONE</b>	<b>Row and Stacked Row Housing</b>	<b>Apartment Housing</b>
<b>RF3</b>	Private <ul style="list-style-type: none"> <li>● 16m<sup>2</sup> per dwelling at grade</li> <li>● 9m<sup>2</sup> per dwelling above grade</li> <li>● 15m<sup>2</sup> per dwelling on a corner site</li> </ul>	Private <ul style="list-style-type: none"> <li>● 16m<sup>2</sup> per dwelling at grade</li> <li>● 9m<sup>2</sup> per dwelling above grade</li> </ul>
<b>RF5, CS1, CS2, CS3, CS4</b>	Private <ul style="list-style-type: none"> <li>● 30m<sup>2</sup> per dwelling, required at grade</li> </ul> Common <ul style="list-style-type: none"> <li>● 2.5m<sup>2</sup> per dwelling if more than 20 dwellings, or no frontage on a public roadway</li> </ul>	N/A
<b>UCRH</b>	Private <ul style="list-style-type: none"> <li>● 30m<sup>2</sup> per at grade dwelling</li> <li>● 15m<sup>2</sup> per above grade dwelling</li> </ul>	N/A

<p><b>RF6*</b></p>	<p>Private</p> <ul style="list-style-type: none"> <li>• 30m<sup>2</sup> per at grade dwelling</li> <li>• 15m<sup>2</sup> per above grade dwelling</li> </ul> <p>Common</p> <ul style="list-style-type: none"> <li>• 2.5m<sup>2</sup> per dwelling if more than 20 dwellings, or no frontage on a public roadway</li> </ul>	<p>N/A</p>
<p><b>RA7</b></p>	<ul style="list-style-type: none"> <li>• 7.5m<sup>2</sup> per dwelling in private or common</li> </ul>	<ul style="list-style-type: none"> <li>• 7.5m<sup>2</sup> per dwelling in private or common</li> </ul>
<p><b>RA7 in mature areas (MSRIO)*</b></p>	<ul style="list-style-type: none"> <li>• 7.5m<sup>2</sup> per dwelling in private or common</li> </ul>	<ul style="list-style-type: none"> <li>• 15m<sup>2</sup> per at grade dwelling in private or common</li> <li>• 7.5m<sup>2</sup> per above grade dwelling in private or common</li> <li>• 2.5m<sup>2</sup> per dwelling in common amenity area</li> </ul>
<p><b>RA8 and RA9</b></p>	<ul style="list-style-type: none"> <li>• 7.5m<sup>2</sup> per dwelling in private or common</li> </ul>	<ul style="list-style-type: none"> <li>• 7.5m<sup>2</sup> per dwelling in private or common</li> </ul>

*\* MSRIO - Medium Scale Residential Infill Overlay applies in RF6 and RA7. The amenity area requirements of the Overlay apply to Apartment Housing only, therefore it does not change amenity area requirements in the RF6 Zone as Apartment Housing is not a listed use.*

The proposed amendments provide a standard size requirement for these housing types, specifically 15 square metres per Row House dwelling, and 7.5 square metres per Stacked Row House or Apartment dwelling. Existing requirements for amenity area in the Downtown and Blatchford Zones are proposed to remain as is, as well as common amenity area requirements in a number of Special Area Zones.

The proposed standard 15 square metres of amenity area per dwelling for Row Housing would be an increase from the 7.5 square metres currently required in the (RA7) Low Rise Apartment Zone, (RA8) Medium Rise Apartment Zone, and (RA9) High Rise Apartment Zone. This represents a decrease from the 30 square metres currently required in the (RF5) Row Housing Zone, (UCRH) Urban Character Row Housing Zone, and the Community Service Zones which include surplus school sites. The current requirement in the (RF3) Small Scale Infill Development Zone is 16 square metres. The proposed change creates consistency in requirements across most zones.

Analysis conducted by Administration suggests that the decrease in required amenity area will be unlikely to result in the decrease of actual provided amenity area. This is based on findings that show a vast majority of Row Housing developed already provide in excess of the minimum required amenity area. Detail on this analysis can be found in Inset 1 at the end of this attachment.

Providing Flexibility

Multi-unit housing accommodates a diverse range of residents and housing needs. As such, the type of amenity area that is appropriate for residents can vary widely. The proposed amendments allow the required area to be provided as either private or common amenity area, provided that the residents of each dwelling have access to the equivalent minimum amount required for their unit. This approach allows greater flexibility to meet the needs and preferences of residents, while ensuring each dwelling has access to a minimum amount of amenity area.

#### Incentivizing the Provision of Common Amenity Area

As highlighted in Table 1, there is currently little consistency in where common amenity area is required. It varies by the Zone, the area of the city, the number of units developed, and whether or not it is facing a public roadway.

Common amenity areas can provide welcome recreational opportunities for residents, but can also lead to higher construction and maintenance costs for buildings. In order to provide choice to residents, the amendments propose to remove inconsistent common amenity area requirements and introduce incentives to encourage the provision of common amenity area across all Zones. The incentives include removing indoor common amenity area from Floor Area Ratio calculations, and providing a bonus in allowable density when common amenity area is provided. To achieve these incentives, common amenity area of at least 2.5 square metres per dwelling must be provided in areas of no less than 50 square metres outdoors or 15 square metres indoors. Height and setback requirements would continue to regulate the overall size and massing of the building.

Where common amenity area of 2.5 square metres per dwelling is provided in addition to the minimum amenity area required per dwelling, additional density of 10 to 25 dwellings per hectare will be allowed, depending on the zone.

To illustrate the potential outcomes of this regulation, Administration considered hypothetical development on a 1.5 hectare block (15,000 square metres) as illustrated in Figure 1 below. On a site of the same size, provision of common amenity area of 2.5 square metres per dwelling would potentially allow additional density as demonstrated in Table 2 below.

Figure 1 - 1.5 Hectare Block



Table 2 - Potential Additional Density on 1.5 Hectare Block

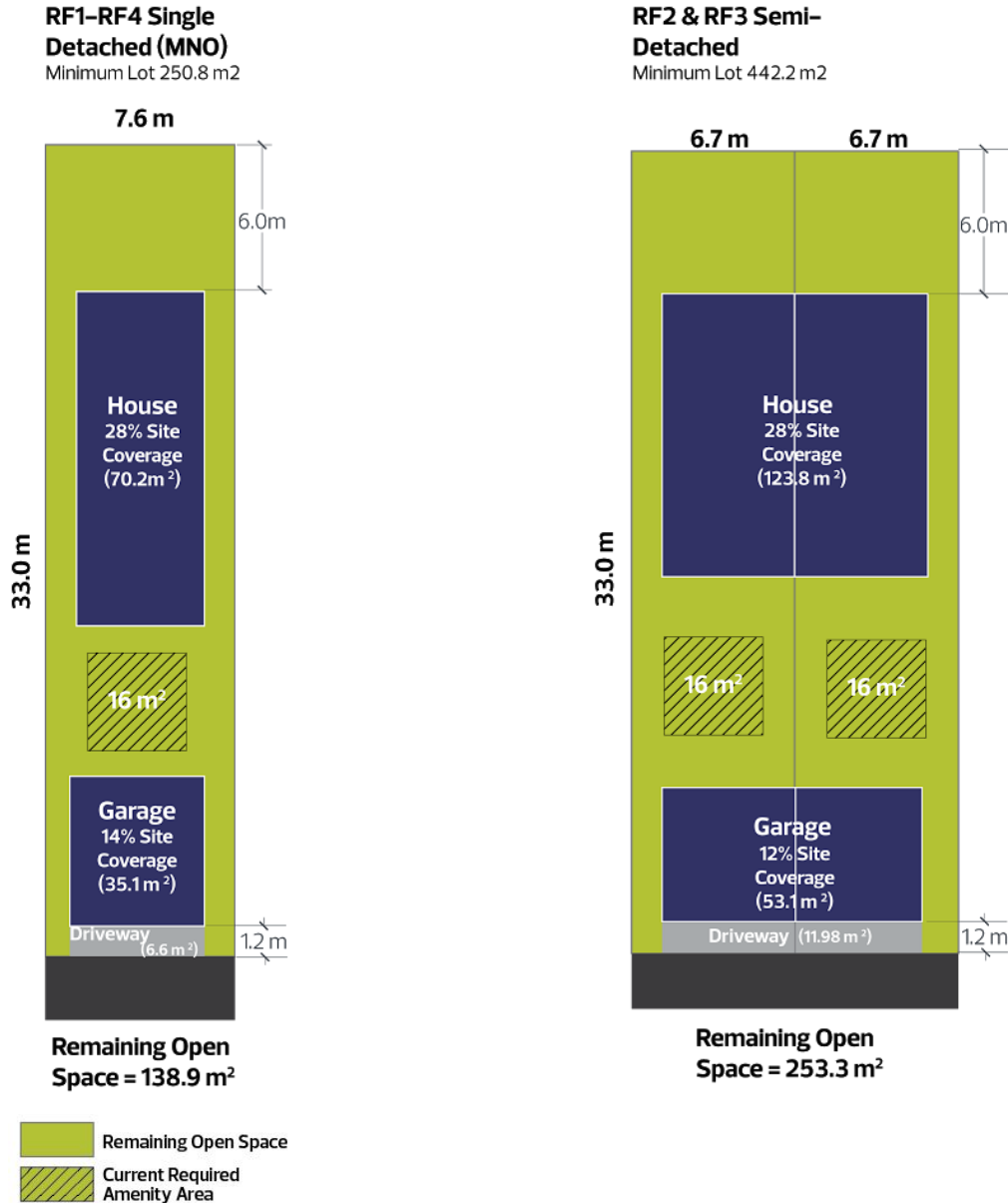
Zone	Number of Dwellings Allowed without Density Bonus	Number of Dwellings Allowed with Density Bonus	Increase in number of units	Common Amenity Area that would be Required
RF5	63	78	15 (24%)	195 m <sup>2</sup>
RF6	120	135	15 (13%)	337 m <sup>2</sup>
RA7	187	210	23 (12%)	525 m <sup>2</sup>
RA8	336	373	37 (11%)	932.5 m <sup>2</sup>
RA9	487	525	38 (8%)	1312.5 m <sup>2</sup>

#### Approach to Amenity Area requirements for low density housing

Current amenity area requirements for Single Detached, Semi-detached and Duplex Housing range from 16 square metres in mature neighbourhood zones to 45 square metres in newer and special area zones. There is no evident rationale for the varying sizes of amenity area required for the same building type.

Administration undertook an analysis of minimum lot dimensions in all low density residential zones to understand the relationship between amenity area requirements and other site regulations, including minimum lot sizes, Site Coverage and typical driveway areas. This analysis showed that other site regulations resulted in remaining open space that far exceeded the amenity area requirements (see Figure 2 below, and Table 3 at the end of this attachment).

Figure 2



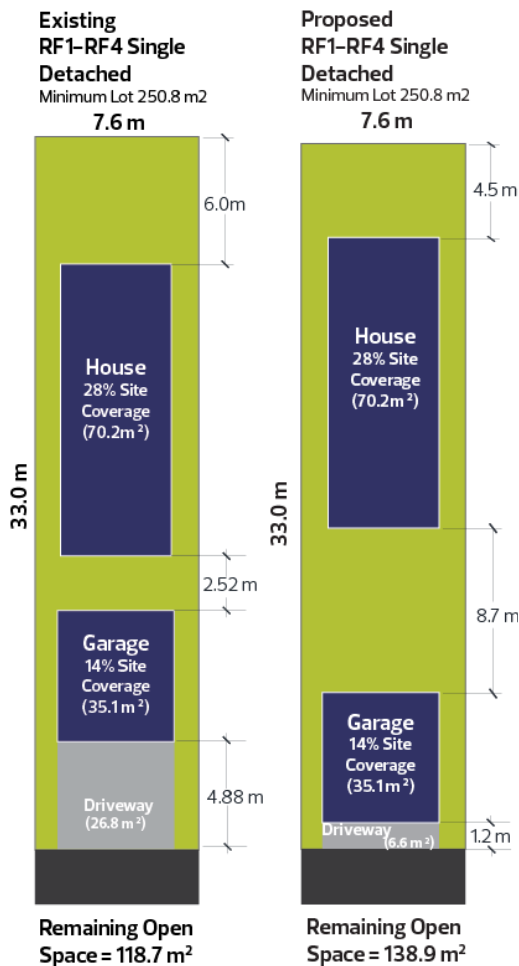
Removing amenity area requirements will create flexibility in how and where open space is provided on a site, allowing maximum choice to meet the diverse needs and preferences of Edmontonians. It will also reduce the complexity of Zoning Bylaw 12800 and align with most other major Canadian cities that do not regulate amenity area for low density residential uses.

Changes to Setbacks to Maximize Rear Yards

Administration undertook detailed dimension models to understand what configurations of open spaces are created by existing setback and site coverage

regulations. As shown in Figure 3, current regulations for minimum front and rear setbacks for detached garages outside the Mature Neighbourhood Overlay can contribute to constrained open space in rear yards.

Figure 3



The proposed amendments reduce setback requirements in order to allow greater opportunities to maximize rear yard space. In particular, the minimum front setback for a principal building in some zones is proposed to be reduced to 4.5 metres, or 3 metres when a property is adjacent to a treed boulevard and vehicular access is provided from a rear lane. An exception to this recommendation would be for front attached garages, where the minimum distance from the front lot line to a front attached garage door is proposed to be 5.5 metres. These proposed setbacks will bring the RF1, RF2, RF3, RF5, and RF6 zones in line with the remaining low density residential Zones where these smaller front setbacks are already in effect.

The minimum rear setback for a detached garage, when the doors face the lane, is also proposed to be reduced to 1.2 metres. This will allow detached garages to be located further back on a property, ensuring that backyard space can be maximized.

These changes will not impact development within the Mature Neighbourhood Overlay. The front setback requirement in the Mature Neighbourhood Overlay will continue to take precedence over the underlying zone. The current rear setback for a detached garage in the Mature Neighbourhood Overlay is already 1.2 metres.

Front Decks and Verandas

Section 44 of Zoning Bylaw 12800 allows platform structures, such as decks and patios, to project 2.5 metres into a front setback, but only allows verandas to project 0.6 metres. This section is proposed to be amended to allow single storey verandas to also project up to a maximum of 2.5 metres into the front setback,

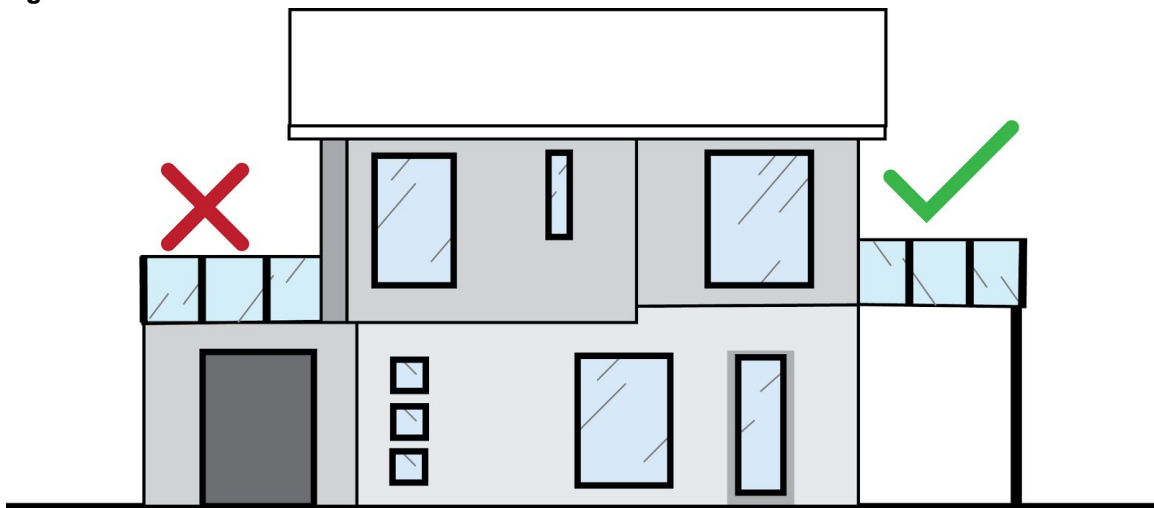
with a requirement that at least 3 metres be maintained between the veranda and front property line. A similar regulation allowing verandas to project 2.5 metres into the front setback was approved for properties within the Mature Neighbourhood Overlay as part of Bylaw 18013, which was passed on May 29, 2017.

Administration reviewed approved development permits for single detached housing and found that typical verandas ranged in site coverage from 2 to 4.5 percent of the total site area. An increase of 2 percent in the maximum total site coverage for principal buildings is proposed be allowed for the provision of single storey verandas. This will encourage the development of front verandas and result in a modest increase in total site coverage.

### Rooftop Terraces

The current definition of rooftop terrace that was introduced in March 2016 defines them as being “on top of a roof.” The intent of the rooftop terrace definition was to capture structures on the top of the building. In practice, when interpreted literally, the definition applies to all roof structures regardless of their height or what storey of the building they are located on. This has had the effect of prohibiting recessed balconies on garden suites that are located on top of a first storey roof, while a projecting balcony at the same height would be allowed, as shown in Figure 4.

Figure 4



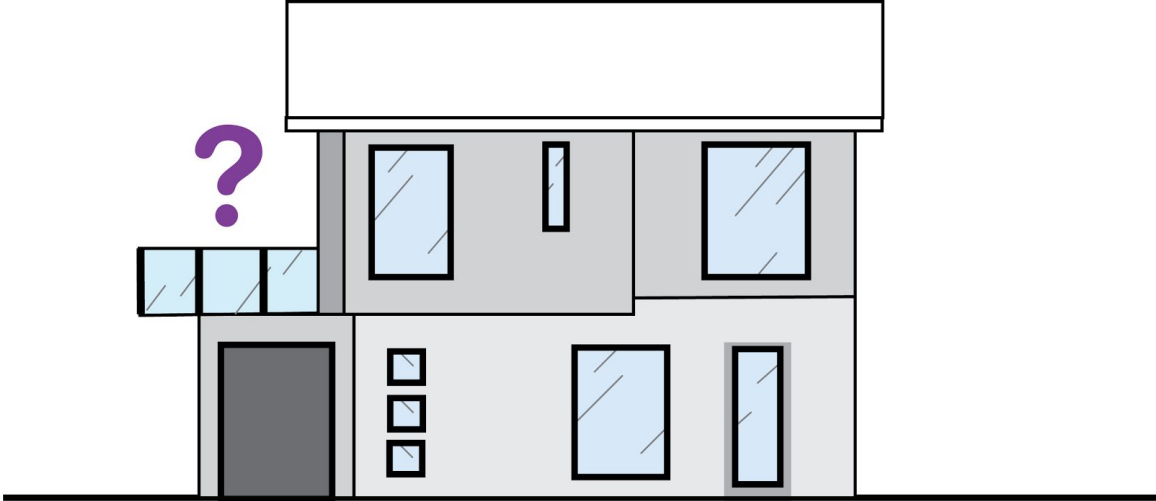
On a house or similar building, the current definition also creates challenges as rooftop terraces are subject to setback requirements. A recessed balcony would be required to be stepped back from the edge of the building, while a projecting balcony at the same location would not. The current definition also has implications for structures such as recessed balconies on apartment buildings.



The proposed bylaw amends the definition of rooftop terrace to clarify that it is on top of the building, in accordance with the original intent.

The current definitions of rooftop terrace and platform structure also create confusion. The current definition of rooftop terrace states that they do not project beyond any facade of the storey below, and the definition of platform structure states that they project from the wall of a building. It is therefore unclear how a structure that is both recessed and projecting, as illustrated in Figure 5, should be defined.

Figure 5



The proposed amendment clarifies both definitions to provide clarity as to how these structures should be treated. Structures that are considered to be platform structures will continue to be subject to any applicable privacy screening regulations, while rooftop terraces will continue to be subject to stepback requirements.

**Inset 1 - Detailed analysis of current amenity area provision**

*Methodology*  
Administration analyzed amenity area provision in recent development permits issued for new Row Housing. In 2015 and 2016, a total of 226 development permits were issued in number of standard zones. The analysis below focuses on the (RF5) Row Housing Zone and the (RA7) Low Rise Apartment Zone, as the majority of Row Housing is developed in these zones and they represent the largest difference in the amount of amenity area required for Row Housing. They also illustrate the difference between multi-unit project developments and row housing not developed as part of a multi-unit project development.



Multi-unit project developments have three or more dwellings on a single site that are not individually subdivided and can include both rental and condominium properties.

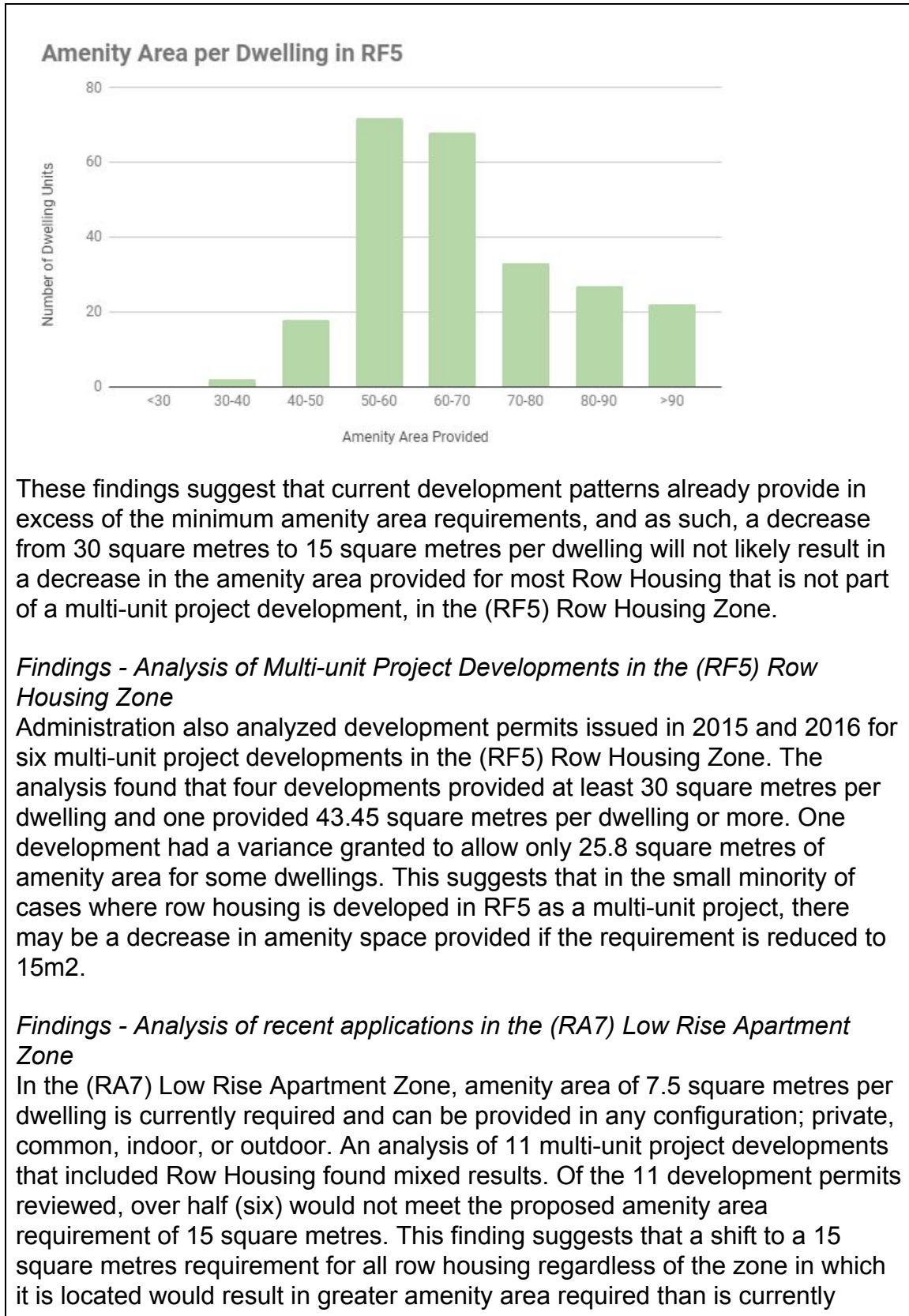
*Findings - Analysis of Row Housing developments that are not part of a Multi-unit Project Development in the (RF5) Row Housing Zone*

In 2015 and 2016, 131 development permits were issued (58 percent of total Row Housing development permits) for developments in the (RF5) Row Housing Zone. Of those, 118 (90 percent) were for developments that are not part of a multi-unit project development.

Administration's analysis revealed that the amenity area on site is typically provided well in excess of the current 30 square metres minimum requirement for development in the (RF5) Row Housing Zone when the row house dwelling was not developed as part of a multi-unit project development. This is a result of minimum lot sizes and required setbacks. It was additionally found that lots are typically subdivided larger than the required minimum site area, again resulting in provision of amenity area above minimum requirements.

Administration also analyzed the amount of amenity area provided for each individual dwelling unit approved in 2016 for developments that are not part of a multi-unit project development, and the results are displayed below. The 70 development permits issued in 2016 resulted in 242 individual row housing units. Of the 242 units approved, only two were provided with less than 40 square metres of amenity area. Seventy four percent of units were provided with more than 55 square metres of amenity area, well in excess of the 30 square metre minimum in Zoning Bylaw 12800.

**Figure 5**



provided on a majority of row housing developments in the (RA7) Low Rise Apartment Zone.

Recognizing this impact, Administration continues to support the proposed change to 15 square metres. The new requirement has the opportunity to support better design outcomes for row housing in the (RA7) Low Rise Apartment Zone, including larger second storey rear balconies that can serve to screen surface parking spaces, or front facing amenity area to encourage interaction with neighbours. The additional costs associated with the change is anticipated to be minimal and, coupled with other proposed changes to Zoning Bylaw 12800, particularly through parking, it is not anticipated to impact the overall density of sites. The proposed standard amenity area size by building type has the additional benefit of simplifying and consolidating the various amenity area regulations currently located throughout Zoning Bylaw 12800.

The analysis suggests that the proposed change to 15 square metres will not result in a reduction of amenity area in zones where higher standards currently exist, and will serve to increase the amount of provided for row housing multi-unit project developments in higher density zones.

**Table 3 - Remaining open space in low density developments with existing regulations**

Zone	Dwelling Type	Minimum Lot Area	Maximum Site Coverage (%)	Maximum Site Coverage (m <sup>2</sup> )	Paved driveway * (m <sup>2</sup> )	Remaining Open Space Per Dwelling (m <sup>2</sup> )	Current Amenity Area Requirements Per Dwelling (m <sup>2</sup> )
RF1	Small Lot Single Detached	250.8	42%	105	28.6	117	16
	Single Detached	300.0	40%	120	28.6	151	16
	Duplex	300.0	40%	120	28.6	76	16
	Semi Detached	488.4	42%	205	57.2	113	16
	Large Lot Semi Detached	600.0	40%	240	57.2	151	16
RF2	Small Lot Single Detached	250.8	42%	105	28.6	117	16
	Single Detached	300.0	40%	120	28.6	151	16
	Duplex	300.0	40%	120	28.6	76	16
	Semi Detached	442.2	42%	186	57.2	100	16

Attachment 3

	Large Lot Semi Detached	600.0	40%	240	57.2	151	16
RF3	Small Lot Single Detached	250.8	42%	105	28.6	117	16
	Single Detached	300.0	40%	120	28.6	151	16
	Duplex	300.0	40%	120	28.6	76	16
	Semi Detached	442.2	42%	186	57.2	100	16
	Large Lot Semi Detached	600.0	40%	240	57.2	151	16
RF4	Small Lot Single Detached	250.8	42%	105	28.6	117	16
	Single Detached	300.0	40%	120	28.6	151	16
	Duplex/Semi	442.2	45%	199	57.2	93	16
	Large Lot Duplex/Semi	600.0	40%	240	57.2	151	16
RF5	Single - Internal - MNO	270.0	43%	116	28.6	125	45
	Single - Corner - MNO	270.0	40%	108	28.6	133	45
	Single - Internal	258.0	43%	111	28.6	118	45
	Single - Corner	258.0	40%	103	28.6	126	45
	Single Front Attached - Internal	312.0	43%	134	28.6	149	N/A
	Single Front Attached - Corner	312.0	40%	125	28.6	159	N/A
	Semi Detached - Internal	420.0	45%	189	57.2	87	16
	Semi Detached - Corner	420.0	40%	168	57.2	97	16
RSL	Single Detached	312.0	45%	140	28.6	143	N/A
RPL	Single Detached	247.0	47%	116	28.6	102	45
	Single Zero Lot Line	247.0	53%	131	28.6	87	45

**Attachment 3**

RMD	Single Detached - No Lane	247.0	47%	116	28.6	102	45
	Single - Lane	247.0	47%	116	28.6	102	45
	Single Zero Lot Line - No Lane	247.0	53%	131	28.6	87	45
	Single Zero Lot Line - Lane	247.0	53%	131	28.6	87	45
	Semi-detached - No Lane	442.0	50%	221	57.2	82	45
	Semi-detached - Lane	402.0	50%	201	57.2	72	45
	Semi-detached - Zero Lot Line - No Lane	411.0	50%	206	57.2	74	45
	Semi-detached - Zero Lot Line - Lane	375.0	50%	188	57.2	65	45

\* Assuming two car driveway per dwelling