

Bylaw 18083

A Bylaw to amend Bylaw 12800, as amended,
The Edmonton Zoning Bylaw
Amendment No. 2403

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) renumbering subsection 160.4(17) to 160.4(1) and renumbering accordingly;
 - b) deleting the newly renumbered subsection 160.4(3) and replacing with the following:
 - "2. Site Area and Site Dimensions for individual Dwelling shall be in accordance with Table 160.4(3).

Table 160.4(3) Site Area and Site Dimensions			
	Minimum Site Area ¹	Minimum Site Width	Minimum Site Depth ¹
(a) Row Housing internal Dwelling	150 m ²	5.0 m	30.0 m
(b) Row Housing end Dwelling	186 m ²	6.2 m	30.0 m
(c) Semi-detached Housing, each Dwelling	210 m ²	6.7 m	30.0 m
(d) Stacked Row Housing Development	740 m ²	20.0 m	30.0 m
(e) Single Detached	258 m ²	8.6 m	30.0 m

Housing with Lane access parking - outside the boundaries of the Mature Neighbourhood Overlay			
(f) Single Detached Housing with Lane access parking - within the boundaries of the Mature Neighbourhood Overlay	270 m ²	9.0 m	30.0 m
(g) Single Detached Housing with Front attached Garage	312 m ²	10.4 m	30.0 m

1. Note: Exceptions may apply to Bare Land Condominium Units as part of a Multi-unit Project Development. See Section 160.4(17).”;

c) deleting the newly renumbered subsection 160.4(5) and replacing with the following:

“5. The maximum total Site Coverage shall be:

- a. for Multi-unit Project Developments 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 to or designed as an integral part of Dwellings, the maximum for principal buildings shall be 40%; or
- b. for lots not part of a Multi-unit Project Development, maximum Site Coverage shall be in accordance with Table 160.4.(5):

Table 160.4(5) Maximum Site Coverage - Individual Lots			
	Principal Dwelling/building	Accessory building	Principal building with attached Garage or where parking is provided underground
(a) Row Housing - internal Dwelling	35%	20%	55%
(b) Row Housing - end Dwelling	28%	17%	45%
(c) Row Housing or Semi-detached Housing, or Single Detached Housing - corner Dwelling	28%	15%	40%
(d) Semi-detached Housing - internal (non Corner) Dwelling	30%	17%	45%
(e) Stacked Row Housing Development	28%	15%	40%
(f) Single Detached Housing - not a corner Dwelling	28%	15%	43%

- d) deleting the newly renumbered subsection 160.4(6)(c) and replacing with the following:
 - “c. notwithstanding 160.4(6) (a) and (b), the Development Officer, having regard for the siting and appearance of adjoining residences and other residences within the block face, may increase the Front Setback requirement to improve sunlight exposure, views, privacy and to add general interest in the streetscape.”
- e) deleting the newly renumbered subsection 160.4(8)(c) and replacing with the following:
 - “c. in the case of Multi-unit Project Developments, as prescribed in 160.4(15).”
- f) deleting the newly renumbered subsection 160.4(10)(c) and replacing with the following:
 - “c. notwithstanding Sections 46 and 47 of this Bylaw and 160.4(10)(a) above, where a rear attached Garage is provided and where:
 - i. a minimum outdoor communal recreational space of not less than 50 m² is provided in accordance with 160.4(11) below, whether or not the development has Frontage on a public roadway and whether or not the development has less than 20 Dwellings; or
 - ii. a public Park is adjacent to the Dwelling or where the Dwelling is not separated from the Park by a roadway, other than a Lane;
 - A. a maximum of 50 percent of the required minimum Private Outdoor Amenity Area may be provided in the Front Yard, provided that the Private Amenity Area is setback a minimum of 1.0 m from the Front Property Line. In this case, this area shall be defined either through a decorative Fence, or through landscaped elements such as hedges;
 - B. a maximum of 50 percent of the required Private Outdoor Amenity Area may be provided above Grade, provided that it shall be at least 10 m² in area, with neither the width nor the depth less than 2.0 m.”
- g) deleting the newly renumbered subsection 160.4(14)(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(17)(b) of this Zone; or”;
- h) deleting the newly renumbered subsection 160.4(17) and replacing with the following:
 - “17. Notwithstanding the other regulations in this Zone, in the case of Multi-unit Project Developments:

- a. the minimum Site Area and Site Depth for individual Dwellings that are Bare Land Condominium Units may be reduced, provided that the density of the development does not exceed the density as prescribed in subsection 160.4(2) of this Zone;
 - 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(14)(a) of this Zone, outside the boundaries of the Mature Neighbourhood Overlay (MNO).”;
- i) adding subsection 170.4(1) as follows and renumbering accordingly:
 - “1. Notwithstanding the other regulations in this Zone, Single Detached Housing in this Zone shall be developed in accordance with the provisions of the RF1 Zone, and Duplex and Semi-detached Housing, Secondary Suites, and Garden Suites in this Zone shall be developed in accordance with the provisions of the RF4 Zone.”;
- j) deleting the newly renumbered subsection 170.4(14) and renumbering accordingly;
- k) adding subsection 210.4(1) as follows and renumbering accordingly:
 - “1. Notwithstanding the other regulations of this Zone, Single Detached Housing, Semi-detached Housing, Duplex Housing, Secondary Suites, and Garden Suites in this Zone shall be developed in accordance with the provisions of the RF4 Zone.”;
- l) deleting subsection 210.5(1) and renumbering accordingly;
- m) adding subsection 220.4(1) as follows and renumbering accordingly:
 - “1. Notwithstanding the other regulations of this Zone, Single Detached Housing, Semi-detached Housing, Duplex Housing, Secondary Suites, and Garden Suites in this Zone shall be developed in accordance with the provisions of the RF4 Zone.”;
- n) deleting subsection 220.6(1) and renumbering accordingly;
- o) deleting the newly renumbered subsection 220.6(2) and renumbering accordingly;
- p) adding subsection 230.4(1) as follows and renumbering accordingly:
 - “1. Notwithstanding the other regulations of this Zone, Single Detached Housing, Semi-detached Housing, Duplex Housing, Secondary Suites, and Garden Suites in this Zone shall be developed in accordance with the provisions of the RF4 Zone.”;
- q) deleting subsection 230.5(1) and renumbering accordingly;
- r) deleting section 815.2 and replacing with the following:

“815.2 Application

This Overlay applies to Sites zoned RA8 in the areas shown on the Appendices to this Overlay.”

- s) adding section 815.3 as follows and renumbering accordingly:

“815.3 Development Regulations for Permitted and Discretionary Uses, Except Stacked Row Housing and Apartment Housing

1. Development shall comply with the regulations contained in the Mature Neighbourhood Overlay.
2. Notice of proposed variances shall be provided in accordance with the Mature Neighbourhood Overlay.”;

- t) adding section 815.4 as follows and renumbering accordingly:

“815.4 Development Regulations for Stacked Row Housing

1. Development shall comply with regulations contained in the Medium Scale Residential Infill Overlay.
2. Notice of proposed variances shall be provided in accordance with the Medium Scale Residential Infill Overlay.”;

- u) deleting the newly renumbered subsection 815.5(12) and renumbering accordingly;

- v) deleting the newly renumbered section 815.6 and replacing with the following:

“815.6 Proposed Variances

1. When the Development Officer determines that a Development Permit application for the construction of new Apartment Housing does not comply with the regulations contained in this Overlay:
 - a. the Development Officer shall send notice to 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 to outline any requested variances to the Overlay and solicit comments directly related to the proposed variance;
 - b. the Development Officer shall not render a decision on the Development Permit application until 21 days after notice has been sent, unless the Development Officer receives feedback from all specified recipients; and

- c. the Development Officer shall consider any comments directly related to the proposed variance when determining whether to approve the Development Permit application in accordance with Section 11.2.”;
 - w) deleting the newly renumbered section 815.7;
 - x) adding section 816.3 as follows and renumbering accordingly:
 - “**816.3 Development Regulations for Permitted and Discretionary Uses, Except Stacked Row Housing and Apartment Housing**
 - 1. Development shall comply with the regulations contained in the Mature Neighbourhood Overlay.
 - 2. Notice of proposed variances shall be provided in accordance with the Mature Neighbourhood Overlay.”;
 - y) adding section 816.4 as follows and renumbering accordingly:
 - “**816.4 Development Regulations for Stacked Row Housing**
 - 1. Development shall comply with regulations contained in the Medium Scale Residential Infill Overlay.
 - 2. Notice of proposed variances shall be provided in accordance with the Medium Scale Residential Infill Overlay.”;
 - z) deleting from the newly renumbered section 816.5 “**Development Regulations**” and replacing with “**Development Regulations for Apartment Housing**”.
2. Bylaw 12800, as amended, The Edmonton Zoning Bylaw is hereby further amended by:
- a) deleting the newly renumbered subsection 816.5(11);
 - b) adding section 816.6 as follows:
 - “**816.6 Proposed Variances**
 - 1. When the Development Officer determines that a Development Permit application for the construction of new Apartment Housing does not comply with the regulations contained in this Overlay:
 - a. the Development Officer shall send notice to 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 to outline any requested variances to the

Overlay and solicit comments directly related to the proposed variance;

- b. the Development Officer shall not render a decision on the Development Permit application until 21 days after notice has been sent, unless the Development Officer receives feedback from all specified recipients; and
- c. the Development Officer shall consider any comments directly related to the proposed variance when determining whether to approve the Development Permit application in accordance with Section 11.2.”;

- c) deleting section 818.1 and replacing with the following:

“818.1 General Purpose

The purpose of this Overlay is to supplement the regulations of Commercial Zones regarding Secondhand Stores and Pawn Stores in order to require notification of surrounding property owners prior to the Development Officer’s decision in Zones where either Secondhand Stores or Pawn Stores are listed as Discretionary Uses.”;

- d) deleting section 818.3 and replacing with the following:

“818.3 Proposed Secondhand Store or Pawn Store

- 1. When the Development Officer receives a Development Permit application for Secondhand Stores or Pawn Stores and the Use is Discretionary in the underlying Zone:

- a. the Development Officer shall send notice to 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 affected Community League and each Business Improvement Area Association operating within the distance described above to solicit comments on the compatibility of the proposed Use with nearby Uses;
- b. the Development Officer shall not render a decision on the Development Permit application until 21 days after notice has been sent, unless the Development Officer receives feedback from all specified recipients; and
- c. the Development Officer shall consider any comments directly related to the compatibility of the proposed use with surrounding uses when

determining whether to approve the Development Permit application in accordance with Section 11.2.”;

- e) deleting subsection 819.3(15);
- f) adding section 819.5 as follows:

“819.5 Proposed Variances

1. When the Development Officer determines that a Development Permit application does not comply with the regulations contained in this Overlay:
 - a. the Development Officer shall send notice to 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 affected Community League and each Business Improvement Area Association operating within the distance described above to outline any requested variances to the Overlay and solicit comments directly related to the proposed variance;
 - b. the Development Officer shall not render a decision on the Development Permit application until 21 days after notice has been mailed, unless the Development Officer receives feedback from all specified recipients; and
 - c. the Development Officer shall consider any comments directly related to the proposed variance when determining whether to approve the Development Permit application in accordance with Section 11.2.”;

- g) deleting subsection 821.3(25);
- h) adding section 821.4 as follows:

“821.4 Proposed Variances

1. When the Development Officer determines that a Development Permit application does not comply with the regulations contained in this Overlay:
 - a. the Development Officer shall send notice to 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 affected Community League and each Business Improvement Area Association operating within the distance described above to outline any requested variances to the Overlay and solicit comments directly related to the proposed variance;

- b. the Development Officer shall not render a decision on the Development Permit application until 21 days after notice has been mailed, unless the Development Officer receives feedback from all specified recipients; and
- c. the Development Officer shall consider any comments directly related to the proposed variance when determining whether to approve the Development Permit application in accordance with Section 11.2.”;

i) deleting section 823.2 and replacing with the following:

“823.2 Application

The Overlay applies to Sites zoned RF6 and RA7 in the areas shown on the Appendices to this Overlay. Wherever the policies or provisions of a Statutory Plan make reference to the Medium Density Residential Overlay applying to the RF6 or RA7 zones, the regulations contained within this Overlay shall apply.”;

j) adding section 823.3 as follows and renumbering accordingly:

“823.3 Development Regulations for Permitted and Discretionary Uses, Except Stacked Row Housing and Apartment Housing

- 1. Development shall comply with the regulations contained in the Mature Neighbourhood Overlay.
- 2. Notice of proposed variances shall be provided in accordance with the Mature Neighbourhood Overlay.”;

k) deleting from the newly renumbered section 823.4 **“Development Regulations”** and replacing with **“Development Regulations for Stacked Row Housing and Apartment Housing”**;

l) deleting the newly renumbered subsection 823.4(6);

m) deleting the newly renumbered section 823.5 and renumbering accordingly;

n) adding section 823.6 as follows:

“823.6 Proposed Variances

- 1. When the Development Officer determines that a Development Permit application for the construction of new Apartment Housing or new Stacked Row Housing does not comply with the regulations contained in this Overlay:
 - a. the Development Officer shall send notice to the Recipient Parties specified in Table 823.6(2) to solicit comments directly related to the variance;
 - b. the Development Officer shall not render a decision on the Development Permit application until 21 days after notice has been sent, unless the

Development Officer receives feedback from the specified Affected Parties in accordance with Table 823.6(2); and

- c. the Development Officer shall consider any comments directly related to the proposed variance when determining whether to approve the Development Permit application in accordance with Section 11.2.

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(4)(a)(ii) – Landscaping for entry transitions 823.3(5) – 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) – Amenity Area 823.4(4)(a)(i) – Vertical landscaping features 823.4(4)(a)(iii) – Landscaping to delineate Private Outdoor Amenity Areas 823.4(4)(b) – Soil depth

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3. This bylaw shall come into effect September 1, 2017.

READ a first time this 28th day of August , A. D. 2017;

READ a second time this 28th day of August , A. D. 2017;

READ a third time this 28th day of August , A. D. 2017;

SIGNED and PASSED this 28th day of August , A. D. 2017.

THE CITY OF EDMONTON


MAYOR


CITY CLERK