

## Mark-up of Proposed Text Amendment

**Strikethrough:** Proposed deletion from Zoning Bylaw 12800

**Underline:** Proposed addition to Zoning Bylaw 12800

### **160 (RF5) Row Housing Zone**

#### **160.4 Development Regulations for Permitted and Discretionary Uses**

~~171.~~ Except where modified through the regulations in this Zone:

- a. Single Detached Housing with rear access parking in this Zone shall be developed in accordance with the provisions of the (RPL) Planned Lot Residential Zone;
- b. Single Detached Housing with front attached Garages shall be developed in accordance with the provisions of the (RSL) Residential Small Lot Zone; and
- c. Semi-detached Housing, Secondary Suites, Garage Suites and Garden Suites in this Zone shall be developed in accordance with the provisions of the (RF4) Semi-detached Housing Zone.

*Renumber accordingly.*

### **170 (RF6) Medium Density Multiple Family Zone**

#### **170.4 Development Regulations for Permitted and Discretionary Uses**

~~131.~~ 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, Garage Suites and Garden Suites in this Zone shall be developed in accordance with the provisions of the RF4 Zone.

## Rationale

Some Zones and Overlays contain regulations stating that certain uses are to be reviewed in accordance with the regulations of a different Zone or Overlay. These are typically located at the end of the development regulations. The proposed amendments will relocate these regulations to the beginning of the Zones and Overlays for clarity and ease of use.

*Renumber accordingly.*

## **210 (RA7) Low Rise Apartment Zone**

### **210.4 Development Regulations for Permitted and Discretionary Uses**

- 1. Notwithstanding the other regulations of this Zone, Single Detached Housing, Semi-detached Housing, Duplex Housing, Secondary Suites, Garage Suites and Garden Suites in this Zone shall be developed in accordance with the provisions of the RF4 Zone.*

*Renumber accordingly.*

### **210.5 Additional Development Regulations for Discretionary Uses**

- ~~1. Notwithstanding subsection 210.4, Single Detached, Semi-detached Duplex Housing, Secondary Suites, Garage Suites and Garden Suites in this Zone shall be developed in accordance with the provisions of the RF4 Zone.~~

*Renumber accordingly.*

## **220 (RA8) Medium Rise Apartment Zone**

### **220.4 Development Regulations for Permitted and Discretionary Uses**

- 1. Notwithstanding the other regulations of this Zone, Single Detached Housing, Semi-detached Housing, Duplex Housing, Secondary Suites, Garage Suites and Garden Suites in this Zone shall be developed in accordance with the provisions of the RF4 Zone.*

*Renumber accordingly.*

### **220.6 Additional Development Regulations for Discretionary Uses**

- ~~1. Notwithstanding subsection 220.4, Single Detached, Semi-detached, and Duplex Housing, Secondary Suites, Garage Suites and Garden Suites in this Zone shall be developed in accordance with the provisions of the RF4 Zone.~~

- ~~21.~~ The following regulations shall apply to Personal Service Shops and Convenience Retail Stores:
- a. the total Floor Area of these Uses on any Site shall not exceed 275 m<sup>2</sup> ;
  - b. these Uses shall not be permitted in any freestanding structure separate from a structure containing Residential Uses. The principal entrance to these Uses shall be a separate, outside entrance.
- ~~3. Secondary Suites shall be developed within a Single Detached Housing Form.~~
- ~~42.~~ Urban Outdoor Farms shall comply with Section 98 of this Bylaw.

### **230 (RA9) High Rise Apartment Zone**

#### **230.4 Development Regulations for Permitted and Discretionary Uses**

- ~~1. Notwithstanding the other regulations of this Zone, Single Detached Housing, Semi-detached Housing, Duplex Housing, Secondary Suites, Garage Suites and Garden Suites in this Zone shall be developed in accordance with the provisions of the RF4 Zone.~~

*Renumber accordingly.*

#### **230.5 Additional Development Regulations for Discretionary Uses**

- ~~1. Notwithstanding subsection 230.4, Single Detached, Semi-detached and Duplex Housing, Secondary Suites, Garage Suites and Garden Suites in this Zone shall be developed in accordance with the provisions of the RF4 Zone.~~

## **815 Medium Density Residential Overlay**

### **815.2 Application**

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

### **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

### **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

### **815.35 Development Regulations for Apartment Housing**

- ~~12. Where an application for a Development Permit does not comply with the regulations contained in this Overlay:
  - ~~a. the applicant shall contact the affected parties, being each assessed owner 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, at least 21 days prior to submission of a Development Application;~~

- ~~b. the applicant shall outline, to the affected parties, any requested variances to the Overlay and solicit their comments on the application;~~
- ~~c. the applicant shall document any opinions or concerns, expressed by the affected parties, and what modifications were made to address their concerns; and~~
- ~~d. the applicant shall submit this documentation as part of the Development Application.~~

#### ~~815.4 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.~~

#### ~~815.5 Development Regulations for Stacked Row Housing~~

- ~~1. Development shall comply with regulations contained in the Medium Scale Residential Infill Overlay.~~

#### 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

The consultation requirement currently applies only to Apartment Housing and will continue to do so.

Because of the larger scale of development within the Overlay, property owners and residents within 60.0 m of the Site of the proposed development and the President of each applicable Community League are proposed to be notified of all variances.

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 11.3.

## **816 High Rise Residential Overlay**

### **816.2 Application**

This Overlay applies to Sites zoned RA9 in the areas shown on Appendices to this Overlay.

### **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

### **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

### **816.35 Development Regulations for Apartment Housing**

- ~~11. Where an application for a Development Permit does not comply with the regulations contained in this Overlay:~~

The proposed amendments provide clarification that the Overlay regulations only applies to Apartment Housing. This clarification currently exists in the Medium Density Residential Overlay.

- ~~a. the applicant shall contact the affected parties, being each assessed owner 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, at least 21 days prior to submission of a Development Application;~~
- ~~b. the applicant shall outline, to the affected parties, any requested variances to the Overlay and solicit their comments on the application;~~
- ~~c. the applicant shall document any opinions or concerns, expressed by the affected parties, and what modifications were made to address their concerns; and~~
- ~~d. the applicant shall submit this documentation as part of the Development Application.~~

### **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 11.3.

Property owners and residents within 60.0 m of the Site of the proposed development and the President of each applicable Community League are proposed to be notified of all variances for Apartment Housing.

### **Secondhand Stores And Pawn Stores Overlay**

### 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 parties interested in developing such Uses to consult with surrounding property owners in Zones where either Secondhand Stores or Pawn Stores are listed as Discretionary Uses, prior to applying for a Development Permit.

### ~~818.3 Development Regulations~~

~~When there is a Development Application for Secondhand Stores or Pawn Stores:~~

- ~~1. the applicant shall contact the affected parties, being each assessed owner 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 the President of each Business Revitalization Zone Association operating within the distance described above, at least 21 days prior to submission of a Development Application;~~
- ~~2. the applicant shall outline, to the affected parties, the details of the application and solicit their comments on the application;~~
- ~~3. the applicant shall document any opinions or concerns, expressed by the affected parties, and what modifications were made to address their concerns; and~~
- ~~4. the applicant shall submit this documentation as part of the Development Application.~~

### 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

The proposed amendments would require notification only where Secondhand Stores and Pawn Stores are listed as discretionary uses, limiting solicitation of feedback to situations where the Development Officer can use input to assist in making a decision.

Property owners and residents within 60.0 m of the Site of the proposed development, the President of each applicable Community League, and each applicable Business Improvement Area Association are proposed to be notified of applications.



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 11.3.

**819 Pedestrian Commercial Shopping Street Overlay****819.3 Development Regulations**

- ~~15. Where an application for a Development Permit does not comply with the regulations contained in this Overlay:~~
- ~~a. the applicant shall contact the affected parties, being each assessed owner 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 the President of each Business Revitalization Zone Association operating within the distance described above, at least 21 days prior to submission of a Development Application;~~
  - ~~b. the applicant shall outline to the affected parties, any requested variances to the Overlay and solicit their comments on the application;~~
  - ~~c. the applicant shall document any opinions or concerns, expressed by the affected parties, and what modifications were made to address their concerns; and~~
  - ~~d. the applicant shall submit this documentation as part of the Development Application.~~

**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 11.3.

Property owners and residents within 60.0 m of the Site of the proposed development, the President of each applicable Community League, and each applicable Business Improvement Area Association are proposed to be notified of applications.

## **821 Alberta Avenue Pedestrian Commercial Shopping Street Overlay**

### **821.3 Development Regulations**

~~25. Where an application for a Development Permit does not comply with the regulations contained in this Overlay:~~

- ~~a. the applicant shall contact the affected parties, being each assessed owner 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 the President of each Business Revitalization Zone Association operating within the distance described above, at least 21 days prior to submission of a Development Application;~~
- ~~b. the applicant shall outline to the affected parties, any requested variances to the Overlay and solicit their comments on the application;~~
- ~~c. the applicant shall document any opinions or concerns, expressed by the affected parties, and what modifications were made to address their concerns; and~~
- ~~d. the applicant shall submit this documentation as part of the Development Application.~~

### **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 11.3.

## **823 Medium Scale Residential Infill Overlay**

### **823.2 Application**

The Overlay applies to ~~Sites lands~~ 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.

### **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.

Property owners and residents within 60.0 m of the Site of the proposed development, the President of each applicable Community League, and each applicable Business Improvement Area Association are proposed to be notified of applications.

The consultation process in the Medium Scale Residential Infill Overlay is proposed to only be required for new Apartment Housing and Stacked Row Housing. The Mature Neighbourhood Overlay applies to other uses within this Overlay.

2. Notice of proposed variances shall be provided in accordance with the Mature Neighbourhood Overlay

**823.34 Development Regulations for Stacked Row Housing and Apartment Housing**

~~6. Variance~~

- ~~a. The Development Officer shall have regard for any applicable Statutory Plans and may, where a Statutory Plan specifies, and notwithstanding subsection 11.4 of this Bylaw, vary the regulations of both this Overlay and the underlying Zone as they affect Height, Density and Floor Area Ratio. In all cases the variances shall be within the ranges specified in the Statutory Plan. In all such cases, the application shall be a Class B Discretionary Development and shall comply with subsection 6(b) of this Overlay.~~
- ~~b. Where an application for a Development Permit does not comply with the regulations contained in this Overlay:~~
- ~~i. the applicant shall contact the affected parties, being each assessed owner 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, at least 21 days prior to submission of a Development Application;~~
  - ~~ii. the applicant shall outline, to the affected parties, any requested variances to the Overlay and solicit their comments on the application;~~
  - ~~iii. the applicant shall document any opinions or concerns expressed by the affected parties, and what modifications were made to address their concerns; and~~
  - ~~iv. the applicant shall submit this documentation as part of the Development Application.~~

**~~823.4 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.~~

**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 823.5(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 823.5(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 11.3.

<u>Table 823.5(2)</u>			
<u>Tier Number</u>	<u>Recipient Parties:</u>	<u>Affected Parties:</u>	<u>Regulation proposed to be varied</u>
<u>Tier 1</u>	<u>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</u>	<u>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</u>	<u>823.3(1)(a) – Building orientation</u> <u>823.3(1)(c) – Front setback</u> <u>823.3(1)(b) – Determination of front lot line</u> <u>823.3(1)(f) – Height</u>

A tiered approach is proposed. For most building form regulations, building design regulations, and vehicular access and parking, property owners and residents within a distance of 60.0 metres of the site of the proposed development and the President of each applicable Community League would be notified

	<u>and the President of each applicable Community League</u>	<u>President of each applicable Community League</u>	<u>823.3(1)(g) – Building length</u> <u>823.3(2) – Building design</u> <u>823.3(5) – Access and parking</u> <u>823.4 - Additional Development Regulations for Specific Areas</u>
<u>Tier 2</u>	<u>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</u>	<u>The municipal address and assessed owners of land Abutting the Site and directly adjacent across a Lane from the Site of the proposed development</u>	<u>823.3(1)(d) – Side setback</u> <u>823.3(1)(e) – Side Setback abutting a property zoned to allow Single Detached Housing as a Permitted Use or the RF5 Row Housing Zone</u> <u>823.3(3) – Amenity Area</u> <u>823.3(4) – Landscaping</u>

For side setbacks, amenity area, and landscaping property owners and residents next door and across a lane would be notified, and the Community League will receive notification for information purposes.