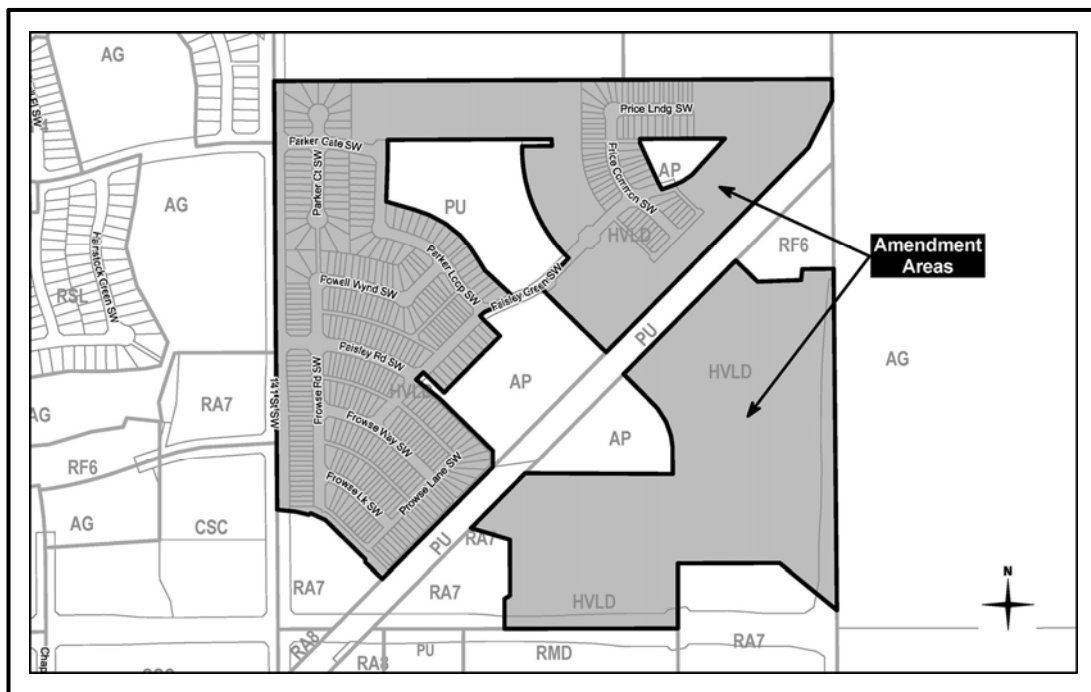




## TEXT AMENDMENT PAISLEY

### East of 141 Street SW and North of 28 Avenue SW

To amend the (HVLD) Special Area Heritage Valley Low Density Zone to allow the development of narrow-shallow lots for low density residential uses. The proposed amendment will permit new lot configuration for single detached housing within the Paisley neighbourhood, as well additional regulations to provide clarity and direction for the development of accessory structures, including garages.



### RECOMMENDATION AND JUSTIFICATION

Sustainable Development is in SUPPORT of this application because:

1. Proposed changes will result in development standards that are suitable for low density residential areas within the Paisley Neighbourhood;
2. The proposed changes align with the existing (RMD) Residential Mixed Dwelling Zone, which was approved after the HVLD zone was approved; and
3. Proposed changes will provide for a greater mix of low density residential uses and development opportunities.

Currently there are 2 subdivisions in Paisley under administrative review. These subdivisions are within the HVLD Zone

## SITE AND SURROUNDING AREA

The proposed amendment applies to areas zoned HVLD in the Paisley Neighbourhood (Approximately 37 ha). It permits a mix of lower density residential housing; including single detached, semi-detached and limited row housing uses that surround a central open space system though the neighbourhood that includes park space, a public utility storm water facility and walkways.



## AERIAL VIEW OF APPLICATION AREA

	EXISTING ZONING	CURRENT USE
<b>SUBJECT SITE</b>	<ul style="list-style-type: none"> <li>• (HVLD) Special Area heritage Valley Low Density Zone</li> </ul>	<ul style="list-style-type: none"> <li>• Developed and developing Single and Semi-Detached Housing, and vacant lots</li> </ul>
<b>CONTEXT</b>		
North	<ul style="list-style-type: none"> <li>• (US) Urban Services Zone</li> <li>• (GHLD) Special Area Graydon Hill Low Density Zone</li> </ul>	<ul style="list-style-type: none"> <li>• Cemetery and vacant future institutional area</li> <li>• Low density Residential</li> </ul>
East	<ul style="list-style-type: none"> <li>• (AG) Agricultural Zone</li> </ul>	<ul style="list-style-type: none"> <li>• Natural wooded area (within Government of Alberta Special Study Area)</li> </ul>
South	<ul style="list-style-type: none"> <li>• (RMD) Residential Mixed Dwelling Zone</li> <li>• (RA7) Low Rise Apartment Zone</li> </ul>	<ul style="list-style-type: none"> <li>• Vacant land</li> </ul>
West	<ul style="list-style-type: none"> <li>• (AG) Agricultural Zone</li> <li>• (RA7) Low Rise Apartment Zone</li> <li>• (RSL) Residential Small Lot Zone</li> </ul>	<ul style="list-style-type: none"> <li>• Golf Course</li> <li>• Vacant Lot</li> <li>• Developing Single and Semi-Detached Housing</li> </ul>

## PLANNING ANALYSIS

The proposed text amendment to the Zoning Bylaw supports the City of Edmonton's Strategic Goal to Transform Edmonton's Urban Form by providing for a greater mix of residential uses and development opportunities.

This amendment to the Special Area Heritage Valley Low Density Zone supports the policies of the *The Way We Grow* by:

- 3.6.1.6 Support contiguous development and infrastructure in order to accommodate growth in an orderly and economical fashion; and
- 4.1.1.1 Provide a broad and varied housing choice, incorporating housing for various demographic and income groups in all neighbourhoods.

The proposed amendment conforms to the objectives of the Paisley Neighbourhood Area Structure Plan (NASP) by:

- providing of a variety of housing types; and
- ensuring the development of compact urban forms.

This proposed amendment aligns the (HVLD) Zone closer to the existing (RMD) Zone regulations as follows:

- reducing the minimum site area requirements for Single Detached Housing and Duplex Housing (255m in proposed HVLD, 247m required in existing RMD)
- reducing the minimum site width requirements, dependent on access for Single Detached and Duplex housing (8.5m and 7.6m in proposed HVLD, 7.6m required in existing RMD);
- clarifying text regarding location of accessory buildings as well as the location and size of on-site parking areas ; and
- clarifying text referencing on-site residential drainage requirements.

## TECHNICAL REVIEW

All comments from affected City Departments and utility agencies have been addressed.

## PUBLIC ENGAGEMENT

<b>ADVANCE NOTICE</b> March 22, 2016	<ul style="list-style-type: none"><li>• Number of recipients: 365</li><li>• Number of responses with concerns: 3</li><li>• Common comment:<ul style="list-style-type: none"><li>o Future spacing between lots being reduced</li><li>o Impacts of reducing minimum lot widths for Single and Semi-detached housing use</li><li>o Concerns with increased density</li><li>o Devaluing existing properties</li><li>o On-Site parking not being accommodated</li></ul></li></ul>
<b>PUBLIC MEETING</b>	<ul style="list-style-type: none"><li>• Not held</li></ul>

## CONCLUSION

*Sustainable Development recommends that City Council APPROVE this application.*

## APPENDICES

- 1 Mark up of proposed amendments
- 3 Application Summary

Mark-up of Proposed Text Amendment

Black Font = existing Zoning Bylaw text

Underline Italic Font = proposed addition to Zoning Bylaw

~~Strikethrough~~ = proposed deletion from Zoning Bylaw

Bylaw 17387  
September 21, 2015

**980 (HVLD) SPECIAL AREA HERITAGE VALLEY LOW DENSITY ZONE**

**980.1 General Purpose**

To provide for low density housing with the opportunity for Zero Lot Line, Reverse Housing, and Row Housing, in accordance with the design objectives in the Heritage Valley 12 Neighbourhood Area Structure Plan.

**980.2 Area of Application**

The portions of S.W. ¼ Section 24-51-25-W4M shown as “HVLD” on Appendix I.

**980.3 Permitted Uses**

- a. Duplex Housing
- b. Limited Group Homes
- c. Minor Home Based Business
- d. Row Housing
- e. Secondary Suites
- f. Semi-Detached Housing
- g. Single Detached Housing
- h. Urban Gardens
- i. Fascia On-premises Signs
- j. Temporary On-premises Signs

**980.4 Discretionary Uses**

- a. Child Care Services
- b. Garage Suites
- c. Garden Suites
- d. Group Homes
- e. Lodging Houses
- f. Major Home Based Business
- g. Residential Sales Centre
- h. Urban Outdoor Farms

### 980.5 Development Regulations

- a. The minimum Site Area shall be in accordance with Table 1 as follows:

Table 1 - Minimum Site Area		
	Primary vehicular access is not from a lane	Primary vehicular access is from a lane
Single Detached Housing or Duplex Housing	<del>270</del> 255 m <sup>2</sup>	<del>203</del> 255 m <sup>2</sup>
Single Detached Housing - one side Setback reduced to 0 m	247 m <sup>2</sup>	247 m <sup>2</sup>
Single Detached Housing - Site depth less than 30 m	308 m <sup>2</sup>	N/A
Semi-detached Housing - per Dwelling	221 m <sup>2</sup>	201 m <sup>2</sup>
Semi-detached Housing - one side setback reduced to 0 m - per Dwelling	183 m <sup>2</sup>	165 m <sup>2</sup>
Row Housing - internal Dwelling	150 m <sup>2</sup>	150 m <sup>2</sup>
Row Housing - end Dwelling	186m <sup>2</sup>	186m <sup>2</sup>

a. The minimum Site Width shall be in accordance with Table 2 as follows:

Table 2 - Minimum Site Width		
	Primary vehicular access is not from a lane	Primary vehicular access is from a lane
Single Detached Housing or Duplex Housing	<del>9.0</del> 8.5 m	<del>8.6</del> 8.5 m
Single Detached Housing - one side Setback reduced to 0 m	7.6 m	7.6 m
Single Detached Housing - Site depth less than 30 m	11 m	N/A
Semi-detached Housing - per Dwelling	7.3 m	6.7 m
Semi-detached Housing - one side setback reduced to 0 m - per Dwelling	6.1 m	5.5 m
Row Housing - internal Dwelling	5.0 m	5.0 m
Row Housing - end Dwelling	6.2 m	6.2 m

c. For Single Detached Housing, the Site Width on an irregular shaped Lot shall be measured 9.0 m into the Site from the Front Lot Line, except that:

i. The Site Width on an irregular shaped Lot shall be measured 3.5 m into the Site from the Front Lot Line, where the Side Lot Line is less than 30.0 m.

d. Notwithstanding Section 6.1(38), the Front Lot Line may be the property line separating a lot from an abutting pipeline corridor, stormwater management facility or public park. In the case of a Corner Lot, the Front Lot Line shall be the shorter of the property lines abutting a pipeline corridor, public park, or public roadway other than a Lane. In the case of a Corner Lot formed by a curved corner, the Front Lot Line shall be the shorter of the two segments of the property line lying between the point determined to be the actual corner and the two points at the extremities of that property line.

- e. The minimum Site Depth shall be 30.0 m, except that:
  - i. the minimum Site depth shall be 33 m where the principal building is not fronting on to a public roadway.
  - ii. the minimum Site depth may be reduced to 28 m for Single Detached Housing, where the Site Width is 11 m or greater and primary vehicular access is not from a lane.
- f. The total number of Row Housing Dwellings shall not exceed 25% of the total estimated number of Dwellings within each contiguous area of this Zone, and shall be limited to five Dwellings per structure.
- g. The maximum building Height shall be 12.0m.
- h. The maximum total Site Coverage shall be in accordance with Table 3 as follows:

Table 3 - Maximum Site Coverage				
	Total Max Site Coverage	Principal building	Accessory building	Principal building with Attached Garage
Single Detached Housing or Duplex Housing with front drive access	50%	NA	NA	50%
Single Detached Housing with Lane access	47%	35%	17%	47%
Single Detached Housing - one Side Setback reduced to 0 m	53%	38%	17%	53%



Single Detached Housing - Site depth less than 30 m	53%	N/A	N/A	53%
Semi-detached Housing - per Dwelling	50%	35%	17%	50%
Semi-detached Housing - one Side Setback reduced to 0 m - per Dwelling	53%	38%	17%	53%
Row Housing - end Dwelling	45%	30%	15%	45%
Row Housing - internal Dwelling	55%	35%	20%	55%

i. Front Setbacks shall be as follows:

- i. The minimum Front Setback shall be 5.5 m where primary vehicular access is not from a Lane.
- ii. The minimum Front Setback shall be 4.5 m where primary vehicular access is from a Lane, except that the setback may be reduced to 3.0 m where: separate walkways and landscaped boulevards are provided; or the principal building is not fronting on to a public roadway.

j. The Rear Setback shall be in accordance with Table 4 as follows:

<b>Table 4 - Minimum Setback from the Rear Lot Line</b>	
Single Detached Housing - Lane access Dwellings	4.0 m

Single Detached Housing or Duplex Housing	7.5 m, except in the case of a Corner Site it shall be 4.5 m.
Single Detached Housing - one Side Setback reduced to 0 m	
Semi-detached Housing	
Semi-detached Housing - one Side Setback reduced to 0 m	
Single Detached Housing - Site depth less than 30 m	6 m
Row Housing - Internal Dwelling	7.5 m, except that the Setback may be reduced to 5.5 m where an attached rear garage is provided
Row Housing - End Dwelling	

K. Notwithstanding Table 4, where the Front Lot Line separates a lot from an abutting pipeline corridor, stormwater management facility or public park, the minimum Rear Setback shall be ~~6.0~~ 5.5 m.

I. Side Setbacks shall be provided as follows:

- i. The minimum interior Side Setback shall be 1.2 m, except where the Side Setback of an adjacent lot has been reduced to 0 m, the minimum interior Side Setback shall be increased to 1.5 m to allow for a shared maintenance easement, in accordance with section 980.5(n).
- ii. On a Corner Site where the building fronts onto a public roadway, the minimum Side Setback abutting the flanking public roadway other than a Lane shall be 2.4 m. In addition, where the Garage is attached to the principal building and the vehicle doors of the Garage face the flanking public roadway, the distance between any portion of the Garage doors and the public roadway shall not be less than 4.5 m.
- iii. The minimum Side Setback for a side of the principal building, may be reduced

to 0 m provided that the owner complies with section 980.5(~~4~~ **m**).

- m. The minimum Side Setback for one side of the principal building of Single Detached Housing or a side of the principal building that is not a Party Wall of Semi-detached Housing, may be reduced to 0 m where:
  - i. The owner of the Site proposed for development and the owner of the adjacent Site shall register, on both titles, a 1.5 m private maintenance easement that provides:
    - A. a 0.30 m eave encroachment easement with the requirement that the eaves shall not be closer than 0.90 m to the eaves of the building on an adjacent parcel;
    - B. a 0.60 m footing encroachment easement;
    - C. a drainage swale, constructed as per the City of Edmonton Design and Construction Standards; and
    - D. permission to access the easement area for maintenance of both properties.
  - ii. All roof leaders from the Dwelling are connected to the individual storm sewer service for each lot;
  - iii. No roof leader discharge shall be directed to the maintenance easement; and
  - iv. Where a Lot abuts a pipeline right-of-way, the principal building shall be Setback a minimum of 7.5 m from the pipeline right-of-way.
- n. In addition to the requirements of Section 980.5(~~4~~ **m**), where a Side Setback for one side of a principal building that is not a Party Wall of Semi-detached Housing is reduced to 0 m, ~~maintenance and/or drainage and utility easements(s) may be required between abutting buildings and/or through private yards of one or more Dwellings to ensure adequate access for property, drainage and utility maintenance:~~
  - i. the owner of the Site proposed for Zero Lot Line Development shall register on all titles within the Zero Lot Line Development Site as well as all titles on the adjacent Site a restrictive covenant and easement that:
    - A. requires a drainage swale constructed to City of Edmonton Design and Construction Standards; and
    - B. provides for the protection of drainage of the Site, including the right for water to flow across lots and the requirement not to inhibit the flow

- ## Appendix 1

- p. On Site Parking requirements shall be developed in accordance with the following:
- i. Where primary access is not from a Lane:
    - A. Dwellings shall include a front attached Garage; and
    - B. 2 parking spaces per Dwelling shall be provided, may be in tandem and may include 1 Garage space.
  - ii. Where primary vehicular access is from a Lane:
    - A. one Garage, or a ~~Site for one Garage~~ Parking Area shall be clearly demarcated on the Site Plan accompanying a Development Permit application for the principal building;
    - B. Notwithstanding Section 50, where the principal buildings faces a public roadway, other than a lane, and the vehicle doors of the detached garage face a Lane abutting the Site:
      1. No portion of the detached Garage shall be located less than 1.2 m from the Lot Line Abutting the Lane;
      2. No portion of the detached Garage shall be located less than 0.60 m from the rear Lot Line where the Garage faces a flanking lane;
      3. No portion of the detached Garage shall be located less than 0.90 m from the side Lot Line where the Garage faces a rear Lane except that the Side Setback for the accessory building may be reduced to zero where the Side Setback for the principle building has been reduced to zero
    - C. Notwithstanding Section 50, where the principle building does not face a public roadway, and the vehicle doors of a detached Garage face a Lane Abutting the Site:
      1. No portion of the detached Garage shall be located less than 5.5 m from the Lot Line Abutting that Lane;
      2. The minimum distance between the garage and the Rear Lot Line or Side Lot Line running perpendicular to the abutting lane shall be 0.9 m, except that the Side Setback for the accessory building may be reduced to zero where the Side Setback for the

principal building has been reduced to zero.

- D. for principal buildings fronting a public roadway, the minimum distance from the Rear Lot Line or a private roadway to a Garage or parking space shall be ~~2.75~~ 1.2 m;
  - E. for principal buildings ~~not fronting a public roadway facing a lane or private roadway~~, the minimum distance from the Lane or private roadway to the vehicle doors of a Garage or Parking Area shall be ~~6.0~~ 5.5 m;
  - F. Hardsurfaced walkway is required between the Garage or Parking Area and an entry to the Dwelling;
  - G. where no Garage is proposed, a Hardsurfaced parking pad to support a future garage, a minimum of 4.88 m wide and 6.10 m deep for two vehicles shall be constructed a minimum distance of ~~2.75~~ 1.2 m from the Rear Lot Line. For Semi-detached, Duplex Dwellings or Row Housing, where no Garage is proposed, a Hardsurfaced parking pad located a minimum distance of ~~2.75~~ 1.2 m from the Rear Lot Line and a minimum of 4.88 m wide and a minimum of 5.49 m deep shall be constructed at the rear of each Lot; and
  - H. Hardsurfaced parking pads shall include an underground electrical power connection with outlet on a post 1.0 m in Height, located within 1.0 m of the parking pad.
- iii. An accessory building or structure shall be located not less than 0.9 m from a principal building
  - iv. 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
  - v. Notwithstanding subsection 980.5(p)(ii), where the principal building is a Semi-detached house or Row House, and the vehicle doors of a detached Garage face the Rear Lot Line, the detached Garage shall be located not less than 0.6 m from the Side Lot Line, except where it is a mutual Garage erected on the common property line to the satisfaction of the Development Officer
  - vi. An Accessory Building or Structure for Semi-detached and Row Housing shall be located not less than 0.60 m from the Side Lot Line, except where it is a mutual Garage erected on the common property line to the satisfaction of the Development Officer.

- vii. For Row Housing where detached rear parking Garages are proposed, the maximum width of the building containing the Garage(s) shall not exceed 30 m, provided that the building does not contain more than five separate Garages.
- viii. Hardsurfaced parking pads may be attached between two Lots.
- ix. For Single Detached Housing and Semi-detached Housing where one Side Setback is reduced to 0 m, the Side Yard Setback for a Garage may also be reduced to 0 m where:
  - A. only one side of a Lot is reduced to 0 m, and the other side Setback is a minimum of 1.5m;
  - B. the owner of the Site proposed for development and the owner of the adjacent Site shall register, on both titles, a 1.5m private maintenance easement that provides:
    - 1. a 0.30 m eave encroachment easement with the requirement that the eaves must not be closer than 0.90 m to the eaves of the building on an adjacent parcel;
    - 2. a 0.60 m footing encroachment easement, if a footing is required;
    - 3. a drainage swale, constructed as per the City of Edmonton Design and Construction Standards; and
    - 4. permission to access the easement area for maintenance of both properties.
  - C. all roof leaders from Accessory buildings are connected to the [individual](#) storm sewer service [for each Lot](#) or directed to drain directly to an adjacent Lane; and
  - D. no roof leader discharge shall be directed to the maintenance easement.
- x. For Single Detached Housing or Semi-detached Housing where one Side Setback has been reduced to 0 m and where primary vehicular access is from a Lane:
  - A. Access from a Dwelling to a local roadway shall be provided at a distance no greater than 125 m from any point in a Lane.
- q. Dwellings on corner Sites shall have flanking side treatments similar to, or reflective of, the front elevation.
- r. General Site Landscaping shall be developed in accordance with subsection 55.4 of this Bylaw, except:
  - i. one deciduous tree or one coniferous tree and four shrubs shall be required for each Single Detached, Semi-detached and Duplex Dwelling ;
  - ii. one deciduous tree or one coniferous tree and two shrubs shall be required for each Row Housing Dwelling; and

- iii. all applications for a Development Permit shall include a Site Plan that identifies the location, species and size of Landscaping required.
- s. Private Outdoor Amenity Area shall be in accordance with Table 5
- t. The Private Outdoor Amenity Area shall be permanently retained as open space, unencumbered by an Accessory building or future additions and shall be in accordance with Table 5 as follows:

<b>Table 5 - Minimum Private Outdoor Amenity Area</b>	
Single Detached Housing - Front Drive	No requirements for Single Detached Housing with Front Drive Garages
Single Detached Housing - Lane Access	A minimum area of 45 m <sup>2</sup> per Dwelling shall be designated on the Site Plan for the active or passive recreation Use of the occupants.
Semi-detached or Duplex Housing	This area shall be located immediately adjacent to, and with direct access to, the Dwelling it is intended to serve. Neither the width nor length of such an area shall be less than 4.0 m.
Single Detached Housing - one Side Setback reduced to 0 m	
Semi-detached Housing - one Side Setback reduced to 0 m	
	This minimum area may be located within a required Setback, other than a Front Setback.
	This area shall be permanently retained as open space, unencumbered by an Accessory Building or future additions.
Row Housing	A minimum area of 30 m <sup>2</sup> per Dwelling shall be designated on the Site Plan for the active or passive recreation Use of the occupants. A maximum of 50% of the required Private Outdoor Amenity Area may be located in the Front Setback, including a front veranda,



	provided that it is Setback a minimum of 1.0 m from the Front Lot Line. In this case, this area shall be defined by Use of a decorative Fence or landscape elements such as planters, hedges or hard and soft surface treatments.  A maximum of 50% of the required Private Outdoor Amenity Area may be provided above Grade, provided that it shall be at least 10 m <sup>2</sup> in area, with neither the width or depth less than 2.0 m.
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- u. All roof drainage shall be directed away from buildings and to a public roadway, including a Lane, or to a drainage work. Applications for a Development Permit shall include a detailed drainage plan showing the proposed drainage of the Site
- v. Signs shall comply with the regulations found in Schedule 59A.
- w. Notwithstanding Section 48, Separation Space shall be as per the Setbacks of this zone.
- x. Urban Gardens shall comply with Section 98 of this Bylaw.
- y. [Except where modified throughout the regulations of this zone, accessory buildings shall comply with Section 50](#)

980.6 Additional Development Regulations for Discretionary Uses

- a. Garage Suites and Garden Suites shall comply with Section 87 of this Bylaw.
- b. Child Care Services shall comply with Section 80 of this Bylaw.
- c. Group Homes shall comply with Section 79 of this Bylaw.
- d. Major Home Based Business shall comply with Section 75 of this Bylaw.
- e. Residential Sales Centre shall comply with Section 82 of this Bylaw.
- f. Urban Outdoor Farms shall comply with Section 98 of this Bylaw.

Appendix 1 - Special Area Heritage Valley Low Density Zone

## APPLICATION SUMMARY

### INFORMATION

Application Type:	Text Amendment
Bylaw(s):	17931
Location:	East of 141 Street SW and North of 28 Avenue SW
Neighbourhood:	Paisley
Ward - Councillor:	Ward 9, Councillor Bryan Anderson
Notified Community Organization(s):	Heritage Point Community League
Applicant:	Stantec

### PLANNING FRAMEWORK

Current Zone(s) and Overlay(s):	(HVL) Special Area Heritage Valley Low Density Zone
Proposed Zone(s) and Overlay(s):	(HVL) Special Area Heritage Valley Low Density Zone
Plan(s) in Effect:	Paisley Neighbourhood Area Structure Plan (NASP) Heritage Valley SCDB
Historic Status:	None

Written By:	Fiona Hamilton
Approved By:	Tim Ford
Department:	Sustainable Development
Section:	Planning Coordination