

Bylaw 17672

A Bylaw to amend Bylaw 12800, as amended,
The Edmonton Zoning Bylaw
Amendment No. 2239

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 the word “liveability” and replacing with “livability” in subsections 55.1;
 - b) deleting subsection 55.2 and replacing with the following:

“55.2 Landscaping Requirements for Low Density Residential Developments

 1. Unless otherwise specified in this Bylaw, or developed as part of a Multi-unit Project Development, all new Single Detached Housing, Semi-detached Housing, Duplex Housing, Row Housing and Stacked Row Housing, shall be Landscaped in accordance with the following:
 - a. Landscaping shall be provided on a Site within 18 months of the occupancy of a development or commencement of a Use;
 - b. Landscaping shall be maintained on a Site for a minimum of 42 months after the occupancy of a development or commencement of a Use;
 - c. all applications for a Development Permit listed in subsection 55.2(1) shall include a Site plan that identifies:
 - i. the number, type and approximate size of existing trees and shrubs;
 - ii. trees and shrubs proposed for preservation;
 - iii. the number, type and approximate size of proposed trees and shrubs; and
 - iv. proposed ground cover;
 - d. trees and shrubs shall be provided in accordance with Table 55.2(1)(d), as follows:

Measure	Table 55.2(1)(d) Tree and Shrub Planting Requirements		
Site Width	Single Detached Housing	Semi-Detached Housing and Duplex Housing (per Dwelling)	Row Housing and Stacked Row Housing (per Dwelling)
Less than 10.0 m	One deciduous tree, one coniferous tree and four shrubs	One deciduous tree, one coniferous tree and four shrubs	One deciduous tree, one coniferous tree and four shrubs
10.0 m – 13.0 m	Two deciduous trees, one coniferous tree and six shrubs		
Greater than 13.0 m	Two deciduous trees, two coniferous trees and eight shrubs	One deciduous tree, one coniferous tree and six shrubs	

- e. new trees and shrubs shall be provided on the following basis:
 - i. deciduous trees shall be a minimum 50 mm Caliper;
 - ii. coniferous trees shall be a minimum of 2.5 m in Height;
 - iii. deciduous shrubs shall be a minimum of 300 mm in Height; and
 - iv. coniferous shrubs shall have a minimum spread of 450 mm;
 - f. trees and shrubs required in Table 55.2(1)(d) may be provided either through the planting of new trees and shrubs, or the preservation of existing trees and shrubs in accordance with Section 55.6;
 - g. all Yards visible from a public roadway, other than a Lane, shall be seeded or sodded;
 - h. at the discretion of the Development Officer, seeding or sodding may be substituted with alternate forms of ground cover, including hard decorative pavers, washed rock, shale or similar treatments, perennials, or artificial turf, provided that all areas of exposed earth are designed as either flower beds or cultivated gardens; and
 - i. notwithstanding Section 11.3, a Development Officer may vary the proportion of deciduous to coniferous trees required in Table 55.2(1)(d), in which case the application shall not be a Class B Development.” ;
- c) adding subsection 55.3 as follows and renumber accordingly:
- “55.3 Landscaping Requirements for Commercial, Industrial and Residential Multi-unit Project Development
- 1. Unless otherwise specified in this Bylaw, Landscaping shall be provided in accordance with the following:
 - a. for new Multi-unit Project Development consisting of Single Detached Housing, Semi-detached Housing, Duplex Housing, Row Housing, Stacked Row Housing and Apartment Housing or for new Mobile Homes when developed as part of a Mobile Home Park, the number of trees and shrubs shall be determined on the basis of the following:
 - i. one tree for each 35 m² and one shrub for each 15 m² of Setback;
 - ii. one tree for each 20 m² and one shrub for each 10 m² of parking area islands, as determined by subsection 54.2(3); and
 - iii. in no case shall there be less than one tree per parking area island;

- b. for new development consisting of Residential-Related Use Classes, Commercial Use Classes, Industrial Use Classes, Basic Services Use Classes, and Community, Educational, Recreational and Cultural Service Use Classes, the number of trees and shrubs provided shall be determined on the basis of the following:
 - i. one tree for each 25 m² and one shrub for each 15 m² of Setback;
 - ii. one tree for each 20 m² and one shrub for each 10 m² of parking area islands, as determined by subsection 54.2(3); and
 - iii. in no case shall there be less than one tree per parking area island;
 - c. new trees and shrubs shall be provided on the following basis:
 - i. the proportion of deciduous to coniferous trees and shrubs shall be approximately 50:50;
 - ii. approximately 50% of required deciduous trees shall be minimum of 50 mm Caliper and approximately 50% shall be a minimum 70 mm Caliper;
 - iii. approximately 75% of required coniferous trees shall be a minimum of 2.5 m in Height and approximately 25% shall be a minimum of 3.5 m in Height; and
 - iv. minimum shrub size shall be 300 mm in Height for deciduous and a spread of 450 mm for coniferous;
 - d. trees and shrubs required in subsection 55.3(1)(a) or subsection 55.3(1)(b) may be provided either through the planting of new trees and shrubs or the preservation of existing trees and shrubs in accordance with Section 55.6; and
 - e. all open space including Front Yards, Rear Yards, Side Yards and Yards, at Grade Amenity Areas, Private Outdoor Amenity Areas, Setback areas and Separation Spaces shall be landscaped with flower beds, grass, ground cover or suitable decorative hardscaping in addition to trees and shrubs. This requirement shall not apply to those areas designated for parking or vehicular circulation.”;
- d) deleting the newly renumbered subsection 55.4 and replacing with the following:
- “55.4 Landscape Plan and Content
- 1. Every application for a development listed in Section 55.3 shall include a Landscape Plan, drawn at a scale of 1:300 or larger, which clearly indicates and accurately identifies the following:
 - a. a key plan with a north arrow;
 - b. the property lines and dimensions of the Site;
 - c. the approximate or estimated location of Uses, building perimeters, and Landscaping on adjacent Sites;
 - d. adjacent public area features, such as streets, Lanes, driveways, vehicular entrances, street furniture and boulevard trees;
 - e. overhead, surface and underground utilities, and limits of easements;
 - f. outlines of all Site structures to include the building footprints at Grade, location and type of underground structures and overhangs within the first two Storeys;
 - g. building entrances, porches, decks, steps, walkways, other Hardsurfacing or hardscaping features, parking areas, curbs, lighting, fencing, walls, screens, recreational facilities and garbage collection areas. Materials, colours and patterns shall be indicated;

- h. existing grading and final Site grading, including the direction of Site drainage, and berming shown on a grading plan in 0.5 m contours; and the geodetic elevations of proposed catch basin rim, the corners of the Lot(s), the top and bottom of retaining walls, and of the plant material to be retained;
 - i. the Height and materials of all fencing, screens and walls;
 - j. trees and shrubs proposed for preservation;
 - k. existing trees and shrubs labelled by common name, botanical name, size, and condition of health;
 - l. graphical illustration of the canopy and spread of existing and proposed trees and shrubs;
 - m. proposed trees, shrubs, perennials and ground covers labelled by common name, cross-referenced with a plant list identifying botanical name, quantity, size and method of planting; and
 - n. the method of providing water to the proposed Landscaping.
2. The Development Officer may consider an application for a Development Permit that does not provide all the information required by subsection 55.4(1) if, in the opinion of the Development Officer, the information provided is sufficient to show that the Landscaping provisions of the Bylaw shall be met.
 3. The Development Officer shall approve the Landscape Plan as a condition of the Development Permit. Any changes to an approved Landscape Plan require the approval of the Development Officer prior to the Landscaping being installed.”;
- e) deleting the newly renumbered subsection 55.5 and replacing with the following:
- “55.5 General Requirements
1. Notwithstanding Sections 55.2 and 55.3 referring to new development, the provision of Landscaping, in accordance with this Bylaw, shall also be a condition of the issuance of a Development Permit related to an existing development if the existing development, as a consequence of the work that is the subject of the Development Permit, is substantially enlarged or increased in capacity. This Section shall not apply to developments that consist solely of interior alterations or improvements, or change of use that does not alter the building shell.
 2. The Development Officer may require Landscaping of areas within a Site that are intended for future development if, in the opinion of the Development Officer, the lack of Landscaping creates a potential negative visual impact, given the visibility of these areas from adjacent properties and public roadways.
 3. Hardsurfaced areas such as walkways and plazas shall be enhanced with Landscaping, at the discretion of the Development Officer.
 4. Provision shall be made for adequate on-site pedestrian circulation. Adequate on-Site pedestrian circulation means Hardsurfaced sidewalks or walkways connecting the main entrance of all on-Site principal buildings to public sidewalks and walkways adjacent to roadways or within rights-of-ways Abutting the Site.
 5. Any parking lot having eight or more parking spaces that is visible from an Abutting Site in a Residential or Commercial Zone, or from a public roadway other than a Lane, or from a LRT line, shall have perimeter planting. The location, length, thickness and Height of such perimeter planting at maturity shall, in conjunction with a change in Grade or other natural or man-made features, be sufficient to provide substantial interruption of the view of the parking lot.

6. Any trash collection area, open storage area, or outdoor service area, including any loading, unloading or vehicular service area that is visible from an Abutting Site in a Residential or Commercial Zone, or from a public roadway other than a Lane, or from a LRT line, shall have screen planting a minimum of 1.85 m in Height. The location, length, thickness and Height of such screen planting at maturity shall, in conjunction with a change in Grade or other natural or man-made features, be sufficient to block the view from any Abutting Residential or Commercial Zone, or from the public roadway or a LRT line. If, in the opinion of the Development Officer, screen planting cannot reasonably be expected to survive, earth berming, masonry walls, wood fencing or other man-made features may be permitted as a substitution.
 7. If the Height of materials in an outdoor storage area would limit the effectiveness of screen planting required by subsection 55.5(6), a fence, wall, earth berm, or a combination thereof, may be substituted, subject to the approval of the Development Officer.
 8. All planting shall be installed at finished Grade. Where this is not practical in the opinion of the Development Officer, planters may be used. Such planters shall be of adequate design, having sufficient soil capacity and insulation to promote healthy growth.
 9. Landscaping that extends onto or over City-owned lands shall be developed in accordance with the Traffic Bylaw 5590 and the City Design & Construction Standards.
 10. All plant materials shall be hardy to the Edmonton area and to the Site conditions.
 11. All plant materials shall meet the horticultural standards of the most current edition of the "Canadian Standard for Nursery Stock", produced by the Canadian Nursery Landscape Association.
 12. The Development Officer may, where the Development Officer considers it appropriate, vary any or all of the Landscaping regulations of this Bylaw. Before granting a variance to the Landscaping standards of this Bylaw, the Development Officer may require the applicant to submit a report from a qualified landscape professional, such as a horticulturist, or landscape architect, explaining and justifying the variance.”;
- f) adding subsection 55.6 as follows and renumber accordingly:
- “55.6 Incentives for Preserving Existing Trees and Shrubs
1. Existing vegetation should be preserved and protected unless removal is demonstrated to be necessary or desirable to efficiently accommodate the proposed development.
 2. The requirement to provide trees and shrubs may be satisfied either through planting new or preserving existing trees and shrubs.
 3. At the discretion of the Development Officer, an existing tree may satisfy the requirement to provide one tree where:
 - a. an existing deciduous tree with a minimum Caliper of 100 mm; or
 - b. an existing coniferous tree with a minimum Height of 4.0 m is preserved.
 4. At the discretion of the Development Officer, an existing tree may satisfy the requirement to provide two trees where:
 - a. an existing deciduous tree has a minimum Caliper of 200 mm; or
 - b. an existing coniferous tree has a minimum Height of 7.0 m is preserved.
 5. Preserved shrubs may, at the discretion of the Development Officer, be credited towards the Landscaping requirements.”;

- g) deleting the newly renumbered subsection 55.7 and replacing with the following:
 “55.7 Additional Landscaping Regulations for Specific Land Uses
1. The Development Officer may require Landscaping in addition to that specified in Section 55 if:
 - a. there is a likelihood that the proposed development will generate undesirable impacts on surrounding Sites and between Uses within the development, such as poor appearance, excessive noise, light, odours, traffic, litter or dust;
 - b. such additional Landscaping is warranted due to combinations of Uses including, but not limited to the following:
 - i. Row Housing or Stacked Row Housing development, where the Private Outdoor 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;
 - ii. Low Rise Apartments, where developed on an infill basis, Abutting existing Single Detached Housing or a Site zoned to allow Single Detached Housing as a Permitted Use;
 - iii. Religious Assembly where developed on a Site Abutting an existing Residential Use or a Site zoned to allow Single Detached Housing as a Permitted Use;
 - iv. any Non-accessory Parking; or
 - v. Vehicle-Oriented Uses where developed on a Site adjacent to an existing Residential Use, or a Site zoned to allow Single Detached Housing as a Permitted Use.
 2. Additional Landscaping required by the Development Officer may include, but is not limited to, the following:
 - a. additional Separation Space between incompatible Use Classes;
 - b. the use of trees, shrubs, fences, walls and berms to buffer or screen Use Classes that generate negative impacts; and
 - c. the use of trees, shrubs, planting beds, street furniture and surface treatments to enhance the appearance of a proposed development.
 3. The Development Officer may consult with a qualified landscape professional, such as a horticulturist or landscape architect, in determining if additional Landscaping requirements are to be imposed, and the type of additional Landscaping required.”;
- h) deleting the newly renumbered subsection 55.10;
- i) deleting the word “Calliper” and replacing with “Caliper” in subsections 6.1(15), 813.4(6)(b), 950.6(3)(k)(i) and 950.7(3)(l)(i);
- j) deleting subsection 13.2 and replacing with the following:
 “13.2 Class A Development Excluding Signs
1. The applicant shall submit the appropriate application form fully and accurately completed in accordance with the following requirements:
 - a. the municipal address of land and buildings presently occupying the Site, if any;
 - b. a legal description of the land on which the proposed development is to occur, by lot, block, subdivision and registered plan numbers;

- c. the applicant's name, address, interest in the land, and confirmation of the owner's authorization to apply for the Development Permit;
 - d. a detailed Site, showing the location of the proposed development relative to the boundaries of the Site;
 - e. description of the work to be performed with respect to:
 - i. change in current occupancy or land use; and
 - ii. proposed development or building operations;
 - f. identification of the scale of the development with respect to:
 - i. Floor Area of the development, in square metres;
 - ii. area of the Site covered, in square metres;
 - iii. Height of the structure, in metres;
 - iv. number of floors or Storeys; and
 - v. existing trees on a Site; and
 - g. the estimated value, in dollars, of the proposed work.
2. The applicant of a Site included in the Area of Application of the Mature Neighbourhood Overlay, the Medium Scale Residential Infill Overlay or the Medium Density Residential Overlay shall submit as part of a Development Permit application for a Residential Use or an application for a demolition permit of an existing structure, a signed declaration, completed to the satisfaction of the Development Officer, stating that he or she has reviewed the City's requirements and guidelines for best construction practices.
 3. If required by the Development Officer, the applicant shall submit four copies of a Site plan, at a minimum scale of 1:500, showing the following:
 - a. a directional true north arrow with the north point located in such a manner that the true north is in the upper position of the drawing;
 - b. Setbacks and Yard dimensions;
 - c. the location of all buildings or structures in relation to property lines; and
 - d. dimensioned layout of existing and proposed parking areas, driveways, entrances and exits, abutting public roadways, median breaks and auxiliary Lanes.
 4. If required by the Development Officer, the applicant shall submit four copies of the following:
 - a. identification of the scale of the development with respect to the number of Dwellings, or establishments for commercial, industrial or other purposes;
 - b. a Site plan of sidewalks, walkways, Separation Spaces, transit stops; and, where applicable, garbage storage and collection areas; parking, loading, storage, outdoor service and display areas; the location of fences, screening, retaining walls, trees, landscaping, Amenity Areas and other physical features both existing and proposed on the Site and adjoining boulevard, if any;
 - c. floor plans at a minimum scale of 1:100, indicating all Uses or occupancies, storage and garbage holding areas;
 - d. elevations and drawings, indicating sections and the bulk of buildings, at a minimum scale of 1:100; and
 - e. number of parking and loading spaces required and provided.

5. If required by the Development Officer, for a development that is located within the (HA) Heritage Area Zone, the applicant shall submit four (4) copies of the following:
 - a. an Urban Design Context Plan and vicinity map at a minimum 1:500 scale showing the proposed development and its relationship to on-site and surrounding natural physical features, existing development and other factors affecting development, including approximate building Heights and number of Storeys;
 - b. a context building elevation of all of the buildings on the same block face(s) illustrating the relationship of the Height, number of Storeys, built form, and architectural treatment;
 - c. a description of the exterior finishing materials to be used; and
 - d. a statement describing how the design of the proposed development has responded to the following:
 - i. design quality, including material quality and detailing;
 - ii. style and character of the (HA) Heritage Area Zone including scale and massing;
 - iii. visual interest at street level;
 - iv. the streetscape of the block face;
 - v. siting; and
 - vi. distinct architecture/building that is different from others in the area.
 6. In addition, the Development Officer may require the applicant to provide a colour and material sample board of the exterior cladding materials.”;
- k) deleting subsection 15(5)(f) and replacing with the following:
- “f. to protect, repair or reinstate, or to pay for the repair or reinstatement, to original condition, any street furniture, curbing, sidewalk, boulevard Landscaping and tree planting which may be damaged or destroyed or otherwise harmed by development or building operations upon the Site.”;
- l) deleting subsection 54.2(3) and replacing with the following:
- “3. Landscaped Islands Within Parking Areas
- a. Every off-street parking or loading area designed to accommodate 30 or more vehicles at Grade, shall incorporate landscaped open space within the parking area, calculated on the basis of 2.0 m² of landscaped island area per required parking and loading space. This shall be Landscaped in accordance with Section 55.3 of this Bylaw.
 - b. For parking areas containing parking for 40 or more vehicles, a minimum of two landscaped islands shall be required. These islands shall be placed to provide visual relief, to assist vehicular circulation and to organize large areas of parking into smaller cells. The number of islands provided shall be to the satisfaction of the Development Officer.”;
- m) adding subsection 82(6) as follows and renumber accordingly:
- “6. notwithstanding Section 55, Landscaping shall not be required for a Residential Sales Centre;”;
- n) deleting the words “subsection 55.4(8)” and replacing with “Section 55” in subsection 77.1(c);

- o) deleting the words “subsection 55.4” and replacing with “Section 55” in subsections 130.4(15)(d), 150.4(10)(c) and 155.4(29)(a);
- p) deleting the words “subsection 55.3” and replacing with “Section 55.4” in subsections 165.4(14)(c) and 860.5(2)(a);
- q) deleting the words “Light Rail Transit lines” and replacing with “a LRT line” in subsections 310.4(7), 320.4(5), 330.4(5), 340.4(5), 350.4(5), 360.4(4), 370.4(19) and 553.4(5);
- r) deleting the words “subsection 55.4” and replacing with “Section 55.5” in subsections 310.4(7), 320.4(5), 330.4(5), 340.4(5), 350.4(5), 350.5(3)(b), 360.4(4), 370.4(19) and 553.4(5);
- s) deleting the words “subsection 55.4(4)” and replacing with “subsection 55.5(6)” in subsections 330.4(2)(d) and 400.5(1)(b);
- t) deleting the words “subsection 55.8” and replacing with “subsection 55.3” in subsections 910.5(4)(f)(i)(A), 910.6(4)(f)(i)(A) and 910.7(4)(f)(i)(A); and
- u) reordering Section 6.1 in accordance with the alphabetical order of the list and renumbering accordingly.

READ a first time this	day of	, A. D. 2016;
READ a second time this	day of	, A. D. 2016;
READ a third time this	day of	, A. D. 2016;
SIGNED and PASSED this	day of	, A. D. 2016.

THE CITY OF EDMONTON

MAYOR

CITY CLERK