

Charter Bylaw 19503

A Bylaw to amend Bylaw 12800, as amended,  
The Edmonton Zoning Bylaw  
Amendment No. 3128

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 definition “Site Coverage” from Section 6.1 and replacing with the following:

“**Site Coverage** means the total horizontal area of all buildings or structures on a Site which are located at or higher than 1.8 m above Grade, including Accessory buildings or Structures, calculated by perpendicular projection onto a horizontal plane from one point located at an infinite distance above all buildings and structures on the Site. This definition shall not include:

    - a. steps, eaves, cornices, and similar projections;
    - b. driveways, aisles and parking lots unless they are part of a Parking Garage which extends 1.0 m or more above Grade; or
    - c. unenclosed inner and outer courts, terraces and patios where these are less than 1.8 m above Grade;”;
  - b) Deleting Section 7.2(1) and replacing with the following:

“1. **Duplex Housing** means development consisting of a building that contains two principal Dwellings, with one of those Dwellings placed over the other in whole or in part. Each principal Dwelling has separate and individual access, not necessarily directly to ground level. This Use does not include Semi-detached Housing.”;

- c) Deleting Section 7.2(7) and replacing with the following:  
“7. **Semi-detached Housing** means development consisting of a building that contains two principal Dwellings joined in whole or in part at the side or rear with neither of those Dwellings being placed over another in whole or in part. Each principal Dwelling has separate, individual, and direct access to ground level. This Use does not include Duplex Housing.”;
- d) Deleting Section 7.2(2) and replacing with the following:  
“2. **Garden Suite** means an Accessory building containing a Dwelling which is located separate from the principal Use which is Single Detached Housing, Semi-detached Housing, or Multi-unit Housing in the form of row housing. This Use includes Mobile Homes that conform to Section 78 of this Bylaw. This Use does not include Secondary Suites.”;
- e) Deleting Section 7.2(4) and replacing with the following:  
“4. **Multi-unit Housing** means development that consists of:  
a. three or more principal Dwellings arranged in any configuration and in any number of buildings; or  
b. any number of Dwellings developed in conjunction with a Commercial Use where allowed in the Zone.”;
- f) Deleting Section 11.4(1)(a) and replacing with the following:  
“a. a variance may be considered in cases of unnecessary hardship or practical difficulties peculiar to the Use, character, or situation of land or a building, which are not generally common to other land in the same Zone.”;
- g) Deleting Section 12.2(1)(aa) and replacing with the following:  
“aa. a Special Event that fully complies with the regulations of Section 91.1 of this Bylaw and:  
i. is on a Site zoned US, PU, AP, A or AN owned by the City of Edmonton;  
ii. is for the purpose of seasonal plant sales Accessory to a non Residential or non Residential-Related Use and complies with the regulations of Section 91.2(b); or  
iii. does not exceed 7 consecutive days, or 7 cumulative days per calendar year.”;
- h) Deleting Section 12.2(1)(d) and replacing with the following:

- “d. interior alterations and maintenance to a residential building provided that such alterations and maintenance do not result in an increase in the number of Dwellings, within the building or on the Site, nor in a change of the Use or the introduction of another Use;
- i) Deleting Section 12.2(1)(f)(v) and replacing with the following:
  - “v. the change of Use is for one or more of the following Uses:
    - A. Business Support Services
    - B. Commercial Schools
    - C. Convenience Retail Stores
    - D. Community Recreation Services
    - E. Creation and Production Establishments
    - F. Equipment Rentals, provided that all equipment and goods for rent are contained within an enclosed building
    - G. Greenhouses, Plant Nurseries and Garden Centres, provided that all goods are contained within an enclosed building
    - H. General Retail Stores
    - I. Government Services
    - J. Health Services
    - K. Household Repair Services
    - L. Indoor Participant Recreation Services
    - M. Limited Contractor Services
    - N. Market
    - O. Media Studios
    - P. Minor Amusement Establishments
    - Q. Mobile Catering Food Services
    - R. Personal Service Shops, not including those operating as a Body Rub Centre
    - S. Professional, Financial, and Office Support Services
    - T. Public Libraries and Cultural Exhibits
    - U. Public Parks
    - V. Specialty Food Services, for less than 100 occupants and 120 m<sup>2</sup> of Public Space, and not including Drive-in Food Services

- W. Restaurants, for less than 200 occupants and 240 m<sup>2</sup> of Public Space, and not including Drive-in Food Services
  - X. Veterinary Services
  - Y. Warehouse Sales”;
- j) Deleting Section 12.2(1)(r) and replacing with the following:
- “r. A Platform Structure or unenclosed step, including a landing, that is located entirely within a Rear Yard or interior Side Yard, and is 1.2 m or less in Height, above the ground at its highest point excluding railings, which complies with the regulations and Overlays of this Bylaw;”;
- k) Adding Section 12.2(1)(t)(viii) as follows and renumbering accordingly:
- “viii. changing the Copy of On-premises Fascia Sign, On-premises Roof Sign, On-premises Projecting Sign, or On-premises Freestanding Sign, without altering the Use, location, size, Height or general design of the Sign, including method of illumination;”;
- l) Deleting Section 12.2.2 and replacing with the following:
- “2. Notwithstanding Section 12.2.1 of this Bylaw, a development permit shall be required for the following developments on all Sites which include a residential use in the Zone and are located within the area of application of the North Saskatchewan River Valley and Ravine System Protection Overlay:
- a. any Accessory building, Platform Structure or structure or the removal of any Accessory building, Platform Structure or structure;
  - b. Urban Gardens or Urban Outdoor Farms;
  - c. cisterns, septic tanks, or other underground water and wastewater retention facilities; and
  - d. Water Retention Structures.”;
- m) Deleting Section 14.10(1) and replacing with the following:
- “1. The Development Officer may require an applicant for a Development Permit to submit information relating to the proposed drainage from a Site, or and Abutting Site, including but not limited to:
- a. Lot grading plans;
  - b. Site mechanical plans;
  - c. flood control plans;
  - d. stormwater management plans and calculations; or

- e. similar plans, drawings or engineering reports that, in the opinion of the Development Officer, are required to determine if the Site is suitable for the full range of Uses contemplated in the Development Permit Application.”;
- n) Deleting Section 20.3(3) and renumbering accordingly;
- o) Adding Section 22.8 as follows:
  - “8. Upon request, the Development Officer may extend the date that the development must commence as specified in this Bylaw if:
    - a. the Development Permit is not for a change of use, a change of intensity of use, or both;
    - b. the length of the extension is less than two years from the date which the development must commence pursuant to the applicable Development Permit;
    - c. the request is made in writing on a form approved by the City Manager;
    - d. the required application fee, as determined by the City Manager, is paid;
    - e. the request is granted prior to the date before which the development must commence pursuant to the applicable Development Permit; and
    - f. not more than one extension shall be granted for any Development Permit.”;
- p) Deleting Section 24.4(1) and replacing with the following:
  - “1. Prior to consideration by City Council of a proposed Rezoning Amendment, the Development Officer shall provide notice, complying with the Municipal Government Act, in a format generally available to the public including through electronic means, and dispatch a notice by ordinary mail to all relevant parties listed below that are wholly or partially within 60.0 m of the boundaries of the Site which is the subject of the Rezoning Amendment:
    - a. the applicant;
    - b. the owners of the land subject to the proposed Rezoning Amendment;
    - c. each assessed owner of land, except that the Development Officer may exempt notification for City-initiated Rezoning Amendments:
      - i. for lands incorporated into the City zoned from the pre-annexation municipality's land use bylaw to an equivalent Zone in this Bylaw;  
or
      - ii. to replace existing Zones with new Zones which are generally consistent with the Uses and regulations of the Zone being replaced;

- d. the President of each Community League; and
  - e. the President of each Business Revitalization Zone association.”;
- q) Deleting Section 26.1(a) and replacing with the following:
- “a. new Single Detached Housing, new Semi-detached Housing, new Duplex Housing, and new Garden Suites for all lands within the area of application of the Mature Neighbourhood Overlay;”
- r) Deleting Section 26.1(b) and replacing with the following:
- “b. Multi-unit Housing and Row Housing, except for:
    - i. Multi-unit Housing in the form of row housing or;
    - ii. Row Housing
 located outside outside the boundaries of the Mature Neighbourhood Overlay;”;
- s) Deleting Section 44.1(c)(ii) and replacing with the following:
- “ii. eaves or similar architectural features on Accessory buildings may project, provided that such projections do not exceed
    - A. 0.6 m for Setbacks or Separation Spaces of 1.2 m or greater;
    - B. 0.45 m for Setbacks or Separation Spaces of 0.9 m or greater and less than 1.2 m; and
    - C. 0.15 m for Setbacks or Separation Spaces less than 0.9 m, except that;
      - 1. the distance between such projections and a property line may never be less than 0.45 m, except where the property abuts road right of way.”;
- t) Deleting Section 44.3(d) and replacing with the following:
- “d) Notwithstanding subsection 44(3)(b) and subsection 44(3)(c), Platform Structures 1.2 m or less in Height may be constructed to the Lot lines Abutting an interior Side Yard and Rear Yard;”;
- u) Deleting Section 45.8;
- v) Deleting Section 50.3(5)(b) and replacing with the following:
- b. an Accessory building or structure shall be located not less than 0.6 m from the interior Side Lot Line, except:
    - i. where it is a mutual Garage erected on the common property line to the satisfaction of the Development Officer;
    - ii. where a Garage is placed on the common property line in accordance with the provisions of the RPL Zone;

- iii. where it is located on a Site governed by the RF4 Zone and is a detached Garage where the vehicle doors face a Lane Abutting the Site, the minimum distance shall be 0.6 m from the Side Lot Line; or
  - iv. where the Accessory building does not exceed the permitted Fence Height by more than 0.4 m.”;
- w) Deleting Section 50.3(5)(f) and replacing with the following:
  - “f. an Accessory building or structure which exceeds 2.7 m in Height shall be located at not less than 0.6 m from the Rear Lot Line; and”;
- x) Deleting “Natural Science Exhibits,” “Private Education Services,” “Public Education Services,” and “Public Libraries and Cultural Exhibits” from Table 54.2.3(a);
- y) Deleting “Non-accessory Parking” from Table 54.2.3(c);
- z) Adding “Natural Science Exhibits” and “Public Libraries and Cultural Exhibits” to Table 54.2.3(c) in alphabetical order;
- aa) Adding “Private Education Services” and “Public Education Services” to Table 54.2.3(d) in alphabetical order;
- bb) Deleting Section 55.3(1)(c)(i) and replacing with the following:
  - “i. the proportion of deciduous to coniferous trees and shrubs shall be approximately 50:50 except that, where landscaping exceeds the minimum planting quantity and proportions specified, deciduous and coniferous trees and shrubs exceeding the minimums may be provided in any proportion;”;
- cc) Deleting Section 86.3 and replacing with the following:
  - “3. Only one of a Secondary Suite or a Garden Suite may be developed in conjunction with each principal Dwelling, except in the RF1, RF2, and RF3 Zones where one Secondary Suite and one Garden Suite may both be developed in conjunction with a Single Detached Housing, Multi-unit Housing in the form of Row Housing, or Semi-detached Housing where permitted in the zone.”;
- dd) Deleting Section 87.1 and replacing with the following:
  - “1. The minimum Site Width for a Garden Suite shall be the same as the minimum Site Width prescribed for the principal Dwelling in the underlying Zone.”;
- ee) Deleting Section 87.19 and replacing with the following:
  - “19. Only one of a Secondary Suite or Garden Suite may be developed in conjunction with a principal Dwelling, except in the RF1, RF2, and RF3 Zones where one Secondary Suite and one Garden Suite may both be developed in conjunction with

