

Mark-up of Proposed Text Amendment to Zoning Bylaw 12800

Black Font	Existing Text in Zoning Bylaw 12800
Strikethrough:	Proposed deletion from Zoning Bylaw 12800
<u>Underline:</u>	Proposed addition to Zoning Bylaw 12800

~~814 — Mature Neighbourhood Overlay~~

~~814.1 — General Purpose~~

~~The purpose of this Overlay is to ensure that new low density development in Edmonton's mature residential neighbourhoods is sensitive in scale to existing development, maintains the traditional character and pedestrian-friendly design of the streetscape, ensures privacy and sunlight penetration on adjacent properties and provides opportunity for discussion between applicants and neighbouring affected parties when a development proposes to vary the Overlay regulations:~~

~~814.2 — Area of Application~~

~~This Overlay applies to all Sites zoned RF1, RF2, RF3, RF4 and RF5 within the areas shown on the Appendix to this Overlay:~~

~~814.3 — Development Regulations~~

- ~~1. The Front Setback shall be a minimum of 3.0 m and shall be consistent within 1.5 m of the Front Setback on Abutting Lots and with the general context of the blockface. Separation Space and Privacy Zone shall be reduced to accommodate the Front Setback requirement where a Principal Living Room Window faces directly onto a local public roadway, other than a Lane. On a Corner Site, in the (RF3) Small Scale Infill Development Zone, where Row Housing, Stacked Row Housing or Apartment Housing faces the flanking Side Lot Line, the following regulations shall apply:

 - ~~a. For Lots where the Front Setback of the Abutting Lot is 9.0 m or less, the Front Setback shall be a maximum of 6.0 m.~~
 - ~~b. For Lots where the Front Setback of the Abutting Lot is greater than 9.0 m and less than 11.0 m, the Front Setback shall be consistent within 3.0 m of the Front Setback of the Abutting Lot, to a maximum of 7.0 m.~~
 - ~~c. For Lots where the Front Setback of the Abutting Lot is 11.0 m or greater, the Front Setback shall be within 4.0 m of the Front Setback of the Abutting Lot.~~~~

- ~~2. Where the Site Width is less than 18.3 m, the Side Setback requirements of the underlying Residential Zone shall apply.~~
- ~~3. Where the Site Width is 18.3 m or greater:
 - ~~a. Side Setbacks shall total 20% of the Site Width but shall not be required to exceed 6.0 m in total;~~
 - ~~b. the minimum interior Side Setback shall be 2.0 m, except if the requirements of the underlying Zone are greater, the underlying Zone requirements shall apply; and~~
 - ~~c. on a Corner Site, the Side Setback requirements on the flanking public roadway, other than a Lane, shall be in accordance with the requirements of the underlying Zone.~~~~
- ~~4. Where a structure is two or more Storeys and an interior Side Setback is less than 2.0 m, the applicant shall provide information regarding the location of windows and Amenity Areas on Abutting properties, and the windows of the proposed development shall be located to minimize overlook into Abutting properties or the development shall incorporate design techniques such as; but not limited to, incorporating vegetative Privacy Screening, translucent window treatment or raised windows to minimize overlook into Abutting properties, to the satisfaction of the Development Officer.~~
- ~~5. The minimum Rear Setback shall be 40% of Site depth. Row Housing not oriented to a public roadway is exempt from this Overlay requirement.~~
- ~~6. Notwithstanding Section 44 of this Bylaw, a single Storey Platform Structure may project a maximum of 2.0 m into a Front Setback from the first Storey of a Dwelling, provided that a minimum of 3.0 m is maintained between the Front Lot Line and the Platform Structure.~~
- ~~7. Notwithstanding Section 44 of this Bylaw, a single Storey Platform Structure may project a maximum of 2.0 m from the first Storey of a Dwelling into a Side Setback abutting a flanking public roadway other than a Lane, providing there is at least 1.5 m between the property line and the Platform Structure.~~
- ~~8. Platform Structures greater than 1.0 m above Grade shall provide privacy screening to prevent visual intrusion into adjacent properties.~~
- ~~9. Principal buildings shall face a public roadway other than a Lane.~~
- ~~10. Regardless of whether a Site has existing vehicular access from the front or flanking public roadway, there shall be no such access where an abutting Lane exists, and
 - ~~a. a Treed Landscaped Boulevard is present along the roadway adjacent to the property line;~~
 - ~~b. the Site Width is less than 15.5 m; or~~
 - ~~c. fewer than 50% of principal Dwellings on the blockface have vehicular access from the front or flanking roadway.~~~~
- ~~11. If vehicular access is provided from a public roadway other than a Lane, a Garage may only protrude beyond the front wall of the principal building a distance that is characteristic of the majority of existing Garages on the blockface. The Garage may have a width that does not exceed the width of the majority of existing Garages on the blockface.~~

- ~~12: The maximum width of a façade of Row Housing, Stacked Row Housing or Apartment Housing that faces a public roadway shall be 48.0 m.~~
- ~~13: The maximum Height shall not exceed 8.6 m, in accordance with Section 52.~~
- ~~14: The Floor Area of the upper half Storey of a 2 1/2 Storey building shall not exceed 50% of the structure's second Storey Floor Area.~~
- ~~15: When a structure is more than 7.5 m in Height, the width of any one dormer shall not exceed 3.1 m. In the case of more than one dormer, the aggregate total width shall not exceed one third of the length of the building's wall in which the dormers are located, excluding attached Garage walls.~~
- ~~16: The Basement elevation of structures of two or more Storeys in Height shall be no more than 1.2 m above Grade. The Basement elevation shall be measured as the distance between Grade level and the floor of the first Storey.~~
- ~~17: The minimum distance from the Rear Lot Line to a detached Garage where the vehicle doors face the Lane shall be 1.2 m.~~
- ~~18: Rear attached Garages shall not be allowed, except on Corner Sites where the Dwelling faces the flanking public roadway.~~
- ~~19: For Single Detached Housing, Duplex Housing and Semi-detached Housing with no Lane access, with a front or side attached Garage, the Garage shall be developed in accordance with the following:
 - ~~a: The Garage shall be constructed to accommodate a maximum of two vehicles;~~
 - ~~b: Front attached Garages for Semi-detached Housing and Duplex Housing shall be designed so that the Garage is attached to a shared common wall and includes a shared driveway apron;~~
 - ~~c: Building mass shall be articulated through features such as recessions or off-sets, architectural treatments, and landscaping; and~~
 - ~~d: Each Dwelling shall have an entrance door or entrance feature at the front of the structure and oriented toward the roadway.~~~~
- ~~20: A rear detached Garage shall be fully contained within the rear 12.8 m of the Site.~~
- ~~21: For Stacked Row Housing and Row Housing the maximum width of a rear detached Garage shall be 12.0 m. Rear detached Garages for Row Housing on Corner Sites oriented towards the flanking street shall have a maximum width of 14.0 m. Garages shall be separated by a minimum of 1.8 m.~~
- ~~22: A principal building shall be separated from a rear detached Garage by a minimum of 3.0 m.~~
- ~~23: The Development Officer shall have regard for any applicable Statutory Plan and may, where a Statutory Plan specifies, notwithstanding Section 11.3 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 Development Permit and the pre-application consultation provisions of subsection 814.3(24) shall apply.~~

24. ~~When a Development Permit application is made and the Development Officer determines that the proposed development 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;~~
 - ~~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 to the Development Officer no sooner than twenty-one calendar days after giving the information to all affected parties~~

~~814.4 — Additional Development Regulations for Specific Areas~~

1. ~~The following regulations shall apply to row housing development abutting 109 Street between the north side of 62 Avenue and the south side of 69 Avenue:~~
- ~~a. the minimum Setback abutting 109 Street shall be 3.0 m; and~~
 - ~~b. a pedestrian walkway system shall be provided along the adjacent portion of 109 Street with the following features:~~
 - ~~i. a sidewalk with an unobstructed walking width of 2.0 m;~~
 - ~~ii. a landscaped boulevard 2.0 m wide separating the sidewalk from 109 Street; and~~
 - ~~iii. boulevard trees at a 6.0 m spacing.~~

~~The pedestrian walkway system should maintain continuity with the design that has been constructed for other new developments along 109 Street. Utility relocation which may be required to construct the pedestrian walkway system shall be at the expense of the developer~~

6. General Definitions

6.1(X) Site Depth means the distance between the mid-points of the Front Lot Line and the Rear Lot Line.

814 Mature Neighbourhood Overlay

814.1 General Purpose

The purpose of this Overlay is to regulate residential development in Edmonton's mature residential neighbourhoods, while responding to the context of surrounding development, maintaining the pedestrian-oriented design of the streetscape, and to provide an opportunity for consultation by gathering input from affected parties on the impact of a proposed variance to the Overlay regulations

814.2 Area of Application

This Overlay applies to all Sites zoned RF1, RF2, RF3, RF4 and RF5 within the areas shown on the Appendix to this Overlay.

814.3 Development Regulations

1. The Front Setback shall be a minimum of 3.0 m and shall be consistent within 1.5 m of the Front Setback on Abutting Lots, to a maximum of 20% of Site Depth. Where an Abutting Lot is vacant, the vacant Lot shall be deemed to have a Front Setback of the next Abutting Lot.
2. Notwithstanding Section 814.3(1), on a Corner Site in the RF3 Zone, where Row Housing, Stacked Row Housing or Apartment Housing faces the flanking Side Lot Line, the following shall apply:
 - a. for Lots where the Front Setback of the Abutting Lot is 9.0 m or less, the Front Setback shall be a minimum of 3.0 m and shall be consistent within 1.5 m of the Front Setback of the Abutting Lot, to a maximum of 6.0 m.
 - b. for Lots where the Front Setback of the Abutting Lot is greater than 9.0 m and less than 11.0 m, the Front Setback shall be consistent within 3.0 m of the Front Setback of the Abutting Lot, to a maximum of 7.0 m.
 - c. for Lots where the Front Setback of the Abutting Lot is 11.0 m or greater, the Front Setback shall be within 4.0 m of the Front Setback of the Abutting Lot.

Where an Abutting Lot is vacant, the vacant Lot shall be deemed to have a Front Setback of the next Abutting Lot.
3. Side Setbacks shall be established on the following basis:

- a. where the Site Width is 12.0 m or less, the minimum required setback shall be 1.2 m;
 - b. where a Site Width is greater than 12.0 m and less than 18.3 m, the Side Setback requirements of the underlying Zone shall apply;
 - c. where a Site Width is 18.3 m or wider:
 - i. Side Setbacks shall total 20% of the Site Width but shall not be required to exceed 6.0 m in total;
 - ii. the minimum interior Side Setback shall be 2.0 m, except if the requirements of the underlying Zone are greater, the underlying Zone requirements shall apply; and
 - iii. on a Corner Site, the Side Setback requirements along a flanking public roadway, other than a Lane, shall be in accordance with the requirements of the underlying Zone.
4. The minimum Rear Setback shall be 40% of Site depth.
 5. The maximum Height shall not exceed 8.9 m.
 6. The Basement elevation shall be no more than 1.5 m above Grade. The Basement elevation shall be measured as the distance between Grade and the finished floor of the first Storey.
 7. When a structure is greater than 7.5 m in Height, the width of any one dormer shall not exceed 3.6 m. In the case of more than one dormer, the aggregate total width shall not exceed one third of the length of the building's wall in which the dormers are located.
 8. Where a structure is two or more Storeys and an interior Side Setback is less than 2.0 m, the applicant shall provide information regarding the location of side windows and Amenity Areas on Abutting properties. The side windows of the proposed development shall be located to minimize overlook into Abutting properties or the proposed development shall incorporate design techniques such as, but not limited to, vegetative Privacy Screening, translucent window treatment or raised windows to minimize overlook into Abutting properties.
 9. Platform Structures located within a Rear Yard or interior Side Yard, and greater than 1.0 m above the finished ground level, excluding any artificial embankment, shall provide Privacy Screening to prevent visual intrusion into Abutting properties.

10. Platform Structures or single Storey Unenclosed Front Porches may project from the first Storey of a Dwelling a maximum of 2.5 m into a required Front Setback, provided that a minimum of 3.0 m is maintained between the Front Lot Line and the Platform Structure or Unenclosed Front Porch.
11. Platform Structures or single Storey Unenclosed Front Porches may project from the first Storey of a Dwelling a maximum of 2.0 m into a required flanking Side Setback, provided that a minimum of 1.5 m is maintained between the flanking Side Lot Line and the Platform Structure or Unenclosed Front Porch.
12. On an Interior Site, a minimum distance of 1.2 m shall be maintained from one Side Lot Line to the outside wall of all projections from the first Storey.
13. Semi-detached Housing shall have:
 - a. the principal front Facade of each Dwelling staggered a minimum of 0.6 m behind or forward from the principal front Facade of the other attached Dwelling; and
 - b. the principal rear Facade of each Dwelling staggered a minimum of 0.6 m behind or forward from the principal rear Facade of the other attached Dwelling.
14. Semi-detached Housing and Row Housing shall articulate the Facade of each Dwelling, by:
 - a. recessing or projecting a portion of the front Facade from the remainder of the front Facade of that Dwelling; or
 - b. including an Unenclosed Front Porch that projects a minimum of 1.0 m from the front Facade.
15. To improve architectural interest of the principal structure(s), design techniques such as variations in roof lines, use of different exterior finishing materials, articulation of building Facades, or varied architectural designs shall be used on all Facades facing a public roadway, other than a Lane.
16. Identical or mirrored front elevations shall not be located on Abutting Sites. Development shall include a variety of finishing materials, or design elements such as varied roof lines, entry features, or variation in window and door placement.
17. Where a Site is Abutting a Lane and an adjacent Tree Lined Boulevard is present, existing vehicle accesses shall be discontinued and any new accesses shall be from the Lane.

18. Attached Garages shall be developed in accordance with the following:
 - a. a Garage may protrude beyond the front or flanking wall of the principal building a distance that is characteristic of existing Garages on the blockface;
 - b. a Garage may have a maximum width that is characteristic of the width of existing attached Garages on the blockface;
 - c. building mass shall be articulated through features such as recessions or off-sets, architectural treatments, and landscaping; and
 - d. for Semi-detached Housing, Duplex Housing, Row Housing, Stacked Row Housing and Apartment Housing, Garages shall be designed so that the Garage is attached to a shared common wall and includes a shared driveway apron where possible.
19. Rear attached Garages shall not be allowed.
20. A principal Dwelling/building shall be separated from a rear detached Garage by a minimum of 3.0 m.
21. A rear detached Garage shall be fully contained within the rear 12.8 m of the Site.
22. The minimum distance from the Rear Lot Line to a rear detached Garage where the vehicle doors face the Lane shall be 1.2 m.

814.4 Additional Development Regulations for Specific Areas

1. The following regulations shall apply to Row Housing development Abutting 109 Street between the north side of 62 Avenue and the south side of 69 Avenue:
 - a. the minimum Setback Abutting 109 Street shall be 3.0 m; and
 - b. a pedestrian walkway system shall be provided along the adjacent portion of 109 Street with the following features:
 - i. a sidewalk with an unobstructed walking width of 2.0 m;
 - ii. a Treed Landscaped Boulevard 2.0 m wide separating the sidewalk from 109 Street; and
 - iii. boulevard trees at a 6.0 m spacing.
2. The pedestrian walkway system should maintain continuity with the design that has been constructed for other new developments along 109 Street. Utility relocation which may be required to construct the pedestrian walkway system shall be at the expense of the developer.

814.5 Proposed Variances

1. When the Development Officer receives a Development Permit Application for a new principal building, Garage Suite, or Garden Suite that does not comply with regulations contained within this Overlay, or alterations to an existing structure that does not comply with Sections 814.3(1), 814.3(3), 814.3(5) and 814.3(9) of this Overlay:
 - a. the Development Officer shall send notice, to the Recipient Parties specified in Table 814.5(2), 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 the specified Affected Parties in accordance with Table 814.5(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.

Table 814.5(2)			
Tier #	Recipient Parties	Affected Parties	Regulation of this Overlay Proposed to be Varied
Tier 1	The municipal address and assessed owners of the land wholly or partially located within a distance of 60.0 m of the Site of the proposed development and the President of each Community League	The assessed owners of the land wholly or partially located within a distance of 60.0 m of the Site of the proposed development and the President of each Community League	814.3(1) - Front Setback 814.3(2) - Front Setback (RF3 Corner Sites) 814.3(5) - Height 814.3(6) - Basement Elevation 814.3(7) - Dormer Width 814.3(13) - Facade Articulation between Semi-Detached Dwellings 814.3(14) - Facade Articulation for Semi-Detached and Row Housing Dwellings 814.3(15) - Architectural Treatment 814.3(16) - Variation of Building Design 814.3(17) - Driveway Access 814.3(18) - Attached Garage 814.4(1) - Additional Development Regulations for Specific Areas
Tier 2	The municipal address and assessed owners of the land Abutting the Site, directly adjacent across a Lane from the Site of the proposed development and the President of each Community League	The assessed owners of the land Abutting the Site and directly adjacent across a Lane from the Site of the proposed development	814.3(4) - Rear Setback 814.3(19) - Rear Attached Garage 814.3(22) - Detached Garage Rear Setback
Tier 3	The municipal address and assessed owners of the land Abutting the Site of the proposed development and the President of each Community League	The assessed owners of the land Abutting the Site of the proposed development	814.3(3) - Side Setbacks 814.3(8) - Side Setbacks and Privacy 814.3(9) - Privacy Screening on Platform Structures 814.3(10) - Platform Structures (Front Yard) 814.3(11) - Platform Structures (Flanking Side Yard) 814.3(12) - Cantilevers in Side Setbacks 814.3(20) - Distance between Garage and Principal Dwelling 814.3(21) - Rear Detached Garage Location

Appendix 1 - Mature Neighbourhood Overlay

