

## **Land Use Bylaw 2/2018 Amendment Summary**

February 5, 2018

### **Part 1**

- Reorganized and standardized definitions for amenity areas and dwelling unit forms.
- Added definitions for “comprehensively planned neighbourhoods”, “façade”, “family”, “garden suite”, “garage suite”, “lane”, “secondary suite”, and various townhouse dwelling forms.
- Incorporated wording changes to definitions for “long term care housing” and “supportive housing”, in alignment with Government of Alberta definitions.
- Expanded “amenity area, common” definition to include a broader range of amenity options.
- Added “amenity area, garden” to allow for common gardening areas in multi-family developments as an amenity feature.
- Added wording changes and housekeeping amendments to existing definitions.
- Added Carrot Creek within the designated flood line definition.

### **Part 5**

- Updated clause 5.3 to refer to the Alberta Building Code edition currently in effect.

### **Part 6**

- Clause 6.8: Added regulatory requirements for buildings located on a property line adjacent to a railway right-of-way, in compliance with railway safety setback standards.
- Clause 6.19 (3): Added “Unless otherwise stated” with regards to using an accessory building for human occupancy.

### **Part 7**

- Clause 7.2(5): Added new secondary suite types to align with parking requirements.
- Clause 7.3: Revised dwelling unit requirements to align with new dwelling unit definitions.
- Reorganized parking requirements in alphabetical order.
- Clause 7.3 (j): Clarified visitor parking requirements for townhousing in a condominium development.

### **Part 8: Sections 8.1 – 8.29**

- Rearranged requirements in alphabetical order based on revised definition terminology in Part 1.
- Section 8.2: Centralized requirements for accessory buildings within this section from individual Districts.
- Section 8.4 and 8.5: Centralized requirements for amenity areas, common; and amenity areas, private; within these sections from individual Districts.
- Removed development regulations for basement suites, and incorporated requirements into dwelling, secondary suite regulations.

- Section 8.6: Centralized apartment development requirements within Section 8.6 from individual residential Land Use Districts.
- Section 8.7: Centralized architectural projection requirements within Section 8.7 from individual residential Land Use Districts.
- Section 8.9: Added Clause (d), permitting a deck to be developed to a 0 m setback along the common property line on two-unit dwelling forms and townhousing.
- Section 8.10: Added design criteria requirements for stated Districts.
- Section 8.11: Added clause (1)(b)(i) and clause (1)(d)(i) for clarification.
- Section 8.12 – 8.14: Added regulations for dwelling, garage suite, dwelling, garden suite, and dwelling secondary suite.
- Included requirements for gazebos (former Section 8.10) in Residential Land Use District Section 8.2 for accessory buildings.
- Sections 8.19 – 8.23: Centralized lot requirements from individual Districts within these sections.
- Section 8.23: Modified lot width distribution tables to reflect changes in lot width categories, and percentages of lots allowed for range of widths, to align with current market trends and Growth Plan 2.0 density targets.
- Moved requirements for lands governed by an Area Structure Plan adopted prior to Bylaw Amendment 2/2018 to Schedule H.
- Section 8.24: Added references to new Districts, townhousing, and lanes.
- Moved the requirements in former Section 8.18 under the title “Separation Distances for Accessory Buildings” within Section 8.2.
- Added setback variation requirements within the R1 District (former Section 8.19) to the R1, R2, RX and RXL Districts.
- Section 8.29: Centralized townhousing development requirements within this section. Reduced minimum lot width for street-oriented townhousing to 5.5 m in accordance with Council’s direction on January 15, 2018.

#### Section 8.30: Low Density Residential (R1) Land Use District

- Added dwelling, secondary suite (within a dwelling) as a permitted use. Secondary suite development is limited to one form of secondary suite per lot (basement suite, garden suite, garage suite, or secondary suite).
- Added dwelling, garage suite; and dwelling, garden suite; as a discretionary use, triggering neighbour notification and an engineering servicing review.
- Clause (4): Removed family day home, as use is classified as a home occupation.
- Added supportive housing as a discretionary use.
- Clause (6): Clarified requirements for a single-detached house.
- Clause (8): Stipulated lot coverage requirements for the principal building and attached garage separately from an additional percentage allowed for accessory buildings. This clarification is intended to provide an allowance for future garden sheds or other covered structures, to reduce the number of appeals going to the Subdivision and Development Appeal Board.
- Clause (9): Removed maximum building height requirements adjacent to St. Albert Road (Trail).
- Clause (10): Added “Carport” to the clause title.

- Clause (11): Added variation requirements for front yard setbacks to the R1 District. Minimum setback variation requirement range has been broadened to 0.5 m to 1.5 m. Added additional requirements for clarity to clauses (b), (c), and (d).
- Clause (12): Added setback requirements for dwellings facing a flanking public roadway and for architectural projections.
- Clause (13): Removed lot width requirements for pie shaped lots. Condition is included within Land Use District Section 8.22 - Lot Width Measurements.
- Clause (12): Simplified sideyard setbacks to two conditions. Added requirements for corner lots and architectural projections.
- Clause (13): Added rear yard setback requirements for a dwelling facing a flanking public roadway, and for architectural projections.
- Clause (14): Removed requirements no longer applicable to semi-detached housing.
- Removed the R1 District Summary Table as it is not part of the Land Use Bylaw.

#### Section 8.31: Low Density Residential (R2) Land Use District

- Clause (3): Incorporated definition amendments and rearranged in alphabetical order. Removed gazebo as an individual use. Use is classified as an accessory building.
- Clause (4): Removed family day home, as use is classified as a home occupation.
- Removed lot area requirements. Lot size is regulated by minimum lot width x lot depth.
- Moved lot width measurement requirements to Residential Land Use District Section 8.22.
- Moved lot depth requirements to Residential Land Use District Section 8.20.
- Clause (7): Increased lot coverage to 47% for semi-detached and duplex dwellings in accordance with Council's direction on January 15, 2018.
- Clause (8): Removed maximum building height requirements adjacent to St. Albert Road (Trail).
- Clause (9): Added "Carport" to the clause title.
- Clause (10): Added variation requirements for front yard setbacks to the R2 District. Minimum setback variation range has been broadened to 0.5 m to 1.5 m.
- Clause (11): Simplified side yard setbacks to two conditions. Added requirements for corner lots and architectural projections.
- Clause (12): Added rear yard setback requirements for corner lots and architectural projections.
- Clause (13): Removed pie shaped lot as a compliance condition for a single-detached house in the R2 District. This condition is addressed in Residential Land Use District Section 8.22.
- Removed the R2 District Summary Table as it is not part of the Land Use Bylaw.

#### Section 8.32: Medium Density Residential (R3) Land Use District

- Clause (4): Incorporated definition amendments and rearranged in alphabetical order. Removed wall mural, as it is not a land use.

- Clause (5): Reduced minimum lot area to provide more flexibility for small multi-family developments. Relocated lot area requirements for townhousing to Residential Land Use District Section 8.29.
- Clause (6): Reduced minimum lot frontage to provide more flexibility for small multi-family developments. Relocated lot frontage requirements to Residential Land Use District Section 8.6 for apartment development and Section 8.29 for townhousing development.
- Relocated lot depth requirements to Residential Land Use District Section 8.20.
- Clause (7) added reference to Residential Land Use District Section 8.29.
- Clause (8): Simplified site density criteria and separated existing requirements between site density and site density bonus. Relocated townhousing requirements to Residential Land Use District Section 8.29.
- Clause (9): Increased site density bonus from 45 du/ha to 54 du/ha to provide more flexibility in dwelling design, and to provide more clarity for requirements to obtain the density bonus.
- Clause (11): Relocated lot coverage requirements for townhousing to Residential Land Use District Section 8.29.
- Clause (12): Increased building height to 13 m from 11 m, to allow for greater flexibility to accommodate the permitted density, and dwelling design features. Development Officers are authorized to consider a 25% variance in building height at their discretion.
- Clause (13): Relocated building setback criteria for townhousing to Residential Land Use District Section 8.29.
- Clause (13) (b): Reduced rear yard setback requirements from 10 m to 7.5 m for an apartment building.
- Clause (13) (e): Provided criteria to permit lesser building setbacks for underground parking structures located below finished grade at the discretion of the Development Officer.
- Clause (14): Relocated building separation distances to sections noted.
- Moved criteria contained within former clause (15) named “Private Amenity Area and Setbacks” to Residential Land Use District Section 8.5. Private amenity area has been redefined as “amenity area, private”.
- Clause (15): Added carport to the subject title.
- Clause (16): Removed requirements for dwellings, semi-detached to comply with R2 District lot area, lot width, and lot depth requirements. These requirements have been standardized and moved to Residential Land Use District Sections 8.19 to 8.23.
- Removed the R3 District Summary Table as it is not part of the Land Use Bylaw.

### Section 8.33: Medium Density Residential (R3A) Land Use District

- Clause (4): Deleted family day home, as use is classified as a home occupation. Added supportive housing as a discretionary use.
- Clause (5): Reduced minimum lot area to provide more flexibility for small multi-family developments. Relocated lot area requirements for townhousing to Residential Land Use District Section 8.29.
- Clause (6): Reduced minimum lot frontage requirements to provide more flexibility for small multi-family developments. Relocated lot frontage requirements to Residential Land Use District Section 8.6 for apartment development and Section 8.29 for townhousing development.
- Clause (7): Increased minimum site density to 40 du/ha.
- Clause (8): Added opportunities for a site density bonus up to 125 du/ha for implementation of criteria related to higher quality site design, energy efficiency, sustainable building features or aesthetics. The density bonus can be achieved by providing a minimum of 75% of the required parking underground, or within a parkade structure, plus the addition of two of the listed site improvements.
- Clause (10): Added lot coverage section for clarity.
- Clause (12): Increased building step back design criteria from 8.5 m to 9 m in height from finished grade.
- Clause (12): Reduced minimum rear yard building setback to 7.5 m. Added additional setback requirements for public utility buildings, underground parking structures and discretionary uses.
- Clause (12)(h): Added criteria to permit lesser building setbacks for underground parking structures below finished grade at the discretion of the Development Officer.
- Clause (13): Relocated separation distance criteria for apartment buildings to Residential Land Use District Section 8.6. Relocated separation distance criteria for townhousing to Residential Land Use District Section 8.29.
- Clause (14): Revised clause title to “Attached Garage or Carport”
- Moved private amenity area requirements to Residential Land Use District Section 8.5 and renamed as amenity area, private.
- Moved townhousing development requirements to Residential Land Use District Section 8.29.
- Removed the R3A District Summary Table as it is not part of the Land Use Bylaw.

### Section 8.34: Medium Density Residential (R4) Land Use District

- Clause (3): Added townhousing as a permitted use.
- Clause (4)(f): Removed family day home, as use is classified as a home occupation. Added general service use if located in the lower level(s) of the building.
- Clause (5): Reduced minimum lot area to provide more flexibility for small multi-family developments.
- Clause (6): Reduced minimum lot frontage from 35 m to 25 m to allow for smaller multi-family developments.
- Clause (7): Relocated Site Density section from previous clause (15). Added sub-clause permitting an increase in site area for every parking stall constructed underground.

- Clause (8)(a): Added “Site Density Bonus” section, defining the mandatory and optional requirements.
- Clause (8)(b): Added additional site criteria for buildings in excess of 20 m in height including design requirements for a distinct building base, direct entrances to ground floor commercial uses, accessible transit shelters, and an outdoor common amenity area.
- Clause (11): Added lot coverage section.
- Clause (12): Changed the requirement for additional studies for buildings exceeding 20 m in height from 15 m.
- Clause (13): Reduced rear yard setback from 10 m to 7.5 m. Added criteria to permit lesser building setbacks for underground parking structures located below finished grade at the discretion of the Development Officer.
- Clause (14): Provided references to the criteria located in Residential Land Use District Sections 8.6 and 8.29.
- Moved design criteria clause to Residential Land Use District Section 8.10.
- Clause (15): Added “Attached Garage or Carport” clause.
- Moved townhousing development requirements to Residential Land Use District Section 8.29.
- Removed the R4 District Summary Table as it is not part of the Land Use Bylaw.

#### Section 8.37: Downtown Residential (DR) Land Use District

- Clause (3): Added apartment building as a permitted use.
- Clause (4): Removed family day home use. Home occupation uses are not permitted in this District.
- Clause (4)(e): Added all townhousing forms as a discretionary use.
- Moved previous clause (6) to Residential Land Use District Section 8.5. Private amenity area requirements have been standardized between Districts.
- Clause (7): Relocated building height design criteria from previous clause (4) with requirements for the development to provide at least two of the listed criteria in order to receive a permitted increase in height.
- Clause (8) and (9): Relocated design criteria requirements applicable to multiple Districts to Residential Land Use District Sections 8.5 and 8.10.
- Clause (10): Moved criteria from previous clause (7) into Residential Land Use District Section 8.6 for apartment buildings, and Section 8.29 for townhousing. Added criteria with regards to separation distances for a building containing ground floor non-residential uses.
- Removed the DR District Summary Table as it is not part of the Land Use Bylaw.

### New Districts

Two new Districts are being proposed, RX and RXL that would provide greater land use flexibility for greenfield development. These Districts are intended to allow for a combination of housing products within the same District including single family, two-family and townhousing, with a 25% limit on the percentage of townhousing based on the Area Structure Plan boundaries.

The new Districts are in alignment with the LUB Residential District Amendment Strategy 3.1: Group comparable uses of similar form and character into Districts, and Strategy 5.3: Implement land use Districts that incorporate complete communities.

It is expected that the development industry will implement the new RX and RXL Districts in the Jensen Lakes, Riverside, and Erin Ridge North neighbourhoods, as they build out. To protect existing property owners, a 90 m separation distance is required for lots less than 10 m in width from lots registered prior to approval date of Bylaw 2/2018.

An overall conceptual site development plan for the area will be required, identifying proposed building types and locations, development phasing, parks, amenity area and vehicular and pedestrian routes.

The RX and RXL Districts will be principally utilized for the “new St. Albert” governed by the EMRB Growth Plan requirements. The R1 and R2 Districts would remain as grandfathered Districts for previously developed St. Albert neighbourhoods.

### Section 8.35: Residential (RX) Land Use District

- The proposed District provides an area for a mix of housing types with vehicular access from the front or side of the lot, supporting diverse streetscapes in new comprehensively planned neighbourhoods.
- Townhousing is permitted within this District on sites developed as a single titled parcel, and vehicular access from a common internal roadway. Street-oriented townhousing with individual front driveways are not permitted, as the City would be unable to accommodate an adequate number of on-street parking spaces and boulevard trees.
- Corner side yard setbacks have been reduced to 3 m as opposed to 4 m for the R1, and R2 Districts.

### Section 8.36: Residential (RXL) Land Use District

Lane product is shown as a separate District to ensure that its implementation is restricted to specific locations, and subject to direct Council approval through the redistricting process in alignment with Council’s previous direction to provide limits on back alleys in new areas (CM-16-047).

- The proposed District provides an area for a mixture of single-family, duplex, semi-detached, and street-oriented townhouse products, with vehicle access located from a rear lane.

- A minimum lot width of 8.6 m (28.21') is being proposed for lane product. Rear lane products allow for optimal placement of boulevard street trees, and provide more on-street parking with a narrower lot product than lots with front driveways.

## SCHEDULES:

### Schedule B

- Added Ray Gibbon Drive as a major arterial road.

### Schedule C

- Clause C.6 (7) (a): Excluded development directional signs on Ray Gibbon Drive in anticipation of future highway status.
- Clause C.6 (7) (b): Excluded development directional signs adjacent to Ray Gibbon Drive, in anticipation of future highway status.

### Schedule H

- Added new schedule for lands governed by an Area Structure Plan adopted prior to Bylaw 2/2018.