

Bylaw 14750

A Bylaw to amend Bylaw 12800, as amended,  
The Edmonton Zoning Bylaw  
Amendment No. 870

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 Zoning Bylaw to implement proposed Section 822 Edmonton-Strathcona County Joint Planning Study Area Secondary and Garage Suites Overlay; 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 subsection 6.1(35)(b) and replacing it with:

The average level between eaves and ridges in the case of a pitched, gambrel, mansard or hipped roof, or a roof having a slope of more than 20 degrees; provided that in such cases the ridge line of the roof shall not extend more than 1.5 m above the maximum permitted building Height of the Zone or in the case of a Garage Suite the maximum permitted building Height in accordance with Section 87 of this Bylaw.

b) deleting subsection 7.2(3) and replacing it with:

**Garage Suite** means a self-contained Dwelling located above a rear detached Garage which is Accessory to a structure in which the principal Use is Single Detached Housing. A Garage Suite has cooking, food preparation, sleeping and bathing facilities which are separate from those of the principal Dwelling located on the Site. For the purpose of this clause, "cooking facilities" includes any stove, hotplate, oven, microwave oven, toaster oven or electric griddle, as well as any wiring or piping containing the energy or power source for such facilities. A Garage Suite has an entrance separate from the vehicle entrance to the rear detached Garage, either from a common indoor landing or directly from the exterior of the structure. This Use Class does not include Secondary Suites.

- c) adding a new subsection 7.2(7) as follows:

**Secondary Suite** means development consisting of a self-contained Dwelling located within, and Accessory to, a structure in which the principal use is Single Detached Housing. A Secondary Suite has cooking, food preparation, sleeping and bathing facilities which are separate from those of the principal Dwelling within the structure. For the purpose of this clause, "cooking facilities" includes any stove, hotplate, oven, microwave oven, toaster oven or electric griddle, as well as any wiring or piping containing the energy or power source for such facilities. A Secondary Suite also has an entrance separate from the entrance to the principal Dwelling, either from a common indoor landing or directly from the exterior of the structure. This Use Class includes Conversion of Basement space to a Dwelling, or the addition of new floor space for a Secondary Suite to an existing Single Detached Dwelling. This Use Class does not include Duplex Housing, Semi-detached Housing, or Apartment Housing, where the structure was initially designed for two or more Dwellings, and does not include Boarding and Lodging Houses.

- d) renumbering subsection 7.2 accordingly.
- e) deleting subsection 41.2 and replacing it with:

41.2 Minimum Site Area Exceptions for Single Detached, Semi-detached and Duplex Housing

1. The Development Officer shall not refuse an application for a Development Permit for Single Detached Housing on a Site with a depth of at least 30.0 m and a width of at least 10.0 m, or Semi-detached Housing or Duplex Housing on a Site with a Site area of at least 470 m<sup>2</sup> and a width of at least 13.5 m only for the reason that the Site does not meet the minimum area and dimensions set out in this Bylaw, if:
  - a. the Site in question is a lot, which was created prior to October 2, 1961; or
  - b. the Site in question is a lot approved by the Subdivision Authority; or
  - c. in the case of Single Detached Housing within the RF4 Zone, the Site is within a Zone Outline Plan area or Area Structure Plan area and the subdivision creating the Site was approved by the Municipal Planning Commission prior to the effective date of Bylaw 6934, that being June 14, 1982.

- f) deleting 48.2(a) and 48.3 (a) and replacing these with:

- a. local public roadway including a Lane.

- g) deleting subsections 50.3 (1), (2) and (3) and replacing these with:

1. an Accessory Building or Structure shall not be used as a Dwelling, except where the Accessory Building is a Detached Garage containing a Garage Suite in accordance with Section 87.

2. an Accessory Building or Structure shall not exceed 3.7 m nor one Storey in Height, except:
    - a. as provided in the RPLt, RF4t, RF5t, TSDR, and TSLR Zones, where the maximum Garage Height shall not exceed 5.0 m;
    - b. in the case of a Garage containing a Garage Suite where listed as a Permitted or Discretionary Use, where the height shall be in accordance with Section 87.
    - c. as provided in subsections 50.4, 50.5.
  3. the Site Coverage of Accessory Buildings, with or without a Garage Suite, or Structures shall not exceed 12%, except for the RPL Zone, where the Site Coverage shall not exceed 17%; and the GLG Zone, where the Site Coverage shall not exceed 14%.
- h) deleting subsection 50.3 (4)(b), and replacing it with:
- a. an Accessory Building or Structure shall be located not less than 0.9 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, or where a Garage is placed on the common property line in accordance with the provisions of the RPL Zone, or where the Accessory Building does not exceed the permitted fence height or in the case of Garage Suites, where the minimum Side Yard shall be in accordance with Section 87.
- i) deleting subsection 50.3 (4) (e), (f) and (g) and replacing with:
- e. where the Accessory Building is a detached Garage and where the vehicle doors of the detached Garage face a Lane abutting the Site, no portion of the Garage shall be located less than 4.88 m from the Rear Lot Line, except in the following cases:
    - i. on any Site governed by the RPL Zone, the minimum distance from the Rear Lot Line to a detached Garage where the vehicle doors face the Lane shall be 2.75 m;
    - ii. on any Site zoned RF4 that has a Site width of less than 10.4 m, the minimum distance from the Rear Lot Line to a detached Garage where the vehicle doors face the Lane shall be 2.75 m;
    - iii. those lots within the Mature Neighbourhood Overlay, where the regulations in Section 814.3 shall apply;
    - iv. if the principal building was developed before October 2, 1961, this distance may be reduced, provided that the placement of the proposed Garage is consistent with the placement of other existing Garages in the same block.
- j) deleting the second column under number 2 of Schedule 1 in subsection 54.2 and replacing it with:

1 parking space per 2 Sleeping Units in addition to the parking requirements for primary Dwelling.

Tandem Parking is allowed for Secondary Suites and Garage Suites.

k) adding a new subsection 75(10):

a Major Home Based Business shall not be allowed within the same principal Dwelling containing a Secondary Suite or within the same Site containing a Garage Suite and an associated principal Dwelling, unless the Home Based Business is a Bed and Breakfast Operation and the Secondary Suite or the Garage Suite is an integral part of the Bed and Breakfast Operation.

l) adding a new subsection 79( 3):

a Group Home or Limited Group Home shall not be allowed within the same principal Dwelling containing a Secondary Suite or within the same Site containing a Garage Suite and an associated principal Dwelling.

m) deleting Section 86 in its entirety and substituting therefore:

#### **86. Secondary Suites**

A Secondary Suite shall comply with the following regulations:

1. the minimum Site area for a Single Detached Dwelling containing a Secondary Suite is 360 m<sup>2</sup> except in the case of the RR Zone, where the minimum Site area shall be the same as the minimum Site area for the Zone.
2. the maximum Floor Area of the Secondary Suite shall be as follows:
  - a. in the case of a Secondary Suite located completely below the first storey of a Single Detached Dwelling (other than stairways or a common landing), the Floor Area (excluding the area covered by stairways) shall not exceed the Floor Area of the first storey of the associated principal Dwelling.
  - b. in the case of a Secondary Suite developed completely or partially above grade, the Floor Area (excluding the area covered by stairways) shall not exceed 40% of the total Floor Area above grade of the building containing the associated principal Dwelling, nor 70 m<sup>2</sup>, whichever is the lesser.
3. the minimum Floor Area for a Secondary Suite shall be not less than 30 m<sup>2</sup>.
4. only one of a Secondary Suite or a Garage Suite may be developed in conjunction with a principal Dwelling.
5. a Secondary Suite shall not be developed within the same principal Dwelling containing a Group Home or Limited Group Home, or a Major Home Based Business, unless the Secondary Suite is an integral part of a Bed and Breakfast Operation in the case of a Major Home Based Business;
6. notwithstanding subsection 6.1(36) of this Bylaw, the number of unrelated persons occupying a Secondary Suite shall not exceed three.

7. the Secondary Suite shall not be subject to separation from the principal Dwelling through a condominium conversion.
8. notwithstanding Secondary Suites being listed as Permitted or Discretionary Uses within any Zone, they shall be subject to the regulations of the Edmonton-Strathcona County Joint Planning Study Area Secondary and Garage Suites Overlay in Section 822 of this Bylaw.

n) adding a new Section 87 as follows:

**87. Garage Suites**

Garage Suites shall be developed in accordance with the following regulations:

1. the minimum Site Area for a Garage Suite shall be the minimum Site area required for the principal Dwelling plus 100 m<sup>2</sup>, except in the case of the RPL Zone and the RSL Zone, where the minimum Site area for a Single Detached Dwelling with Garage Suite shall be 460 m<sup>2</sup> and in the case of the RR Zone, where the minimum Site area shall be the same as the minimum Site area for the Zone.
2. the maximum Height for a Garage containing a Garage Suite shall be:
  - a. 6 m or the Height of the principal Dwelling as constructed at the time of the Development Permit Application, whichever is the lesser;
  - b. notwithstanding (a) above, in the case of the TSDR, TSLR and the GLG Zone, the maximum height shall be 7.5m.
3. the maximum Floor Area of a Garage Suite shall be 60 m<sup>2</sup>.
4. the minimum Floor Area of a Garage Suite shall be 30 m<sup>2</sup>.
5. the minimum Side Yard for that portion of a detached Garage that contains a Garage Suite shall be the same as that for the principal Dwelling in the applicable Zone.
6. on a corner Site where a Garage Suite abuts a flanking public roadway, other than a Lane, the required Side Yard shall not be less than that provided for the principal structure.
7. the minimum distance between a Detached Garage containing a Garage Suite and the principal Dwelling on the same Site shall be 3 m.
8. windows contained within the Garage Suite portion of the Detached Garage shall be placed and sized such that they minimize overlook into yards and windows of abutting properties through one or more of the following:
  - a. off-setting window placement to limit direct views of abutting rear or side yard amenity areas, or direct view into a Garage Suite window on an abutting Site;

- b. strategic placement of windows in conjunction with landscaping or the placement of other accessory buildings; and
  - c. placing larger windows such as living room windows, to face a lane, a flanking street, or the larger of any Side Yard abutting another property.
- 9. no decks on Garage Suite roofs shall be allowed.
- 10. balconies shall be allowed as part of a Garage Suite only where the balcony faces the lane or a flanking roadway.
- 11. only one of a Secondary Suite or a Garage Suite may be developed in conjunction with a principal Dwelling.
- 12. notwithstanding subsection 6.1(36) of this Bylaw, the number of unrelated persons occupying a Garage Suite shall not exceed three.
- 13. a Garage Suite shall not be allowed within the same Site containing a Group Home or Limited Group Home, or a Major Home Based Business and an associated principal Dwelling, unless the Garage Suite is an integral part of a Bed and Breakfast Operation in the case of a Major Home Based Business.
- 14. where Garage Suites are Discretionary within the applicable Zone, the Development Officer may exercise discretion in considering a Garage Suite having regard to:
  - a. compatibility of the Use with the siting, Grade elevations, Height, roof slopes and building types and materials characteristic of surrounding low density ground-oriented housing and development;
  - b. the effect on the privacy of adjacent properties;
  - c. the policies and guidelines for Garage Suites contained in a Statutory Plan for the area.
- 15. notwithstanding Garage Suites being listed as Permitted or Discretionary Uses within any Zone, they shall be subject to the regulations of the Edmonton-Strathcona County Joint Planning Study Area Secondary and Garage Suites Overlay in Section 822 of this Bylaw.
- o) renumbering Sections 87 through 90 within Special Land Use Provisions accordingly.
- p) deleting subsection 110.1 and replacing it with:
 

The purpose of this Zone is to provide primarily for Single Detached Housing, with a limited opportunity for Secondary Suites under certain conditions.
- q) adding as a Permitted Use in subsections 110.2 (3), 120.2 (3) and 140.2(4), the following:
 

Secondary Suites on corner lots and lots fronting onto a service road and where a Side or Rear Lot Line abuts a Site in an Industrial, Commercial, Row Housing or Apartment Zone, or is not separated from it by a public roadway more than 10.0 m wide.

- r) renumbering Sections 110.2, 120.2 and 140.2 accordingly.
- s) adding as a Discretionary Use in 110.3(2), 120.3(3) and 140.3(6), the following:  
Garage Suites on corner lots and lots fronting onto a service road and where a Side or Rear Lot Line abuts a Site in an Industrial, Commercial, Row Housing or Apartment Zone, or is not separated from it by a public roadway more than 10.0 m wide.
- t) deleting subsection 110.3 (6) and 115.3(6) and replacing it with:  
Semi-detached Housing and Duplex Housing where a Side Lot Line abuts a lot in an Industrial, Commercial, Row Housing, or Apartment Zone, or is not separated from it by a public roadway more than 10.0 m wide.
- u) renumbering Sections 110.3, 120.3 and 140.3 accordingly.
- v) deleting subsection 110.4(1), 115.4(1) and 920.8(4)(a) and replacing it with:  
The minimum Site area shall be 360 m<sup>2</sup> for each Single Detached Dwelling.
- w) deleting subsection 110.4(9), 120.4(9) and 140.4(9) and replacing it with:  
Separation Space shall be provided between two or more Dwellings or portions thereof on the same Site in accordance with Section 48 of this Bylaw, except that it shall not be required between a Garage Suite and the associated principal Dwelling on the same Site.
- x) deleting subsection 110.4(10), 120.4(10) and 140.4(11) and replacing it with:  
Except where Semi-detached Housing, Duplex Housing, Secondary Suites and Garage Suites are allowed in this Zone, and may thereby constitute two Dwellings on a lot, a maximum of one Dwelling per lot shall be allowed.
- y) adding in 110.4(11), 115.4(11), 120.4(11), 130.4(19), 140.4(12), 150.4(15), 240.4 (10), 920.8(4)(p), 920.9(4)(q), 940.5(5)(l) and 940.9(5)(p), the following:  
Secondary Suites shall comply with Section 86 of this Bylaw.
- z) renumbering subsections 110.4, 115.4, 120.4, 130.4, 140.4, 150.4, 240.4, 920.8, 920.9, 940.5 and 940.9 accordingly.
- aa) deleting subsection 110.5 and replacing it with:
  1. Notwithstanding Section 110.4, Semi-detached and Duplex Housing shall be developed in accordance with the provisions of the RF2 Zone.
  2. Garage Suites shall comply with Section 87 of this Bylaw.
- bb) deleting subsection 115.1 and replacing it with:  
The purpose of this Zone is to provide for smaller lot Single Detached Housing with attached Garages in a suburban setting that provides the opportunity for the more efficient utilization of undeveloped suburban areas and includes the opportunity for Secondary Suites.

- cc) adding as a Permitted Use in 115.2 (3), 130.2(3); 150.2(3); 240.2(3), 920.8(2)(c), 920.9(2)(c), 940.5(e) and 940.9(3)(g), the following:

Secondary Suites

- dd) renumbering subsections 115.2, 130.2, 150.2, 240.2, 920.8, 920.9, 940.5 and 940.9 accordingly.
- ee) adding as a Discretionary Use to the following subsections: 115.3(2), 130.3(2), 150.3(2), 160.3(2), 170.3(3), 210.3(6), 220.3(6), 230.3(7) and 240.3(3), the following:

Garage Suites

- ff) renumbering subsections 115.3, 130.3, 150.3, 160.3, 170.3, 210.3, 220.3, 230.3 and 240.3 accordingly.
- gg) deleting subsection 115.5 and replacing it with:
1. Notwithstanding subsection 115.4, Semi-detached and Duplex Housing in this Zone shall be developed in accordance with the provisions of the RF2 Zone.
  2. Garage Suites shall comply with Section 87 of this Bylaw.

- hh) deleting subsection 120.1 and replacing it with:

The purpose of the Zone is to retain Single Detached Housing, while allowing sensitive infill at a slightly higher density, including Secondary Suites under certain conditions.

- ii) deleting subsection 120.3(2) under Permitted Use and subsection 140.2(1) under Discretionary Uses and replacing it with:

Duplex Housing where a Side Lot Line abuts a lot in an Industrial, Commercial, Row Housing, or Apartment Zone, or is not separated from it by a public roadway more than 10.0 m wide.

- jj) deleting subsection 120.4(1) and replacing it with:

The minimum Site area shall be 360 m<sup>2</sup> for each Single Detached Dwelling and 300 m<sup>2</sup> for each Duplex or Semi-detached Dwelling.

- kk) deleting subsection 120.5 and replacing it with:

1. The Development Officer may exercise discretion in considering Duplex, or Semi-detached Housing development having regard to:
  - a. compatibility of the Duplex or Semi-detached Housing Use with the siting, Grade elevations, Height, building types and materials characteristic of surrounding low density ground-oriented Housing and development;
  - b. the effect on the privacy of adjacent properties;
  - c. the policies and guidelines for Duplex and Semi-detached Housing development contained in a Statutory Plan for the area.



2. Garage Suites shall comply with Section 87 of this Bylaw.
- ll) deleting subsection 130.1 and replacing it with:
- The purpose of this Zone is to provide for small lot Single Detached Housing that provides the opportunity for the more efficient utilization of suburban areas, while maintaining the privacy and independence afforded by Single Detached Housing forms; and also, a Zone that provides greater flexibility for infill development and the opportunity for Secondary Suites.
- mm) deleting subsection 115.4(10) , 130.4(9) and 150.4(12) and replacing it with:
- Separation Space shall be provided in accordance with Section 48 of this Bylaw, except that Separation Space shall not be required:
- a. between Dwellings where a minimum Side Yard of 1.2 m has been provided on the abutting Site, and
- b. between a Garage Suite and the associated principal Dwelling on the same site.
- nn) deleting subsection 130.4(18) and replacing it with:
- Except where Secondary Suites or Garage Suites are allowed in this Zone and may thereby constitute two Dwellings on a lot, a maximum of one Dwelling per lot shall be allowed.
- oo) adding to the following subsections: 130.4(20), 140.5(3), 150.4(16) and 240.5(2):
- Garage Suites shall comply with Section 87 of this Bylaw.
- pp) renumbering subsections 130.4, 140.5, 150.4 and 240.5 accordingly;
- qq) deleting subsection 140.1 and replacing it with:
- The purpose of this Zone is to provide primarily for Single Detached and Semi-detached Housing while allowing small-scale conversion and infill redevelopment to housing forms containing up to four Dwellings per building, and including Secondary Suites under certain conditions.
- rr) deleting subsection 140.4(1)(e) ;
- ss) renumbering subsection 140.4(1) accordingly;
- tt) deleting the following subsections: 150.3(7), 920.8(3)(g) and 920.9(3)(g) from the list of Discretionary Uses.
- uu) renumbering subsections 150.3, 920.8 and 920.9 accordingly.
- vv) deleting subsection 150.4(1)(d) and replacing it with
- notwithstanding 1(b) and (c), 300 m<sup>2</sup> for each Semi-detached, or Duplex Dwelling for Sites in neighbourhoods located within the boundary of the Mature Neighbourhood Overlay.

- ww) deleting subsection 160.5(1) and replacing it with:

Notwithstanding subsection 160.4, Single Detached Housing in this Zone shall be developed in accordance with the provisions of the RF1 Zone and Semi-detached Housing, Secondary Suites and Garage Suites in this Zone shall be developed in accordance with the provisions of the RF4 Zone.

- xx) deleting subsection 160.4(7), 170.4(7), 210.4(9), 220.4(9) and 230.4(8) and replacing it with:

Separation Space shall be provided in accordance with Section 48 of this Bylaw, except that it shall not be required between a Garage Suite and the associated principal Dwelling on the same Site.

- yy) deleting subsection 170.5(1) and replacing it with:

Notwithstanding subsection 170.4, Single Detached Housing in this Zone shall be developed in accordance with the provisions of the RF1 Zone, and Duplex and Semi-detached Housing. Secondary Suites and Garage Suites in this Zone shall be developed in accordance with the provisions of the RF4 Zone.

- zz) deleting subsection 210.5(1) and replacing it with:

Notwithstanding subsection 210.4, Single Detached, Semi-detached Duplex Housing, Secondary Suites and Garage Suites in this Zone shall be developed in accordance with the provisions of the RF4 Zone.

- aaa) deleting subsection 220.6 (1) and replacing it with:

Notwithstanding subsection 220.4, Single Detached, Semi-detached, and Duplex Housing, Secondary Suites and Garage Suites in this Zone shall be developed in accordance with the provisions of the RF4 Zone.

- bbb) deleting subsection 230.5(1) and replacing it with:

Notwithstanding subsection 230.4, Single Detached, Semi-detached and Duplex Housing, Secondary Suites and Garage Suites in this Zone shall be developed in accordance with the provisions of the RF4 Zone.

- ccc) deleting subsection 240.4(9) and replacing it with:

The maximum number of Dwellings per Site shall be one Single Detached Dwelling, and, where the provisions of this Bylaw are met, up to one of either a Secondary or Garage Suite per Site shall be allowed.

- ddd) deleting subsection 920.4(3)(f), 920.5(3)(h) and 920.6(3)(m) and replacing it with:

the maximum Height for a detached Garage shall not exceed 5.0 m, except in the case of a Garage Suite, where the maximum height shall be in accordance with Section 87 of this Bylaw.

- eee) deleting subsection 920.5(3)(b) and replacing it with:

the minimum Site Area shall be 360 m<sup>2</sup> for a Single Detached Dwelling and 225 m<sup>2</sup> for each Semi-detached or Duplex Dwelling.

- fff) deleting subsection 920.6(3)(e) and replacing it with:

the minimum Site Area shall be as follows:

- i. 360 m<sup>2</sup> for each Single Detached Dwelling;
- ii. 225 m<sup>2</sup> for each Semi-detached or Duplex Dwelling; and
- iii. 183 m<sup>2</sup> for each Row Housing or Linked Housing and Dwelling.

- ggg) deleting subsection 920.8(1) and replacing it with:

The purpose of this Zone is to provide for street oriented Single Detached Housing, with the opportunity for Secondary Suite development.

- hhh) deleting subsection 920.9(1) and replacing it with:

The purpose of this Zone is to provide for street oriented Single Detached Housing on small lots as a more intensive form of development on small lots, with the opportunity for Secondary Suite development.

- iii) deleting subsections 920.8(4)(i) and 920.9(4)(j) and replacing them with:

- i. Separation Space shall be provided between two or more Dwellings on separate Sites or between portions of Dwellings on the same Site, in accordance with Section 48 of this Bylaw, except that:
  - a. the width of a front Privacy Zone shall not be required to exceed the width of the minimum Front Yard specified in this Zone;
  - b. it shall not be required between a Garage Suite and the associated principal Dwelling on the same Site.

- jjj) deleting subsection 920.8(5)(a) and replacing it with:

the minimum Site Area shall be 300 m<sup>2</sup> for each Semi-detached or Duplex Dwelling.

- kkk) deleting subsection 920.8(5)(c) (d) and (e); 920.9(5)(c) (d) and (e) and 940.(9)(6) and replacing it with:

Garage Suites shall comply with Section 87 of this Bylaw.

- lll) deleting subsection 920.9(4)(a) and replacing it with:

the minimum Site Area shall be 312 m<sup>2</sup> for each Single Detached Dwelling

mmm) deleting subsection 920.9(5)(a) and replacing it with:

the minimum Site Area shall be 300 m<sup>2</sup> for each Semi-detached or Duplex Dwelling.

nnn) deleting 940.5(1) and replacing it with:

To provide for street oriented low density housing with opportunities for a limited amount of Row Housing and Secondary Suites under certain conditions, in accordance with the design objectives in the Griesbach Neighbourhood Area Structure Plan.

ooo) deleting 940.5(5)(o) and replacing it with:

The maximum number of Dwellings per lot shall be as follows:

- i. where Single Detached Housing is developed in this Zone, a maximum of one Single Detached Dwelling per lot, and, where the provisions of this Bylaw are met, up to one Secondary Suite per lot shall be allowed;
- ii. where Semi-detached Housing, Duplex Housing are developed in this Zone, a maximum of two Dwellings per lot shall be allowed.;
- iii. Where Row Housing is developed in this Zone, a maximum of sixteen Dwellings per lot shall be allowed.

ppp) deleting 940.7(f) and replacing it with:

Separation Space shall be provided in accordance with Section 48 of this Bylaw, except that it is not applicable to where the building faces a public roadway, other than a lane, and it shall not be required between a Garage Suite and the associated principal Dwelling on the same Site.

qqq) deleting 940.9(1) and replacing it with:

To provide for street oriented low density housing with opportunities for a limited number of Garage Suites and Secondary Suites and Row Housing under certain conditions, in accordance with the design objectives in the Griesbach Neighbourhood Area Structure Plan

rrr) deleting 940.9(5)(o) and replacing it with:

The maximum number of Dwellings per lot shall be as follows:

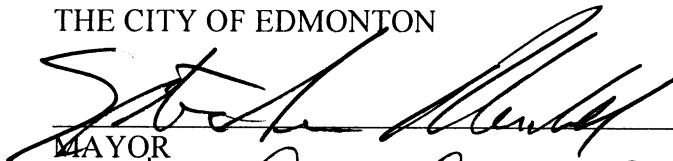
- i. where Single Detached Housing is developed in this Zone, a maximum of one Dwelling per lot and, where the provisions of this Bylaw are met, up to one of either a Secondary Suite or Garage Suite per lot shall be allowed.
- ii. where Semi-detached Housing, Duplex Housing are developed in this Zone, a maximum of two Dwellings per lot shall be allowed;
- iii. where Row Housing is developed in this Zone, a maximum of sixteen Dwellings per lot shall be allowed.

2. Bylaw 12800, as amended, The Edmonton Zoning Bylaw is hereby amended by:

- a) adding new Section "Section 822 Edmonton-Strathcona County Joint Planning Study Area Secondary and Garage Suites Overlay" attached hereto as Schedule "A and forming part of this bylaw.

READ a first time this	12 <sup>th</sup>	day of	December	, A. D. 2007;
READ a second time this	12 <sup>th</sup>	day of	December	, A. D. 2007;
READ a third time this	12 <sup>th</sup>	day of	December	, A. D. 2007
SIGNED and PASSED this	12 <sup>th</sup>	day of	December	, A. D. 2007.

THE CITY OF EDMONTON

  
MAYOR

A/C   
CITY CLERK

**SCHEDULE "A"**

**822 Edmonton-Strathcona County Joint Planning Study Area Secondary and Garage Suites Overlay**

**822.1 General Purpose**

The purpose of this Overlay is to limit the expansion of Secondary Suite and to limit the creation of any Garage Suites within the Strathcona-Edmonton Joint Planning Study Area to the Use opportunity that existed prior to the adoption of Bylaw 14750, in order to limit residential intensification in close proximity to industrial uses until such time as more definitive criteria may be established to prescribe residential development within the Study Area, at which time this Overlay may be subject to amendment.

**822.2 Application**

Notwithstanding any provisions of the Zoning Bylaw respecting the area of application of Overlays, this Overlay applies to all Zones on those lands shown in Appendix 1 to this Overlay.

**822.3 Development Regulations**

1. Notwithstanding Secondary Suites being listed as Permitted or Discretionary Uses within any Zone, Secondary Suites shall only be allowed within the portion of the proposed Edmonton-Strathcona County Joint Planning Area contained within the City of Edmonton, representing a buffer area 1.5 km wide, as shown in Appendix 1, in accordance with the following:
  - a. Secondary Suites shall be Discretionary Uses within the RF1, RF2 and RSL Zones where the Side Lot Line abuts a lot in an Industrial, Commercial, Row Housing, or Apartment Zone, or is not separated from it by a public roadway more than 10.0 m wide.
  - b. Secondary Suites shall be a Permitted Use within the RF3 Zone where the Side Lot Line abuts a lot in an Industrial, Commercial, Row Housing, or Apartment Zone, or is not separated from it by a public roadway more than 10.0 m wide.
  - c. Secondary Suites shall be a Discretionary Use within the RF4 Zone.
  - d. Secondary Suites shall not be allowed within the RPL and RR Zones.

- e. Notwithstanding 86(2), the minimum Site size for a Secondary Suite in any Zone shall be 100 m<sup>2</sup> in addition to the minimum required Site size for the principal Dwelling.
- 2. Notwithstanding Garage Suites being listed as Permitted or Discretionary Uses within any Zone, Garage Suites shall be prohibited within the portion of the proposed Edmonton-Strathcona County Joint Planning Area contained within the City of Edmonton, representing a buffer area 1.5 km wide, as shown in Appendix 1.

