

## **999 Special Area The Orchards at Ellerslie**

### **999.1 General Purpose**

To designate portions of The Orchards at Ellerslie Neighbourhood, as shown on Appendix I of this Section, as a Special Area and to adopt appropriate land use regulations to achieve the development objectives of The Orchards at Ellerslie Neighbourhood Structure Plan. The intent is to create nodes of these innovative housing forms, located near greenspaces, and integrated as part of the Orchards community.

### **999.2 Application**

The designation, location, and boundaries of each Land Use Zone created through Section 999 shall apply as indicated on Appendix I to this Section.

### **999.3 Zones Created by Special Area Provisions**

Zones, as contained in Section 999, have been created in conformance with Section 900 of the Edmonton Zoning Bylaw. Where a discrepancy exists between the Special Area regulations and general zoning regulations, the Special Area regulations shall prevail.

**998.4 (OLD) Orchards Low Density Residential Zone**

**998.5 (ORH) Orchards Row Housing Zone**

**998.6 (ORA) Orchards Rear Attached Row Housing Zone**

### **999.4 The Orchards at Ellerslie Specific Land Use Classes**

- a. **Orchards Accessory Suites** means a development consisting of a dwelling located within a building of residential occupancy and Accessory to the principal dwelling. An Orchards Accessory Suite has cooking facilities, food preparation, sleeping and sanitary facilities which are physically separate from those of the principal Dwelling within the structure. An Orchards Accessory Suite also has an entrance separate from the entrance to the principal Dwelling, either from a common indoor landing or directly from the front, side or rear of the structure. This Use Class includes the Development or Conversion of Basement space to a separate Dwelling.
- b. **Orchards Lane Suite** means an Accessory Dwelling located mainly above a detached Garage. An Orchards Lane Suite has cooking facilities, food preparation, sleeping and sanitary facilities which are separate from those of the principal Dwelling located on the Site. An Orchards Lane Suite has an entrance separate from the vehicle entrance to the detached Garage, either from a common indoor landing or directly from the exterior of the structure.

### **999.5 Special Land Use Provisions for the Orchards-Specific Use Classes**

- a. A maximum of one Dwelling per lot shall be allowed, except where an Orchards Accessory Suite or an Orchards Lane Suite is developed and may thereby constitute two Dwellings on a lot.
- b. Only one of an Orchards Accessory Suite or an Orchards Lane Suite may be developed in conjunction with a principal Dwelling.

- c. **Orchards Accessory Suites** - An Orchards Accessory Suite shall comply with the following regulations:
- i. The maximum Floor Area of an Orchards Accessory Suite shall be as follows:
    - A. In the case of an Orchards Accessory Suite located completely below the first Storey of a Row Housing 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 an Orchards Accessory 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.
  - ii. The minimum Floor Area for an Orchards Accessory Suite shall be not less than 30 m<sup>2</sup> .
  - iii. An Orchards Accessory Suite shall not be developed within the same principal Dwelling containing a Limited Group Home.
  - iv. An Orchards Accessory Suite shall not be separated from the principal Dwelling through a condominium conversion or subdivision.
  - v. Orchards Accessory Suites shall not be included in the calculation of densities in this Bylaw.
- d. **Orchards Lane Suites** - an Orchards Lane Suite shall comply with the following regulations:
- vi. The minimum Site area for a Row Housing Dwelling containing an Orchards Lane Suite is 150 m<sup>2</sup>.
  - vii. The maximum Height of a Garage containing an Orchards Lane Suite shall be 9 m or the Height of the principal Dwelling as constructed at the time of the Orchards Lane Suite Development Permit application, whichever is the lesser.
  - viii. The minimum Floor Area for an Orchards Lane Suite shall be 30 m<sup>2</sup>.
  - ix. The maximum Floor Area of the Orchards Lane Suite shall be 80 m<sup>2</sup>.
  - x. The minimum Site width for a Site with an Orchards Lane Suite shall be 5.4 m.
  - xi. Windows contained within the Orchards Lane 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 of 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 an Orchards Lane Suite window on an adjacent site;
    - B. Strategic placement of windows in conjunction with landscaping or the placement of other accessory buildings; and

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- C. Placing larger windows such as living room windows, to face a lane or a flanking street.
- xii. Rooftop Terraces shall not be allowed above the second storey.
- xiii. Platform structures shall be allowed as part of an Orchards Lane Suite developed above a Garage only where the balcony faces the Lane or a flanking public street.
- xiv. An Orchards Lane Suite shall not be developed within the same principal Dwelling containing a Limited Group Home
- xv. The Orchards Lane Suite may be separated from the principal Dwelling through a condominium conversion or strata subdivision.
- c. Orchards Lane Suites shall not be included in the calculation of densities in this Bylaw.

**Appendix I - Special Area The Orchards at Ellerslie**

DRAFT PROPOSAL

## **998.6 (OLD) Orchards Low Density Residential Zone**

### **General Purpose**

To provide Single and Semi-detached Housing with attached and detached Garages accessed by a public Lane, opportunities for Reverse Housing, and efficient utilization of undeveloped suburban land.

#### **1. Permitted Uses**

- a. Duplex Housing
- b. Garage Suites
- c. Garden Suites
- d. Limited Group Homes
- e. Minor Home Based Business
- f. Publicly Accessible Private Park
- g. Secondary Suites
- h. Semi-detached Housing
- i. Single Detached Housing
- j. Urban Gardens
- k. Fascia On-premises Signs

#### **2. Discretionary Uses**

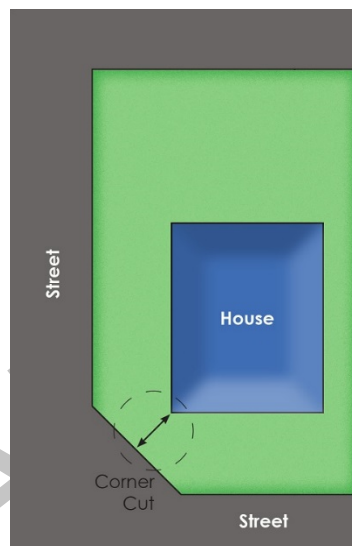
- a. Child Care Services
- b. Group Homes
- c. Major Home Based Business
- d. Residential Sales Centre
- e. Urban Outdoor Farms
- f. Temporary On-premises Signs

#### **3. Development Regulations**

- a. Site regulations for Single Detached and Duplex Housing:
  - i. the minimum Site area shall be 205.4 m<sup>2</sup>;
  - ii. the minimum Site Width shall be 7.9 m; and
  - iii. the minimum Site depth shall be 26 m.
- b. Site Regulations for Semi-detached Housing:
  - i. the minimum Site area shall be 348.4 m<sup>2</sup>;
  - ii. the minimum Site Width shall be 13.4 m; and
  - iii. the minimum Site depth shall be 26 m.
- c. The maximum Height shall not exceed 11m.

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- d. Notwithstanding Section 6.1(38), the Front Lot Line may be the property line separating a lot from a stormwater management facility, public park, private communal outdoor Amenity Area, or Publicly Accessible Private Park.
- e. The Front Setback shall be established on the following basis:
  - i. A minimum of 2 m, where the Front Lot Line does not separate a Lot from a public roadway, in accordance with 3(d).
  - ii. A minimum of 3 m, when a landscaped boulevard strip between the curb and the Walkway of the road cross section at the front of the lot is provided as per the City of Edmonton Design and Construction Standards.
  - iii. a minimum of 4.5 m, where the Front Lot Line abuts a public roadway, other than a Lane.
- f. The minimum required Side Setback shall be 1.2 m, except that it shall be:
  - iv. a minimum of 2.4 m where the Side Lot Line abuts a public roadway, other than a Lane.
- g. The minimum Side Setback to the corner cut for Corner Lots shall be 0.3 m, as shown in the following illustration:



- h. The minimum Rear Setback shall be 1.25 m.
- i. Corner Sites shall have flanking side treatments similar to the front elevation;
- j. The maximum total Site Coverage shall not exceed 73% with a maximum Site Coverage of 18% for Accessory buildings.
- k. Notwithstanding Section 48 of the Zoning Bylaw, Separation Space shall not be required.
- l. Private Outdoor Amenity Area shall not be required
- m. On-site parking shall be provided in accordance with the following requirements:

- i. One detached or attached garage, or Site for one Garage, shall be clearly demarcated both on the Site and on the plan accompanying any application for a principal building. The minimum distance from the Rear Lot Line to a Garage or Garage Site shall be 1.25 m from the building face to property line. A hard surface walkway is required between the Garage or Garage Site and an entry to the Dwelling;
- ii. Where no Garage is developed, a hard surface parking pad a minimum of 4.88 m wide and a minimum of 6.0 m deep, shall be constructed at the rear of each lot. Such hard surface parking pad shall include an underground electrical power connection with outlet on a post 1.0 m in height, located within 1.0 m of the parking pad; and
- iii. Parking spaces may be in tandem and may include one Garage space. Where a driveway provides access to a parking space within a Garage, the Development Officer may consider the driveway as a second parking space that is in tandem to the parking space.
- n. All roof drainage shall be directed away from buildings and to a public roadway, including a Lane, or to a drainage work. Applications for a Development Permit shall include a detailed drainage plan showing the proposed drainage of the Site.
- o. Except where Group Homes, Limited Group Homes, Semi-detached Housing, Secondary Suites, Garage Suites or Garden 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.
- p. Signs shall comply with the regulations found in Schedule 59A.
- q. Future development shall generally be in accordance with the intent of Appendix "A" which is conceptual in nature.

## **5. Additional Development Regulations**

- a. where a development does not front onto a public roadway:
  - a. Municipal addresses shall be required for each Lot and be attached to each Garage visible from the Lane.
  - b. Every Site shall display its municipal address of each Dwelling affixed to the Garage or principle building, visible form the Alley.
  - c. Streetlighting and other public utilities may be provided within a 1.5 m easement abutting the adjacent Lane.

## 998.7 (ORH) Orchards Row Housing Zone

### General Purpose

To provide Row Housing with the opportunity for Orchards Secondary Suites or Orchards Lane Suites.

#### 1. Permitted Uses

- a. Limited Group Homes
- b. Minor Home Based Business
- c. Orchards Garage Suites
- d. Orchards Secondary Suites
- e. Residential Sales Centre
- f. Row Housing
- g. Stacked Rowhousing
- h. Semi-detached Housing
- i. Fascia On-Premises Signs
- j. Urban Gardens

#### 2. Discretionary Uses

- a. Child Care Services
- b. Major Home Based Business
- c. Residential Sales Centre
- d. Freestanding On-premises Signs
- e. Temporary On-premises Signs
- f. Urban Outdoor Farms

#### 3. Development Regulations

- a. Site Area and Site Dimensions for individual Dwelling shall be in accordance with Table 1.

<b>Table 1 Site Area and Site Dimensions</b>			
	Minimum Site Area	Minimum Site Width	Minimum Site Depth
(a) Row Housing internal Dwelling	137.5 m <sup>2</sup>	5 m	27.5 m
(b) Row Housing end Dwelling	170.5 m <sup>2</sup>	6.2 m	27.5 m
(c) Semi-detached Housing, each Dwelling	184.25 m <sup>2</sup>	6.7 m	27.5 m

(d) Stacked Rowhousing	670 m <sup>2</sup>	22.4 m	27.5 m
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- b. The maximum Height shall not exceed 13.5 m, in accordance with Section 52.
- c. Notwithstanding Section The maximum total Site Coverage shall be 80%.
- d. The Front Setback shall be established on the following basis:
  - i. a minimum of 4.5 m, where access to required off-street parking is provided to the rear or flanking part of the Lot except that it shall be:
    - A. a minimum of 3.0 m where a treed landscaped boulevard is provided.
- e. The minimum Rear Setback shall be 1.25 m.
- f. Minimum Side Setbacks shall be provided on the following basis:
  - i. 1.2 m excepting a Side Yard abutting a flanking roadway;
  - ii. 2.4 m where the Side Yard abuts a flanking public roadway other than a Lane.
- g. Notwithstanding Section 48 of the Zoning Bylaw, Separation Space shall not be required.
- h. Maintenance and/or drainage and utility easement(s) may be required between abutting buildings and/or through private yards of one or more Dwellings to ensure adequate access for property, drainage and utility maintenance.
- i. Notwithstanding Sections 46 and 47 of the Zoning Bylaw, Private Outdoor Amenity Area shall not be required.
- j. All required Parking shall be consistent with the relevant requirements of Section 54.
- k. A mutual Garage may be constructed on the common property line, to the satisfaction of the Development Officer.
- l. A maximum of one Dwelling per lot shall be allowed, except where Orchards Secondary Suites or Orchards Lane Suites are allowed in this Zone and may thereby constitute two Dwellings on a lot.
- m. Only one of an Orchards Secondary Suite or Orchards Lane Suite may be developed in conjunction with a principal Dwelling.
- n. Notwithstanding Section 55 of the Zoning Bylaw, Impermeable Material shall not exceed 90 percent of the total Lot area.
- o. Limited Group Homes shall comply with Section 96 of this Bylaw.



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- p. Urban Gardens shall comply with Section 98 of this Bylaw.
- q. Signs shall comply with the regulations found in Schedule 59A.

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## **998.8 (ORA) Orchards Rear Attached Row Housing Zone**

### **General Purpose**

The purpose of this Zone is to provide for medium density residential development in the form of Stacked Row Housing, with Dwellings attached at the sides and rear.

### **2. Permitted Uses**

- a. Group Homes
- b. Limited Group Homes
- c. Lodging Houses
- d. Minor Home Based Business
- e. Row Housing
- f. Stacked Row Housing
- g. Fascia On-premises Signs
- h. Projecting On-premises Signs
- i. Urban Gardens

### **3. Discretionary Uses**

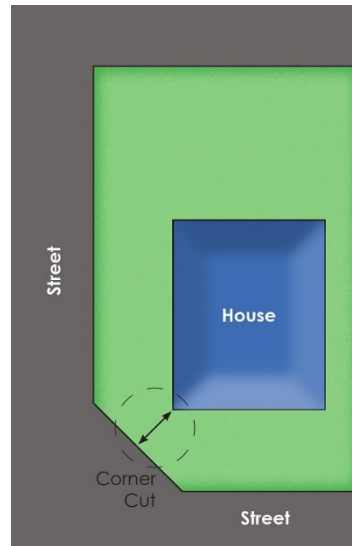
- g. Child Care Services
- h. Major Home Based Business
- i. Residential Sales Centre
- j. Freestanding On-premises Signs
- k. Temporary On-premises Signs
- l. Urban Outdoor Farms

### **4. Development Regulations for Permitted and Discretionary Uses**

- a. The minimum Site area shall be 157 m<sup>2</sup> per Stacked Row Housing Dwelling.
- b. The minimum Site Width shall be 8.5 m.
- c. The minimum Site depth shall be 18.5 m.
- d. The maximum total Site Coverage shall not exceed 72%.
- e. The maximum Height shall not exceed 13.5 m.
- f. Notwithstanding Section 6.1(38), the Front Lot Line may be the property line separating a lot from a Lane.
- g. Where primary access is from a Lane, the minimum Front Setback shall be 3 m.
- h. Where primary access is from a public roadway other than a Lane, the minimum Front Setback shall be:
  - i. 4 m to the front of the Dwelling; and
  - ii. 5.5 m to the front of the Garage.

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- i. The minimum Side Setback shall be:
  - i. 1.2 m for end units; and
  - ii. 2.4 m where the Side Yard Abuts a flanking public roadway other than a Lane.
- j. Where Dwellings are intended to be attached and share a common property line at the rear or the side of the principal building, no Setback is required.
- k. The minimum Side Setback to the corner cut for Corner Lots shall be 0.3 m, as shown in the following illustration:



- l. Except where modified through the regulations in this Zone, Row Housing shall be developed in accordance with the provisions of the (ORH) Orchards Row Housing Zone.
- m. Notwithstanding Section 54 of the Zoning Bylaw, a minimum of one parking space per Dwelling unit shall be provided. Visitor parking shall not be required.
- n. Notwithstanding Section 55 of the Zoning Bylaw, for Row Housing, the area covered by Impermeable Material shall not exceed 90 percent of the total Lot area.
- o. All roof leaders from the Dwellings are connected to the individual storm sewer service for each Lot.
- p. Maintenance and/or drainage and utility easement(s) may be required between Abutting buildings and/or through private Yards of one or more Dwellings to ensure adequate access for property, drainage and utility maintenance.
- q. Notwithstanding Sections 46 and 47 of the Zoning Bylaw, Private Outdoor Amenity Area shall not be required.
- u. Notwithstanding Section 48 of the Zoning Bylaw, Separation Space shall not be required.
- v. Signs shall be in accordance with Schedule 59A.

- w. Limited Group Homes and Group Homes shall comply with Section 96 of the Zoning Bylaw.
- x. Lodging Houses shall comply with Sections 76 and 96 of the Zoning Bylaw.
- y. Urban Gardens shall comply with Section 98 of the Zoning Bylaw.

**5. Additional Development Regulations for Discretionary Uses**

- a. Child Care Services, Group Homes, Limited Group Homes, and Lodging Houses shall only be permitted when designed as an integral component of the built form for Stacked Row Housing.
- b. The following regulations shall apply to Residential Sales Centres:
  - i. Residential Sales Centres may be located within a temporary structure.
  - ii. Where a temporary Residential Sales Centre is located, an accessory parking lot may be provided. The accessory parking lot shall be:
    - A. Located within the same or Abutting parcel;
    - B. Hardsurfaced; and
    - C. Temporary and must be removed once the Residential Sales Centre is no longer in operation.
  - iii. Residential Sales Centres may be built on temporary or permanent foundations.
  - iv. Residential Sales Centres may be permitted to remain for a period of up to 15 years. Additional extensions may be permitted at the discretion of the Development Officer.
- c. Urban Outdoor Farms shall comply with Section 98 of the Zoning Bylaw.