

AMENDMENT # 101 - TO BYLAW NO. 809-2013, THE LAND USE BYLAW

The *Municipal Government Act*, R.S.A. 2000, Chapter M-26, as amended (the "Act") grants a municipality the authority to pass a Land Use Bylaw;

AND: in accordance with the Act, the City of Leduc passed Land Use Bylaw No. 809-2013 to regulate and control the use and development of land and buildings in the City of Leduc, and the Council has deemed it expedient and necessary to amend Bylaw No. 809-2013;

AND: notice of intention to pass this bylaw has been given and a public hearing has been held in accordance with the Act;

THEREFORE: the Council of the City of Leduc in the Province of Alberta duly assembled hereby enacts as follows:

PART I: APPLICATION

- 1. **THAT:** Bylaw No. 809-2013, the Land Use Bylaw, is amended by this Bylaw.
- 2. **THAT:** the Land Use Map, attached to and being part of the Land Use Bylaw of the City of Leduc, be amended by reclassifying:

Part of SW ¼ Section 19-49-24-W4
(Consisting of 1.59ha more or less)

From: UR- Urban Reserve

To: DC(27) – Direct Control – Distinctive Design

as shown in Schedule "A", attached hereto and forming part of this bylaw.

- 3. **THAT:** Table 41 of the Land Use Bylaw be amended by adding the following:

| | | | | |
|-----------|--|-----------------------------|--|--------|
| 1051-2020 | | Robinson (SW ¼ 19-49-24-W4) | Narrow Lot Zero Lot Line (laned and unlaned) | DC(27) |
|-----------|--|-----------------------------|--|--------|

- 4. **THAT:** Appendix 1 of the Land Use Bylaw be amended by adding the following DC(27) Development Regulations:

DC(27) Development Regulations

1.0 General Purpose of District

To allow low-density housing in the form of zero lot line developments with reduced Site Depth, increased Height and no minimum Site Width.

2.0 Area of Application

The DC District shall apply to Lots 1 thru 32, within the tenth stage of subdivision of the SW ¼ Section 19-49-24-W4, as shown on Schedule "A" attached to and forming part of the regulations of this Bylaw.

3.0 Definition

For the purposes of this Bylaw:

Dwelling, Garage Suite means a Dwelling located above or attached to the side or rear of a detached Garage. A Garage Suite Dwelling is accessory to a Building in which the Principal Use is Single Detached Dwelling, Duplex Side-By-Side or Duplex, Stacked Dwelling. A Garage Suite Dwelling has cooking, sleeping and sanitary facilities which are separate from those of the Principal Use Dwelling Unit(s). A Garage Suite Dwelling has an entrance separate from the vehicle entrance to the Garage, either from a common indoor landing or directly from the exterior of the Structure.

4.0 Uses

Permitted Uses:

- Accessory Developments
- Dwelling, Duplex Side-By-Side
- Dwelling, Duplex Stacked
- Dwelling, Garage Suite
- Dwelling, Secondary Suite
- Dwelling, Single Detached
- Group Home
- Identification Sign
- Radio Communication Facility
- Radio Communication Facility (Limited)
- Residential Sales Centre
- Swimming Pool
- Utility

Discretionary Uses:

- Home Occupation

5.0 Development Criteria

- 5.1 The maximum total Site Coverage shall be:
 - a. In accordance with Table (2) for all Uses described in Table (2):

| |
|-----------------------------------|
| Table (2) – Maximum Site Coverage |
|-----------------------------------|

| | Principal Dwelling | Accessory building | Total where Primary vehicular access is from a Lane | Total where Primary vehicular access is not from a Lane |
|--|--------------------|--------------------|---|---|
| A. Dwelling, Single Detached | 35% | 17% | 52% | 50% |
| B. Dwelling, Single Detached – Zero Lot Line Development | 38% | 18% | 56% | 53% |
| C. Dwelling, Duplex Side-By-Side | 35% | 18% | 53% | 50% |
| D. Dwelling, Duplex Side-By-Side – Zero Lot Line Development | 38% | 20% | 58% | 55% |
| E. Dwelling, Duplex Stacked | 35% | 17% | 52% | 50% |

- b. A maximum of 55% for all other Uses described in Table (1).
- 5.2 Notwithstanding 5.1, the maximum Site Coverage for the accessory building and the maximum total Site Coverage shall be increased by up to 2% of the Site Area, to accommodate Garage Suites.
- 5.3 The minimum Site Depth shall be 27.0 m.
- 5.4 Front Setbacks shall be in accordance with Table (3):

| Table (3) – Front Setback Regulations | | | |
|---------------------------------------|---|--------------|-----------------------------------|
| Front Yard Minimum Setback | Primary access from a lane | | Primary access from a Public Road |
| | Boulevard is provided at the front of the Lot | No Boulevard | |
| | 3.5 m | 4.5 m | 5.5 m |

- 5.5 The minimum Rear Setback shall be 7.0 m, except in the case of a Corner Site it shall be 4.5 m.
- 5.6 The minimum Side Setback:
 - a. Shall be 1.2 m, except:
 - i. in the case of a Corner Site where a Garage faces a flanking Public Road, other than a Lane, it shall be 4.5 m.
 - ii. in the case of a Flanking Front Yard, it shall be 20% of the Lot Width for a Corner Lot on the side Abutting a Public Road, but in no case:
 - A. less than 2.4 m
 - B. more than 4.5 m
 - b. One Side Yard Setback may be reduced to 0 m where:
 - i. The other Side Setback is a minimum of 1.5 m;
 - ii. All roof leaders from the Dwelling, including an Attached Garage, and Accessory buildings, shall be directed towards a Public Road, including a Lane;
 - iii. No roof leader discharge shall be directed to the maintenance easement; and
 - iv. The owner of a Lot and the owner of the adjacent Lot register on title a 1.5 m private maintenance easement that provides for:
 - A. a 0.30 m eave encroachment easement with the requirement that the eaves must not be closer than 0.90 m to the eaves on the adjacent building;

- B. a 0.60 m footing encroachment easement;
 - C. a drainage swale, constructed as per the City of Leduc Minimum Engineering Standards; and
 - D. permission to access the easement area for maintenance of both properties.
- 5.7 The minimum rear yard amenity area shall be 16 m².
- 5.8 A Zero Lot Line Development with front drive access shall not be located:
- a. Directly across a Public Road, other than a Lane, from another Zero Lot Line Development with front drive access; or
 - b. On collector roadways.
- 5.9 In a case where a detached Garage would be developed with a Dwelling that has one 0 m Side Yard Setback, the detached Garage may have the same Side Yard Setback reduced to 0 m, but shall meet all the regulations in Section 5.6 of this District.
- 5.10 Where a Site Abuts a Lane at the Rear Lot Line, vehicle access to the detached garage shall be from the Lane.
- 5.11 The maximum building Height shall not exceed 12.0 m, except:
- a. In the case of a Dwelling, Garage Suite:
 - i. located completely or partially above the Garage, it shall not exceed 7.1 m or the Height of the principal Dwelling, whichever is lesser;
 - ii. attached to the side or rear of the Garage, it shall not exceed 4.3 m.
- 5.12 Each principal Dwelling shall have an entrance door or entrance feature facing a Public Road, other than a Lane.
- 5.13 A detached Garage shall be separated from the principal Dwelling by a minimum of 2.0 m.
- 5.14 The maximum Density shall be two (2) units per Parcel, of which one unit shall be the principal dwelling and the other may be a garage suite or a secondary suite, except in the case of a Duplex Stacked Dwelling it shall be three (3) units per Parcel, of which two shall be the principal dwelling and the other may be a garage suite or a secondary suite.
- 5.15 To the Maximum Extent Feasible, a residential Development on a pie-shaped lot that includes access to a Garage from the Street shall have a Snow Storage Space as determined by the Development Authority or Subdivision Authority. This Snow Storage Space shall be measured from a line drawn from the Side Lot Line to the curb at the back of the sidewalk or, where a Parcel is not serviced by a public sidewalk, to the curb. The required Snow Storage Space:
- a. Excluding Zero Lot Line Development, shall be 1.2 m on both sides of the lot;
 - b. For Zero Lot Line Development, shall be 1.2 m on one side of the lot;
 - c. In the case of adjoining Driveways, a Snow Storage Space shall only be required on the side of the Driveway not adjoined.

6.0 General Regulations

- a) Development in this District shall be evaluated with respect to compliance with the RNL – Residential Narrow Lot land use district and all other provisions of Land Use Bylaw 809-2013 where not specifically overridden by this Direct Control zoning.
- b) No variance to the minimum requirements of this Bylaw will be permitted.

PART II: ENACTMENT

This Bylaw shall come into force and effect when it receives Third Reading and is duly signed.

READ A FIRST TIME IN COUNCIL THIS ____ DAY OF _____, AD 2021.

READ A SECOND TIME IN COUNCIL THIS ____ DAY OF _____, AD 2021.

READ A THIRD TIME IN COUNCIL THIS ____ DAY OF _____, AD 2021.

Robert Young
MAYOR

Sandra Davis
CITY CLERK

Date Signed

Schedule "A"

