

Mark-up of Proposed Text Amendments for Temporary Special Events

Currently, Zoning Bylaw 12800 does not have clear regulations for temporary development or events such as backyard weddings, garden centers, ceremony, community celebrations, pop-up stores, farmers markets or temporary patios on private property. These developments are typically short-term in nature and range from a one-day event to a seasonal event that takes place over a few weeks during the year. Although Zoning Bylaw 12800 includes a definition for temporary developments, this definition does not specify the upper limit on the length of the activity, making it unclear what the requirements are for temporary events.

In order to apply for a temporary development permit, the applicant must provide a detailed site plan, as well as floor plans and elevation plans for any structures, such as stages, tents, or trailers that will be placed, or constructed, on the site for the duration of the event. Not only is this process onerous for small scale events, Zoning Bylaw 12800 does not have specific regulations to lessen the potential impacts of temporary events on surrounding areas. The following sections identify current practices and proposed amendments to establish a framework to streamline the review process, aiding both event organizers and administration, without compromising neighbouring properties the use and enjoyment of land.

Current practice - major events

In the case of larger festivals and events taking place on City owned land, an application must be made to the City's Civic Events and Festivals Section eight weeks prior to the event. The planning of these events is often done in advance of the development permit application being made. Civic Events and Festivals circulates the application to various city departments and includes information about the event such as the description, duration, location and anticipated attendance. Contacts for the event is also provided in addition to identifying municipal and provincial services, licenses and permits required. If the event takes place on titled property, a Development Officer will advise that a development permit is required.

Administration has recently implemented multi-year development permits for special events that take place every year within a specified time frame, such as the Edmonton Folk Music Festival or Heritage Festival. These development permits are typically approved on a five year temporary basis. This has reduced the number of development permits issued each year for recurring events; however, this multi-year permit does not exempt the applicant from obtaining building permits that have to be issued for each time the event occurs.

Current practice - minor events

In many cases, applicants applying for smaller scale events on City owned land or private property are not aware of any permit requirements, or apply too close to the event start date to have their permits issued prior to the event occurring. For applications that do come forward in advance of an event, current practice is that special events are given a development permit with conditions. These conditions require that any structures are dismantled and the site is cleared of all debris after the event, and reference specific provisions in Zoning Bylaw 12800 related to site lighting, access, screening of trash collection areas, and general performance standards. The development permits are generally approved as Class A approvals, meaning that notification is not sent to surrounding land owners, community leagues or Business Improvement Area Associations. In many cases, it would not be practical to notify surrounding landowners through the typical Development Permit process due to the insufficient time provided when the application is being made prior to the event taking place.

Administration also reviews small scale events through vending permits. Vending permits are required when goods are sold or displayed on public streets or other City-owned property. There are three types of vending permits, including:

- Vending Permit - for individual vendors operating vending units on City property
- Umbrella Vending Permit - for festivals and large events with one or more vendors at the event
- Special Event Vending Permit - for small events, including Community League events, with one or more vendors at the event

When an application is made for a vending permit, it is processed by Development Services with appropriate circulation to different City departments depending on the proposed location and type of vending permit being applied for. Depending on the event, Administration may inspect the location of vendors or the event to ensure vendors are in compliance with the Business Licence Bylaw, Parkland Bylaw, and Traffic Bylaw, as well as the terms and conditions of the vending permit.

Further challenges

An additional complexity shared by both minor and major events is in cases where the temporary event includes land uses that are not listed in the underlying zone. For example, it is unclear how a temporary beer garden that may be part of a community league event relates to the zoning requirements, as Bars and Neighbourhood Pubs are not listed uses in park zones. There is also ambiguity around which regulations should be applied to a temporary structure. For instance, temporary sales or grand opening tents on a store parking lot may technically exceed the floor area ratio allowances for the property and may require additional parking. In most cases, these tents will also temporarily occupy

existing parking spaces. Varying zoning regulations and requiring the development permit notification processes for temporary functions can create an unnecessary burden to applicants.

The lack of clarity around the issuance of temporary special event permits creates challenges in creating active city spaces, and works against higher policy objectives including the Municipal Development Plan that promote vibrant and connected communities. The regulations may also be perceived as a hindrance or barrier to certain events and small businesses. Further, temporary events can have negative impacts to surrounding properties when activities are not effectively managed through zoning regulations.

Proposed Amendments - Use Classification

Administration proposes to create a clear framework for temporary special events in Zoning Bylaw 12800 with the introduction of the Special Events use.

Events categorized under the Special Events use are proposed to include temporary activities for community, educational, recreational, cultural, business or other type of unique activities, occurring for a limited or fixed duration. This would include minor events such as backyard weddings, community league parties and customer appreciation events at existing businesses. The Special Events use would also capture larger community festivals and events, such as Edmonton Folk Music Festival, Heritage Festival, or the World Triathlon Series events which are subject to rigorous planning and review through the Civic Events and Festivals process, as well as a range of events on private property such as a temporary restaurant patio, farmers market, or music performance.

Proposed Amendments - Special Land Use Provisions

Special Events will be subject to a set of special land use provisions to mitigate potential impacts to surrounding properties. These regulations were informed by the common development permit conditions that were associated with temporary special event approvals. The intent of these provisions is to mitigate potential impacts to surrounding development and include:

- lighting to provide a safe lit environment;
- screening or relocating trash collection areas;
- removal of all event structures after the special event, and the site returned to its original condition; and
- consideration of surrounding context in terms of safety and impact.

The Special Land Use Provisions for this new use will also specify the maximum duration for Special Events. In general, the maximum duration of a Special Event can occur up to a maximum of 30 consecutive days, and cannot exceed 30 cumulative days per year. However, in the case of Special Events for the purpose of a seasonal plant sales, such as temporary garden centres during the summer

months or Christmas tree lots during the winter months, the duration of the event can occur for the time between May 01 to August 31, and November 01 to December 31.

For events that occur for a longer duration or outside of the dates identified for seasonal garden centres, the Special Land Use Provisions provide the Development Officer with the ability to assess the context and determine the appropriate event duration and siting, height and location of temporary structures.

Proposed Amendments - Permit Requirements

Given their low impact nature, Special Events that do not exceed five consecutive or cumulative days per calendar year will not require a Development Permit provided they adhere to the Special Land Use regulations. These types of events will be permitted in all zones, including direct development control zones. Development Permit exemptions also apply to Special Events with a duration greater than five consecutive or cumulative days taking place on City owned lands within the Urban Services, Public Parks, Public Utility, Metropolitan Recreation and River Valley Activity Node Zones, as well as seasonal garden centres accessory to other commercial uses.

All other Special Events greater than five consecutive or cumulative days per calendar year will require a Development Permit. Sites that fall under direct development control zoning will require a rezoning in order to add the Special Events use to their zone to hold events longer than five days in duration.

Regardless of the duration or requirement for development permits, all Special Events will be subject to other applicable regulations such as Community Standards Bylaw 14600 to mitigate for potential nuisances such as noise, Business Licensing and Vending Permit requirements, as well as permits required under the Safety Codes Act.

Proposed Amendments - Permitted and Discretionary Use Status

Special Events is proposed to be listed as a discretionary use in residential areas. This ensures that any Special Event that exceeds five days in duration will require a permit, and adjacent neighbours will receive notice, even if the Special Event complies with all the regulations of Zoning Bylaw 12800. The adjacent neighbours would also be able to appeal a Special Event, when the Special Event requires a development permit, at the Subdivision and Development Appeal Board. Special Events are also listed as discretionary in the Natural Areas Protection Zone due to the sensitivity of these areas.

In all other zones, Special Events are listed as permitted, including Special Events that are five days or less in duration, as mentioned previously. If lasting

longer than five days, operators would require a permit and would have to comply with all of the Special Land Use Provisions. Should they comply with all applicable regulations, these permits would be issued as Class A permit without any requirement to notify surrounding properties.

Proposed Amendments - Flea Markets

Zoning Bylaw 12800 currently has a use called Flea Market. This use was introduced in 1994 to expand opportunities for Flea Markets in industrial and commercial zones, and to distinguish this use from the Major Secondhand Stores use. The Flea Market use also included Special Land Use Provisions that were intended to manage impacts related to parking, and potential impacts to residential areas. At the time it was suggested Flea Markets required more parking than general retail uses and that 1.5 times the amount of parking compared to a General Retail Store would be required to accommodate customer turnover and parking for vendors. It was recommended that the Special Land Use Provisions also needed to manage potential traffic and noise impacts to residential areas, and that Flea Markets should be at least 200 metres away from residential zones. This separation distance was reduced to 50 metres when passed by City Council in 1994.

At present, most small scale temporary outdoor farmers markets are deemed to be flea markets. This creates a number of challenges. Currently, the Special Land Use Provisions for Flea Markets limit the opportunity for public markets on main streets due to their proximity to residential zones. Furthermore, the parking provisions for Flea Markets are complex and place a burden for small scale temporary markets that may only be seasonally used for one day of the week.

Recent changes to Business Licence Bylaw 13138 have replaced the Flea Market business licence category with the Public Market category. In order to ensure alignment between bylaws, a number of changes are proposed for Flea Markets in Zoning Bylaw 12800. The first change is to rename the Flea Market use to Market, in order to ensure a range of market uses can be captured under this use. It is also proposed to eliminate the associated Special Land Use Provisions and specific parking provisions for Markets. Permanent indoor markets will still need to meet general commercial parking regulations, similar to general retail uses. The proposed amendments will also expand opportunities for Markets by adding this use to additional zones citywide as outlined in the table listed in Part II of the mark-up below.

Changes since the June 5, 2018, Urban Planning Committee meeting include clarifying that the Special Event duration includes set-up and take down for enforcement purposes. The rationale in the mark-up listed below clarifies that the development permit exemptions will also provide flexibility in the duration for Special Events taking place on sites zoned, US, PU, AP, A or AN owned by the

City of Edmonton. The text amendments also list the new special land use provisions for Special Events under Section 91.

Proposed Amendments - Residential Sales Centres

Zoning Bylaw 12800 currently limits temporary buildings used as Residential Sales Centres to one storey or 4.0 metres in Height. Temporary Residential Sales Centres are often move-on trailers where the structure itself is at least 4.0 metres in height, not including the necessary space underneath to accommodate structural supports and utilities, and as such the maximum height restrictions can be difficult to meet. For larger projects requiring a more substantial temporary sales centre, the only route for approval is through the Subdivision and Development Appeal Board as the Development Officer is unable to vary height. In consultation with Development Officers, a number of other gaps in sales centre regulations were identified, including:

- Insufficient two year time period to operate a Residential Sales Centre
- Lack of clarity for how temporary buildings should be developed in Direct Control Zones
- Lack of clarity for how the minimum parking requirements should be determined in downtown, along main streets, and in Transit Oriented Development areas.

To provide clarity to the regulations when developing a temporary Residential Sales Centre, the proposed amendments:

- Increase the maximum height for Residential Sales Centres to 10.0 metres, or the maximum height of the Zone and any applicable Overlay, whichever is less.
- Allow the Development Officer to determine the appropriate location of Residential Sales Centre on a Site in a Direct Control Zone in consideration of context specific impacts to surrounding residential development.
- Eliminate parking requirements for Residential Sales Centres contained within the Downtown Special Area Zones, the Main Streets Overlay, and Transit Oriented Development areas.
- Increase the maximum duration of a Residential Sales Centre from two to three years.

Conclusion

These proposed amendments will provide more certainty for those wanting to operate a temporary special event while mitigating potential impacts to surrounding landowners. The proposed amendments also provide a more consistent framework for a range of markets, which that can reduce barriers to this type of development. The proposed amendments also rationalize regulations for residential sales centres to accommodate typical scenarios and manage potential impacts.

Mark-up of Proposed Text Amendment to Zoning Bylaw 12800 Black Font Existing Text in Zoning Bylaw 12800 <u>Strikethrough:</u> Proposed deletion from Zoning Bylaw 12800 <u>Underline:</u> Proposed addition to Zoning Bylaw 12800	Rationale
3.2 Provisions for existing Development Permits and Direct Control Provisions 1. For the purpose of any Development Permit or Direct Control Provision: <u>k. Flea Market is deemed to be Market.</u>	To ensure continuity with the renaming of this use.
7.4 Commercial Uses 3. Auctioneering Establishment means development specifically intended for the auctioning of goods and equipment, including Temporary Storage of such goods and equipment. This Use does not include Flea -Markets. 19. Flea Market means development used for the sale of new or used goods by multiple vendors renting tables or space either in an enclosed building or outdoors. Vendors may vary from day to day, although the general layout of space to be rented remains the same. The goods sold are generally household items, tools, electronic equipment, food products or concessions, plants, clothing and furniture. Common examples include: flea markets <u>public markets</u> and farmers markets. This Use does not include Secondhand Stores or Pawn Stores.	This change aligns with the proposed text amendments to Business Licence Bylaw 13138, to eliminate the category and definition for Flea Markets and to introduce the the category and definition for Public Markets.
7.8 Community, Educational, Recreational and Cultural Service Uses <u>7.8(15) Special Event means a temporary activity occurring for a limited duration. This Use does not include activities related to Cannabis Lounges, Cannabis Retail Sales, Cannabis Production and Distribution, Body Rub Centres, or Adult Mini-Theatres.</u>	Special Event captures potentially higher impact events, and temporary events that run for a longer period of time.
12.2 No Development Permit Required 1. A Development Permit is not required for: <u>aa. a Special Event that fully complies with the regulations of Section 91.1 of this Bylaw and:</u> <u>i. is on a Site zoned US, PU, AP, A or AN owned by the City of Edmonton;</u>	i. Temporary events taking place on City land undergo a thorough review process, making development permits redundant. This exemption will also provide flexibility on the duration for Special Events on sites zoned US, PU, AP, A or AN owned by the City of Edmonton. ii. This exempts existing stores from requiring a

<p><u>ii. is for the purpose of seasonal sales Accessory to a non Residential or non Residential-Related Use and complies with the regulations of Section 91.2(b); or</u></p> <p><u>iii. does not exceed 5 consecutive days, or 5 cumulative days per calendar year.</u></p> <p><u>bb. Signs associated with a Special Event, provided the Signs are Temporary Signs, do not contain Digital Copy and are located on the same Site as the Special Event for no longer than the duration of the Special Event.</u></p>	<p>development permit for temporary garden or Christmas tree sales on their property. Garden centres or tree sales taking place on currently vacant lands would still require a development permit.</p> <p>iii. Due to the limited duration of these events, they are exempt from requiring a Development Permit.</p> <p>In all cases, nuisance impacts, such as noise, will be mitigated by the Community Standards Bylaw. These activities will also not be exempt from requiring necessary licenses and permits, or other requirements as regulated by other Bylaws or legislation.</p>								
<p>54.1 Off-street Parking and Loading Regulations</p> <p>1. Applicability and Exceptions</p> <p>c. All required parking and loading facilities shall only be used for the purpose of accommodating the vehicles of clients, customers, employees, members, residents or visitors in connection with the building or Use for which the parking and loading facilities are provided, and the parking and loading facilities shall not be used for driveways, access or egress, commercial repair work, display, sale or storage of goods of any kind, <u>except for the purpose of Special Events.</u></p>	<p>This addition ensures that parking lot spaces can be used for Special Events on a temporary basis</p>								
<p>54.2 Schedule 1 Schedule 1 - Vehicular Parking Requirement</p> <table border="1" data-bbox="134 1503 1112 1833"> <tr> <th colspan="2">Schedule 1(A): All Areas Outside of the Downtown Special Area, Main Street Corridors, and Transit Nodes</th></tr> <tr> <th>Use of Building or Site</th><th>Minimum Number of Parking Spaces Required</th></tr> <tr> <td colspan="2">Non-residential Use Classes</td></tr> <tr> <td colspan="2">Commercial Use Classes</td></tr> </table>	Schedule 1(A): All Areas Outside of the Downtown Special Area, Main Street Corridors, and Transit Nodes		Use of Building or Site	Minimum Number of Parking Spaces Required	Non-residential Use Classes		Commercial Use Classes		<p>The current parking requirements are high and quite complex. They create a particular burden for small scale temporary markets that may only be seasonally used or for one day of the week.</p> <p>Removing this clause will mean that markets are subject to the same parking</p>
Schedule 1(A): All Areas Outside of the Downtown Special Area, Main Street Corridors, and Transit Nodes									
Use of Building or Site	Minimum Number of Parking Spaces Required								
Non-residential Use Classes									
Commercial Use Classes									

17. Flea Markets		1 parking space per 15.4 m2 of Floor Area in the building used for this Use.							requirements as other general retail outlets. Due to the temporary nature of Special Events, no additional parking will be required.
Community, Educational, Recreational and Cultural Use Classes									
44. Special Event		No parking is required.							
Schedule 1(B): Areas Within the Downtown Special Area									
Non-residential Uses									
	Number of Required Parking Spaces by Zone								
Area of Application	AED	CCA	CMU	HA	HDR	JAMSC	RMU	UW	
10. Special Event	No parking is required.								
Remaining list renumbered accordingly.									
Schedule 1(C): Transit Oriented Development and Main Streets Overlay									
Use of Building or Site	Minimum or Maximum Number of Parking Spaces Required								
Non-residential and non-Residential-Related Use									
7. Special Event	No parking is required.								
Remaining list renumbered accordingly.									
82. Residential Sales Centres									References to Section 12.2 renumbered in reference to proposed amendments related to Change of Use Development Permit exemptions.
The following regulations shall apply to all Residential Sales Centres except those developments provided for in subsections 12.2(1)(i) and 12.2(1)(p) <u>12.2(1)(j) and 12.2(1)(q)</u> of this Bylaw:									
<u>1. Residential Sales Centres shall be a Temporary Development. The Development Permit for a Residential Sales Centre shall be valid for such a period of time as specified by the Development Officer having regard for the amount of land or development being marketed, but in no case shall the time period exceed three years.</u>									
<u>2. Sites containing Residential Sales Centres shall be located and developed such that their impacts on local roadways and surrounding</u>									82.1 - this provision is relocated and the maximum duration of the Temporary Development is extended from two years to three years.

residential development are minimized. In deciding upon an application, the Development Officer shall take into consideration the scale of the Residential Sales Centre, its proximity to arterial or neighbourhood collector roadways, and to occupied residential development.;

3. ~~where Sites are~~ Where a Site is located within 60.0 m of existing development, the applicant shall demonstrate that sufficient parking is available on or adjacent to the Site so that parking congestion shall not develop on that portion of local streets serving existing development in the vicinity of the Residential Sales Centre. ~~The Development Officer shall determine the adequacy of parking based on a requirement of 1 parking space per 20 m² of Floor Area of the Residential Sales Centre;~~
4. Notwithstanding Section 54.2 Schedule 1, there shall be no parking required for Residential Sales Centres located in the areas identified in Schedule 1(B) and 1(C).
5. ~~the The Setbacks~~ for ~~siting and development of~~ Residential Sales Centre buildings shall comply with the regulations of the ~~Land Use~~ Zone applying to the Site except that:
 - a. in the case of a temporary structure located on a Site zoned DC1 or DC2, the location of the building shall be Setback to the satisfaction of the Development Officer; and
 - b. the Development Officer may attach conditions requiring additional ~~setbacks~~ Setbacks to minimize any adverse impacts on adjacent development.
6. ~~in In~~ the case of a temporary structure, the Height of the building including any hoardings or false fronts shall not exceed 10.0 m, or the maximum Height of the Zone and any applicable Overlay, whichever is less. one Storey or 4.0 m; and
7. ~~all All~~ curb crossings and access points shall be designed and located so as to minimize on-site and off-site traffic impacts and, in consultation with Transportation Services.;
8. ~~where Where~~ a Site is located within a Residential Zone or is visible from residential development located within 60.0 m of the Site, the colour and material of the exterior finish of the temporary structure and hoardings or false fronts, excluding advertising Copy, shall be compatible with those commonly found in Residential Zones.;
9. ~~any Any~~ exterior lighting shall be developed in accordance with Section 51 of this Bylaw.;
10. ~~notwithstanding Notwithstanding~~ Section 55, Landscaping shall not be required for a Residential Sales Centre.;

82.3 - The minimum parking requirement of 1 parking space per 20 m² of Floor Area is already listed in Section 54.2 Schedule 1(a).

82.4 - In order to consistently apply parking reductions in these areas, there will be no minimum parking requirements for Residential Sales Centres in Downtown Special Area Zones (Schedule 1(B)), or within Transit Oriented Developments or the Main Streets Overlay (Schedule 1(C)).

82.5 - To provide clarity on the location, in relation to Setbacks, which is a defined term.

82.5 (a) - To allow the Development Officer to determine the appropriate location of a temporary Residential Sales Centre having regard for site specific considerations in Direct Control Zones. Because discretion will be applied in determining the appropriate location of the temporary Residential Sales Centre building, a Development Permit approval will be subject to notification to surrounding property owners and community leagues.

82.6 - Increasing the maximum allowable height for temporary Residential Sales Centres buildings will make it easier to comply

<p>11. a A Development Application for a Residential Sales Centre shall be accompanied by the following information in addition to the information required by subsection 13.3 of this Bylaw:</p> <ul style="list-style-type: none"> a. a context plan identifying the nature of the Uses and development within a 60.0 m radius of the proposed Site; b. a description of the exterior finish materials and colours for any temporary sales structure including any proposed hoardings or false fronts; c. drawings showing the location, area, Height, construction material, colour and method of support for any proposed on-site identification and advertising Signs, including any advertising or supergraphics that shall be displayed on a hoarding or false front; and d. drawings showing the area, Height, construction materials and method of support for any proposed off-site Directional Signs that shall exceed 1.0 m² in area 1.5 m in Height, and a description of the proposed location for the Signs. and <p>8. the Development Permit for a Residential Sales Centre shall be valid for such a period of time as specified by the Development Officer having regard for the amount of land or development being marketed, but in no case shall the time period exceed two years.</p>	<p>with the height requirements for move-on trailers to provide sufficient space for structural support and utilities, and will reduce the need seek approval from the Subdivision and Development Appeal Board for larger developments that require a larger sales centre. Extending the maximum height to 10.0 metres, the maximum Height of the Zone, or applicable Overlay, whichever is less, ensures that the height is contextually sensitive to the location and Zone that the temporary Residential Sales Centre building is being developed.</p> <p>82.8 - Relocated to beginning of the section and changed from two to three years</p>
<p>91. Flea Markets</p> <p>A Flea Market shall comply with the following regulations:</p> <ul style="list-style-type: none"> 1. no Flea Market shall be developed within 50.0 m of a Residential Zone. This distance shall be measured from the closest portion of the Site containing the Flea Market to the closest portion of a Residential Zone; 2. parking shall be provided in accordance with the provisions of Section 54.2, Schedule 1, subject to the following additional regulations: <ul style="list-style-type: none"> a. no more than 33% of the minimum required on-site parking, as specified in Schedule 1 shall be allowed on nearby properties as prescribed in subsection 54.2(2)(b) of this Bylaw. Parking for Flea Markets provided in excess of the minimum requirement is not subject to this provision; b. for Flea Markets located on Sites where on-site parking is shared with other businesses having space in the same building or complex, the calculation for required parking shall not include parking spaces required for these other businesses, subject to clause (c) below; and c. the Development Officer may allow use of off-site or other on-site parking spaces used by other businesses to fulfil up to 33% of 	<p>The 50m separation distance has the potential to limit small markets along main streets, which are usually only separated by a laneway from residential zones.</p> <p>The current parking requirements are high and quite complex. They create a particular burden for small scale temporary markets that may only be seasonally used or for one day of the week.</p> <p>Updates to Schedule 54 below clarify that a permanent indoor market will need to meet general retail parking regulations, while temporary or special events will be exempted from requiring parking.</p>

<p>the minimum parking requirement for the Flea Market, if these other businesses have hours of operation that have no overlap with the hours of operation of the Flea Market, and if the applicant can produce a written agreement with the owners/lessees of such other businesses that guarantees the complementary use of these spaces to the satisfaction of the Development Officer; and</p> <p>3. Sites containing Flea Market development should have direct vehicular access to arterial roadways, unless the Site is located within an industrial park. The Development Officer shall consult with Transportation Services to determine if vehicular access to a Flea Market Site is satisfactory.</p>	
<p>91. <u>Special Events</u></p> <p>1. <u>Special Event shall be in accordance with the following:</u></p> <ul style="list-style-type: none"> a. <u>exterior lighting shall provide a safe lit environment in accordance with Section 51 and 58;</u> b. <u>all outdoor trash collection areas shall be screened or located away from the activity;</u> c. <u>all event structures must be removed after the Special Event and the Site shall be cleared of all debris and returned to its original condition; and</u> d. <u>Notwithstanding Section 50, where a temporary structure is erected as part of the function of an event:</u> <ul style="list-style-type: none"> i. <u>the maximum Height of the structure above ground level shall not exceed the maximum Height of the Zone;</u> ii. <u>Site Coverage and Floor Area Ratio of the underlying Zone shall not apply; and</u> iii. <u>Setbacks shall only apply to those Setbacks which Abut a Zone where Residential Uses are a Permitted Use, except for Sites within the Special Area Downtown.</u> <p>2. <u>The maximum duration of a Special Event, inclusive of set-up and take-down, shall:</u></p> <ul style="list-style-type: none"> a. <u>be up to 30 consecutive days, and up to a maximum of 30 cumulative days per calendar year; or</u> b. <u>be of unlimited temporary duration between May 01 to August 31 or November 01 to December 31 in the same calendar year, where the Special Event is for the purpose of seasonal plant sales Accessory to a Use other than a Residential or Residential-Related Use.</u> <p>3. <u>Notwithstanding sections 11.3 and 91.2, the Development Officer may approve a Special Event for a longer duration or a duration other than</u></p>	<p>91.1(a) - Ensures that lighting is not directed into any adjacent properties or interferes with the effectiveness of traffic control devices, as well considers lighting for a safety.</p> <p>91.1(b) - Minimizes aesthetic impacts by screening the view of trash collection areas.</p> <p>91.1(c) - Ensures that the site is returned to its original condition after the event.</p> <p>91.1(d) - The height, size and placement of temporary structures can vary based on the type of event. Due to the short-term nature of the events, it was determined that the maximum Height of the zone would be sufficient for simplicity and flexibility. To mitigate conflicts with residential uses, Setbacks of the zone will be required when the event is located next to a residential zone. However, the structures will be exempt from Site Coverage and Floor Area Ratio requirements.</p> <p>91.2 Including set-up and take-down in the duration of the Special Event will provide clarity for enforcement purposes.</p>

the dates listed in 91.2(b), only if the Development Officer is satisfied that the Special Event is compatible with the character of the area and the other Uses located on, or Abutting, the Site, having regard for:

- a. the siting of the event;
- b. the location, size and height of the associated temporary structures, including Signs;
- c. the location and use of outdoor speakers and amplification systems is sensitive to adjacent Residential Uses;
- d. screening and buffering; and
- e. hours of operation.

In such cases, the development shall be considered a Class B Discretionary Development.

91.2(a) - Ensures a clear timeline for the event to minimize potential impacts, and that the event does not repeat consecutively.

91.2(b) - This is to allow temporary garden plant sales during the summer and Christmas tree lots during the winter months.

91.3 - This provides flexibility for the Development Officer to consider the context of the event and ensure it will not adversely impact surrounding neighbours. This provision also provides the Development Officer the ability to refuse an application for a Special Event that would be more appropriate in another location, for example where the adjacent use creates a safety risk to the event; or if activity fits more appropriately under another use. By making it Class B development, adjacent property owners would have the right to appeal the permit.

Part II. Zones, Special Areas and Direct Control

Special Event Use	
110 (RF1) Single Detached Residential Zone	Discretionary
115 (RSL) Residential Small Lot Zone	Discretionary
120 (RF2) Low Density Infill Zone	Discretionary
130 (RPL) Planned Lot Residential Zone	Discretionary
140 (RF3) Small Scale Infill Development Zone	Discretionary
150 (RF4) Semi-detached Residential Zone	Discretionary
155 (RMD) Residential Mixed Dwelling Zone	Discretionary
160 (RF5) Row Housing Zone	Discretionary
165 (UCRH) Urban Character Row Housing Zone	Discretionary
170 (RF6) Medium Density Multiple Family Zone	Discretionary
210 (RA7) Low Rise Apartment Zone	Discretionary
220 (RA8) Medium Rise Apartment Zone	Discretionary
230 (RA9) High Rise Apartment Zone	Discretionary

240 (RR) Rural Residential Zone	Discretionary
250 (RMH) Mobile Home Zone	Discretionary
310 (CNC) Neighbourhood Convenience Commercial Zone	Permitted
320 (CSC) Shopping Centre Zone	Permitted
330 (CB1) Low Intensity Business Zone	Permitted
340 (CB2) General Business Zone	Permitted
350 (CHY) Highway Corridor Zone	Permitted
360 (CO) Commercial Office Zone	Permitted
370 (CB3) Commercial Mixed Business Zone	Permitted
400 (IB) Industrial Business Zone	Permitted
410 (IL) Light Industrial Zone	Permitted
420 (IM) Medium Industrial Zone	Permitted
430 (IH) Heavy Industrial Zone	Permitted
510 (US) Urban Services Zone	Permitted
520 (PU) Public Utility Zone	Permitted
530 (AP) Public Parks Zone	Permitted
531 (NA) Natural Areas Protection Zone	Discretionary
540 (A) Metropolitan Recreation Zone	Permitted
541 (AN) River Valley Activity Node Zone	Permitted
550 (MA) Municipal Airport Zone	Permitted
551 (MA1) Municipal Airport Airfield Zone	Permitted
552 (MA2) Municipal Airport Business Industrial Zone	Permitted
553 (MA3) Municipal Airport General Business Zone	Permitted
560 (AJ) Alternative Jurisdiction Zone	Not Listed
570 (CS1) Community Services 1 Zone, lands owned by the City or School Authority	Permitted
570 (CS1) Community Services 1 Zone	Discretionary
571 (CS2) Community Services 2 Zone, lands owned by the City or School Authority	Permitted
571 (CS2) Community Services 2 Zone	Discretionary
572 (CS3) Community Services 3 Zone, lands owned by the City or School Authority	Permitted
572 (CS3) Community Services 3 Zone	Discretionary
573 (CS4) Community Services 4 Zone, lands owned by the City or School Authority	Permitted
573 (CS4) Community Services 4 Zone	Discretionary
574 (UI) Urban Institutional Zone	Permitted
610 (AG) Agricultural Zone	Permitted
620 (AGU) Urban Reserve Zone	Permitted
630 (AGI) Industrial Reserve Zone	Permitted
910.5 (CCA) Core Commercial Arts Zone	Permitted
910.6 (CMU) Commercial Mixed Use Zone	Permitted
910.7 (HA) Heritage Area Zone	Permitted
910.8 (HDR) High Density Residential Zone	Permitted
910.9 (JAMSC) Jasper Avenue Main Street Commercial Zone	Permitted
910.10 (RMU) Residential Mixed Use Zone	Permitted
910.11 (UW) Urban Warehouse Zone	Permitted
910.12 (AED) Arena & Entertainment District Zone	Permitted
920.4 (RPLt) Terwillegar Planned Lot Residential Zone	Discretionary
920.5 (RF4t) Terwillegar Semi-detached Residential Zone	Discretionary
920.6 (RF5t) Terwillegar Row Housing Zone	Discretionary
920.8 (TSDR) Terwillegar Single Detached Residential	Discretionary
920.9 (TSLR) Terwillegar Small Lot Residential Zone	Discretionary

920.10 (TMU) Terwillegar Mixed Use Zone	Discretionary
930.4 (EIB) Ellerslie Industrial Business	Permitted
930.5 (EIM) Ellerslie Medium Industrial Zone	Permitted
940.5 (GLD) Griesbach Low Density Residential Zone	Discretionary
940.6 (GVC) Griesbach Village Centre Zone	Permitted
940.7 (RF5g) Griesbach Row Housing Zone	Discretionary
940.8 (RA7g) Griesbach Low Rise Apartment Zone	Discretionary
940.9 (GLG) Griesbach Low Density Residential with Garage Suites Zone	Discretionary
950.4 (CCHD) Clareview Campus High Density Residential Zone	Permitted
950.5 (CCMD) Clareview Campus Medium Density Residential Zone	Permitted
950.6 (CCLD) Clareview Campus Low Density Residential Zone	Discretionary
950.7 (CCSF) Clareview Campus Single Family Residential Zone	Discretionary
950.8 (CCNC) Clareview Campus Neighbourhood Commercial Zone	Permitted
960.4 (RA7a) Ambleside Low-Rise Apartment Zone	Permitted
960.5 (CSCa) Ambleside Shopping Centre Zone	Permitted
960.6 (UVCa) Ambleside Urban Village Commercial Zone	Permitted
970.6 (EETB) Edmonton Energy and Technology Park Business Park Zone	Permitted
970.7 (EETC) Edmonton Energy and Technology Park Chemical Cluster Zone	Permitted
970.8 (EETL) Edmonton Energy and Technology Park Logistics Zone	Permitted
970.9 (EETM) Edmonton Energy and Technology Park Manufacturing Zone	Permitted
970.10 (EETR) Edmonton Energy and Technology Park Industrial Reserve Zone	Permitted
970.11 (EETIM) Edmonton Energy and Technology Park Medium Industrial Zone	Permitted
980 (HVLD) Heritage Valley Low Density Zone	Discretionary
981 Special Area Heritage Valley Row Housing Zone	Discretionary
990.4 (TC-C) Heritage Valley Town Centre Commercial Zone	Permitted
995 (GHLD) Special Area Graydon Hill Low Density Residential Zone	Discretionary
997.7 (BP) Blatchford Parks Zone	Permitted
997.8 (BRH) Blatchford Row Housing Zone	Discretionary
997.9 (BLMR) Blatchford Low to Medium Rise Residential Zone	Discretionary
997.10 (BMR) Blatchford Medium Rise Residential Zone	Discretionary
998.4 (SLD) Stillwater Low Density Residential Zone	Discretionary
998.5 (SRH) Stillwater Row Housing Zone	Discretionary
998.6 (SRA) Stillwater Rear Attached Row Housing Zone	Discretionary
999.4 (MRC) Marquis Retail Centre Zone	Permitted
999.5 (MMUT) Marquis Mixed Use Transition Zone	Permitted
999.6 (MMS) Marquis Main Street Zone	Permitted
999.7 (MED) Marquis Entertainment District	Permitted

Currently the Flea Market use is listed in the following Zones:

Flea Market	
320 (CSC) Shopping Centre Zone	Discretionary
340 (CB2) General Business Zone	Discretionary
400 (IB) Industrial Business Zone	Discretionary
410 (IL) Light Industrial Zone	Discretionary
420 (IM) Medium Industrial Zone	Discretionary
430 (IH) Heavy Industrial Zone	Discretionary
910.7 (HA) Heritage Area Zone	Discretionary

910.11 (UW) Urban Warehouse Zone	Discretionary
910.12 (AED) Arena & Entertainment District Zone	Discretionary
960.5 (CSCa) Ambleside Shopping Centre Zone	Discretionary
960.6 (UVCa) Ambleside Urban Village Commercial Zone	Permitted
997.7 (BP) Blatchford Parks Zone	Permitted
999.4 (MRC) Marquis Retail Centre Zone	Permitted
999.6 (MMS) Marquis Main Street Zone	Permitted
999.7 (MED) Marquis Entertainment District	Permitted

The proposed changes for the Market use include expanding the opportunities for this use to the following Zones:

Market Use	
110 (RF1) Single Detached Residential Zone	Not Listed
115 (RSL) Residential Small Lot Zone	Not Listed
120 (RF2) Low Density Infill Zone	Not Listed
130 (RPL) Planned Lot Residential Zone	Not Listed
140 (RF3) Small Scale Infill Development Zone	Not Listed
150 (RF4) Semi-detached Residential Zone	Not Listed
155 (RMD) Residential Mixed Dwelling Zone	Not Listed
160 (RF5) Row Housing Zone	Not Listed
165 (UCRH) Urban Character Row Housing Zone	Not Listed
170 (RF6) Medium Density Multiple Family Zone	Not Listed
210 (RA7) Low Rise Apartment Zone	Not Listed
220 (RA8) Medium Rise Apartment Zone	Not Listed
230 (RA9) High Rise Apartment Zone	Not Listed
240 (RR) Rural Residential Zone	Not Listed
250 (RMH) Mobile Home Zone	Not Listed
310 (CNC) Neighbourhood Convenience Commercial Zone	Permitted
320 (CSC) Shopping Centre Zone	Permitted
330 (CB1) Low Intensity Business Zone	Permitted
340 (CB2) General Business Zone	Permitted
350 (CHY) Highway Corridor Zone	Permitted
360 (CO) Commercial Office Zone	Permitted
370 (CB3) Commercial Mixed Business Zone	Permitted
400 (IB) Industrial Business Zone	Discretionary
410 (IL) Light Industrial Zone	Discretionary
420 (IM) Medium Industrial Zone	Discretionary
430 (IH) Heavy Industrial Zone	Discretionary
510 (US) Urban Services Zone	Discretionary
520 (PU) Public Utility Zone	Discretionary
530 (AP) Public Parks Zone	Discretionary
531 (NA) Natural Areas Protection Zone	Not Listed
540 (A) Metropolitan Recreation Zone	Discretionary
541 (AN) River Valley Activity Node Zone	Discretionary
Appendix I - Fort Edmonton Park	

541 (AN) River Valley Activity Node Zone Appendix II - Muttart Conservatory	Discretionary
541 (AN) River Valley Activity Node Zone Appendix III - Louise McKinney Riverfront	Discretionary
541 (AN) River Valley Activity Node Zone Appendix IV - The Edmonton Valley Zoo	Discretionary
550 (MA) Municipal Airport Zone	Discretionary
551 (MA1) Municipal Airport Airfield Zone	Discretionary
552 (MA2) Municipal Airport Business Industrial Zone	Discretionary
553 (MA3) Municipal Airport General Business Zone	Discretionary
560 (AJ) Alternative Jurisdiction Zone	Not Listed
570 (CS1) Community Services 1 Zone	Discretionary
571 (CS2) Community Services 2 Zone	Discretionary
572 (CS3) Community Services 3 Zone	Not Listed
573 (CS4) Community Services 4 Zone	Not Listed
574 (UI) Urban Institutional Zone	Permitted
610 (AG) Agricultural Zone	Discretionary
620 (AGU) Urban Reserve Zone	Discretionary
630 (AGI) Industrial Reserve Zone	Discretionary
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920.5 (RF4t) Terwillegar Semi-detached Residential Zone	Not Listed
920.6 (RF5t) Terwillegar Row Housing Zone	Not Listed
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940.6 (GVC) Griesbach Village Centre Zone	Permitted
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960.6 (UVCa) Ambleside Urban Village Commercial Zone	Permitted

970.6 (EETB) Edmonton Energy and Technology Park Business Park Zone	Discretionary
970.7 (EETC) Edmonton Energy and Technology Park Chemical Cluster Zone	Not Listed
970.8 (EETL) Edmonton Energy and Technology Park Logistics Zone	Discretionary
970.9 (EETM) Edmonton Energy and Technology Park Manufacturing Zone	Discretionary
970.10 (EETR) Edmonton Energy and Technology Park Industrial Reserve Zone	Discretionary
970.11 (EETIM) Edmonton Energy and Technology Park Medium Industrial Zone	Discretionary
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999.5 (MMUT) Marquis Mixed Use Transition Zone	Permitted
999.6 (MMS) Marquis Main Street Zone	Permitted
999.7 (MED) Marquis Entertainment District	Permitted