

Bylaw 18171

A Bylaw to amend Bylaw 12800, as amended,
The Edmonton Zoning Bylaw
Amendment No. 2456

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 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 Section 6.1(7) entirely and renumbering accordingly.

b) Deleting newly renumbered Section 6.1(11) entirely, and replacing it as follows:

“**Bicycle Parking** means a space designed for the securing of one or more bicycles in an orderly fashion. Bicycle Parking can be either:

a. long term, meaning a weather-protected, secure location where access to the enclosure is limited to authorized individuals only. For example: a room within a residential building or workplace; an enclosure within a parking garage; or a cluster of bicycle lockers.

b. short term, meaning a publicly-accessible location that is visible from and close to the entrance of the building it serves. For example: a bicycle rack or bicycle corral.”;

c) Deleting newly renumbered Section 6.1(87) entirely, and replacing it as follows:

“**Public Space** means space that is part of an establishment, which is open to the public and not restricted to only employees. Public Space includes any private non-sale hospitality area where products manufactured within the premises are provided to private groups for tasting and sampling. This definition does not include kitchens, administration offices, food or drink preparation areas”;

- d) Adding to Section 6.1 as follows, listing alphabetically and renumbering accordingly:

“**Studio** means a Dwelling in which the sleeping and living areas are combined and which is not reasonably capable of being developed as a Dwelling containing one or more bedrooms.”;

- e) Deleting Section 7.4(6) entirely and replacing with the following:

“**Bars and Neighbourhood Pubs** means development where the primary purpose of the facility is the sale of alcoholic beverages to the public, for consumption within the premises or off the Site. This Use typically has a limited menu and minors are prohibited from patronizing the establishment during at least some portion of the hours of operation. Typical Uses include neighbourhood pubs, bars, and cocktail lounges. This Use does not include Cannabis Lounges.”;

- f) Adding the following to Section 7.5 in accordance with the alphabetical order of the list and renumbering accordingly:

“**Breweries, Wineries and Distilleries** means the manufacturing of beer, wine, spirits or other alcoholic beverages. This Use may include the sale of alcoholic beverages to the public for consumption within the premises. Retail sales of alcoholic beverages for consumption off-Site shall be limited to alcoholic beverages that are manufactured on-Site. Accessory activities may include the preparation and sale of food, and storage, packaging, bottling, canning and shipping of products manufactured within the premises.”;

- g) Deleting Section 54.2.1(a) entirely, and replacing it as follows:

“The minimum, and where applicable the maximum, number of off-street parking spaces required for each Use is specified in Schedule 1.”;

- h) Deleting Sections 54.2.1(b), 54.2.1(c), and 54.2.1(d), and renumbering accordingly.

- i) Deleting the newly renumbered Section 54.2.1(b) entirely, and replacing as follows:

“Where the applicant for a Development Permit can demonstrate through a parking impact assessment completed in accordance with Section 14.11 that the parking requirement for the proposed development is less than any minimum or more than any maximum set out in Section 54.2 Schedule 1, the Development Officer may allow a reduction from the minimum or an increase from the maximum in the number of parking spaces.”;

- j) Deleting the newly renumbered Section 54.2.1(c) entirely, and replacing it as follows:

“For mixed Use developments of greater than 28 000 m² of Floor Area, which accommodate restaurant, entertainment and or cinema Uses exceeding 20% of the Floor Area, a shared Use parking impact assessment shall be submitted to the Development Officer in accordance with Section 14.11 in order to assist in the determination of the required off-street vehicular parking supply.”;

- k) Rename Section 54.2 Schedule 1(A) Areas outside of the Downtown Special Area to:

“Schedule 1(A): All Areas Outside of the Downtown Special Area, Main Street Corridors, and Transit Nodes”;

- l) Rename Section 54.2 Schedule 1(A) column subheading to:

“Minimum Number of Parking Spaces Required”;

- m) Adding row above Residential and Residential-Related Uses to Section 54.2 Schedule 1(A), as follows:

“

Area of Application	Where the following uses are outside of the boundary of 54.2 Schedule 1(B) and the area of application for 54.2 Schedule 1(C) the minimum parking requirements shown below shall apply.
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- n) Deleting Section 54.2 Schedule 1(A).1 entirely, and replacing it as follows:

“

1. Apartment Housing Stacked Row Housing		
	Dwelling Size	Minimum Parking Spaces per Dwelling

	Studio	1
	1 Bedroom Dwelling	1
	2 Bedroom Dwelling	1.5
	3 or more Bedroom Dwelling	1.7

Visitor parking shall be provided at a minimum rate of 0 visitor parking spaces for the first 7 Dwellings, and 1 visitor parking space per 7 Dwellings thereafter. Visitor parking spaces shall be readily available to the primary building entrance for each multi-unit residential building on Site, and be clearly identified as visitor parking, to the satisfaction of the Development Officer.”

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- o) Deleting “Garage Suite” from Section 54.2 Schedule 1(A).2;
- p) Deleting Section 54.2 Schedule 1(A).3a and Section 54.2 Schedule 1(A).3b entirely, and replacing it as follows:

“

3. Duplex Housing Mobile Homes (excluding Mobile Home Parks) Semi-detached Housing Single Detached Housing Row Housing	1 parking space per Dwelling For multi-unit development projects, visitor parking shall be provided at a minimum rate of 0 visitor parking spaces for the first 7 Dwellings, and 1 visitor parking space per 7 Dwellings thereafter. Visitor parking must be readily available to the primary building entrance for each multi-unit residential building on Site, and be clearly identified as visitor parking, to the satisfaction of the Development Officer.”
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- q) Deleting Section 54.2 Schedule 1(A).11 entirely and replacing it as follows:

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11. Apartment Housing and Lodging Houses, which meet the	0.4 parking spaces per Dwelling, regardless of the number of bedrooms; plus 0.3 parking spaces per Sleeping Unit, or
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criteria of Section 94, Supportive Community Provisions, of this Bylaw	0.55 parking spaces per Sleeping Unit, if the Sleeping Unit is located in a secured building or secured portion of a building, such that a resident cannot enter or exit the secured area without authorization; plus Visitor parking shall be provided at a minimum rate of 0 visitor parking spaces for the first 7 Dwellings, and 1 visitor parking space per 7 Dwellings thereafter. Visitor parking must be readily available to the primary building entrance for each multi-unit residential building on Site, and be clearly identified as visitor parking, to the satisfaction of the Development Officer.
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- r) Deleting Section 54.2 Schedule 1(A).14 entirely, and replacing it as follows:

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14. Bars and Neighbourhood Pubs, Nightclubs	1 parking space per 8.0 m ² of Public Space.
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- s) Adding a new Section 54.2 Schedule 1(A).15 as follows, and renumbering accordingly:

“

15. Breweries, Wineries and Distilleries	Off-street Parking shall be provided based on the sum of the following: 1 parking space per 9.6 m ² of Public Space; and 1 parking space per 100.0 m ² of Floor Area not dedicated to Public Space.
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- t) Deleting newly renumbered Section 54.2 Schedule 1(A).23 entirely, and renumbering accordingly.

- u) Deleting newly renumbered Section 54.2 Schedule 1(A).24 entirely, and replacing it as follows:

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24. Restaurants,	1 parking space per 9.6 m ² of Public Space.
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Specialty Food Services	
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- v) Deleting Section 54.2 Schedule 1(A).25 entirely, and renumbering accordingly.
- w) Deleting “Bachelor Suite or Bed Sitting Room” from Section 54.2 Schedule 1(B).1, and replacing it as follows:

“Studio”;

- x) Adding a new Schedule 1(C) to Section 54.2, as follows:

“

Schedule 1(C) Transit Oriented Development and Main Streets Overlay	
Use of Building or Site	Minimum or Maximum Number of Parking Spaces Required
Residential and Residential-Related Uses	
Area of application	<p>Where the following Uses are outside of the boundary of 54.2 Schedule 1(B) but are located within:</p> <ul style="list-style-type: none"> • 600 metres of an existing LRT station, or a future LRT station with the most recent version of a Council-approved Concept Plan; • 600 metres of an existing Transit Centre, or a future Transit Centre with the most recent version of a Council-approved Concept Plan; • 150 metres of a Transit Avenue; or • the boundaries shown in the Main Streets Overlay Section 819.2, <p>the minimum and maximum parking requirements shown below shall apply, except Schedule 1(A) shall apply for Residential and Residential-Related Uses not listed here.</p> <p>For the purpose of Schedule 1(C), measurements shall be made from the nearest point of the LRT station, Transit Centre, or Transit Avenue to the Site Boundary where the Use(s) are to be located. Where a LRT station or Transit Centre exists in concept only, the radius shall be measured from the centre of the proposed location on the concept diagrams, or of the nearest roadway intersection at</p>

	the discretion of the Development Officer.															
1. Apartment Housing Stacked Row Housing	In Core and Mature neighbourhoods, as identified in Edmonton's Municipal Development Plan, Bylaw 15100, excluding the Downtown Special Area:															
	Minimum and Maximum Parking Spaces per Dwelling size															
	<table border="1"> <thead> <tr> <th>Dwelling Size</th> <th>Minimum</th> <th>Maximum</th> </tr> </thead> <tbody> <tr> <td>Studio</td> <td>0.5</td> <td>1.0</td> </tr> <tr> <td>1 Bedroom Dwelling</td> <td>0.5</td> <td>1.0</td> </tr> <tr> <td>2 Bedroom Dwelling</td> <td>0.75</td> <td>1.5</td> </tr> <tr> <td>3 or more Bedroom Dwelling</td> <td>1.0</td> <td>1.75</td> </tr> </tbody> </table>	Dwelling Size	Minimum	Maximum	Studio	0.5	1.0	1 Bedroom Dwelling	0.5	1.0	2 Bedroom Dwelling	0.75	1.5	3 or more Bedroom Dwelling	1.0	1.75
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Visitor parking shall be provided at a minimum rate of 0 visitor parking spaces for the first 7 Dwellings, and 1 visitor parking space per 7 Dwellings thereafter. Visitor parking must be readily available to the primary building entrance for each multi-unit residential building on Site, and be clearly identified as visitor parking, to the satisfaction of the Development Officer.																
2. Garden Suite Secondary Suite	0 parking spaces in addition to the parking requirements for primary Dwelling.															
3. Row Housing	In Core and Mature neighbourhoods, as identified in Edmonton's Municipal Development Plan, Bylaw 15100,															

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4. Apartment Housing and Lodging Houses, which meet the criteria of Section 94, Supportive Community Provisions, of this Bylaw	<p>0.35 parking spaces per Dwelling, regardless of the number of bedrooms; plus</p> <p>0.25 parking spaces per Sleeping Unit, or</p> <p>0.5 parking spaces per Sleeping Unit, if the Sleeping Unit is located in a secured building or secured portion of a building, such that a resident cannot enter or exit the secured area without authorization; plus</p> <p>Visitor parking shall be provided at a minimum rate of 0 visitor parking spaces for the first 7 Dwellings or sleeping units, and 1 visitor parking space per 7 Dwellings or sleeping units thereafter. Visitor parking must be readily available to an entrance of the building and be clearly identified as visitor parking, to the satisfaction of the Development Officer.</p>												
Non-Residential and non-Residential-Related Uses													
Area of application	<p>Where the following Uses are outside of the boundary of 54.2 Schedule 1(B) but are located within:</p> <ul style="list-style-type: none"> • 200 metres of an existing LRT station or a future LRT station with the most recent version of a Council-approved Concept 												

	<p>Plan;</p> <ul style="list-style-type: none"> • 200 metres of an existing Transit Centre or a future Transit Centre with the most recent version of a Council-approved Concept Plan; • 150 metres of a Transit Avenue; or • the boundaries shown in the Main Streets Overlay, Section 819.2, <p>the minimum and maximum parking requirements shown below shall apply.</p> <p>For the purpose of Schedule 1(C), measurements shall be made from the nearest point of the LRT station, Transit Centre, or Transit Avenue to the Site Boundary where the Use(s) are to be located. Where a LRT station or Transit Centre exists in concept only, the radius shall be measured from the centre of the proposed location on the concept diagrams, or of the nearest roadway intersection at the discretion of the Development Officer.</p>
<p>5. Bars and Neighbourhood Pubs, Nightclubs, Restaurants, Specialty Food Services</p>	<p>1 parking space per 30.0 m² of Public Space for establishments with greater than 60.0 m² of Public Space.</p> <p>0 parking spaces for establishments with 60.0 m² of Public Space or less.</p>
<p>6. Breweries, Wineries and Distilleries</p>	<p>Off-street Parking shall be provided based on the sum of the following:</p> <p>1 parking space per 30.0 m² of Public Space for establishments with greater than 60.0 m² of Public Space; or</p> <p>0 parking spaces for establishments with 60.0 m² of Public Space or less; and</p> <p>1 parking space per 100.0 m² of Floor Area not dedicated to Public Space.</p>
<p>7. All other non-residential Uses</p>	<p>1 parking space per 100.0 m² of Floor Area</p>

- y) Deleting Section 54.2 Appendix II: Required Off-street Vehicular Accessory Parking.
- z) Deleting Section 54.3.3 Design of Bicycle Parking Facilities, and replacing it with the following:

“3. Design of Bicycle Parking Facilities

- a. Bicycle Parking shall be designed so that the bicycle is supported upright and allows locking of at least one closed section of the bicycle frame and at least one wheel with a U-lock; or designed so that the entire bicycle is contained within an individual bicycle safe.
 - i. Bicycle Parking racks shall provide two points of contact with the frame, at least 0.2 m apart horizontally so that the bicycle cannot fall or be pushed over causing damage to the bicycle.
 - ii. The design and installation Bicycle Parking racks and corrals shall accommodate a variety of bicycle types and attachments.
- b. Bicycle Parking racks or bicycle safes shall be anchored securely to the ground or to a fixed structure.”;

- aa) Deleting the table from Section 54.3 Schedule 2 entirely, and replace it as follows:

“

Area of Application	Minimum Number of Bicycle Parking Spaces
1. Areas where Section 54.2 Schedule 1(A) applies	For all Residential and Residential-Related Use Classes of 20 Dwellings or more, and all Non-residential Use Class developments: 10% of the number of vehicular parking spaces required under Section 54.2 Schedule 1(A) with 5 Bicycle Parking spaces being the minimum to be provided. At least 10% of Bicycle Parking spaces shall be short term spaces.
2. Areas where Section 54.2 Schedule 1(B) applies	For all Residential and Residential-Related Use Classes of 20 Dwellings or more, and all Non-residential Use Class developments: 40% of the number of vehicular parking spaces required under Section 54.2 Schedule 1(B) with 5 Bicycle Parking spaces being the minimum to be provided. At least 10% of Bicycle Parking spaces shall be short term spaces.

3. Areas where Section 54.2 Schedule 1(C) applies	<p>For all Residential and Residential-Related Use Classes of 20 Dwellings or more, and all Non-residential Use Class developments:</p> <p>40% of the number of vehicular parking spaces required under Section 54.2 Schedule 1(C) with 5 Bicycle Parking spaces being the minimum to be provided. At least 10% of Bicycle Parking spaces shall be short term spaces.</p>
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bb) Deleting Section 59E.1 entirely and replacing with:

“The following Zones refer to the regulations found in Schedule 59E:

320 CSC Shopping Centre Zone

819 Main Streets Overlay

940.6 GVC Griesbach Village Centre Zone

960.5 CSCa Ambleside Shopping Centre Zone

960.6 UVCa Ambleside Urban Village Commercial Zone

The above Zones may also refer to regulations in other Sign Schedules or have additional regulations within the Zone. In case of a conflict between the Zones listed on this Sign Schedule and the Zone regulations, the Zone regulations prevail.”;

cc) Deleting Section 93.1(f)(iii) entirely, and replacing it as follows:

“a minimum of one bedroom, unless the Dwelling or Sleeping Unit is designed as a Studio;”;

dd) Adding Section 99 as follow:

“99. Breweries, Wineries and Distilleries

Breweries, Wineries and Distilleries shall comply with the following regulations:

1. Breweries, Wineries and Distilleries may include a maximum total of 80 m² of Public Space, where beer, wine, spirits and other alcoholic beverages or alcoholic products are consumed within the premises.
2. Breweries, Wineries and Distilleries may be combined with a Restaurant, Bar and Neighbourhood Pub, or Nightclub to increase the maximum total Public Space. The total

Public Space shall not exceed the total maximum combined Public Space of the Breweries, Wineries and Distilleries Use and the Use it is combined with.

3. Any Outdoor Public Space shall not be located next to an Abutting Residential Use, existing at the time of approval.
 4. Breweries, Wineries and Distilleries shall not generate odour, dust, waste or delivery traffic in excess of that which is characteristic of the Zone in which it is located.
 5. There shall be no outdoor manufacturing activities, or unenclosed outdoor storage of material or equipment associated with the business.
 6. When a Development Permit application is received for a Breweries, Wineries and Distilleries Use, and the Use is located within a Business Improvement Area, the Development Officer shall send notice of the application to the President of the affected Business Improvement Area Association.
 7. The Development Officer shall consider Crime Prevention Through Environmental Design criteria by ensuring:
 - a. the exterior of all establishments have ample transparency from the street to allow natural surveillance;
 - b. exterior lighting shall be developed to provide a safe lit environment in accordance with Sections 51 and 58 to the satisfaction of the Development Officer;
 - c. Landscaping be low-growing shrubs or deciduous trees with a high canopy at maturity and that all foliage be kept trimmed back to prevent loss of natural surveillance; and
 - d. customer access to the store is limited to a store front that is visible from the street, other than a Lane, shopping centre parking lot or a mall access that allows visibility from the interior.”;
- ee) Deleting Section 541 Appendix I - Fort Edmonton Park (3)(4) entirely and replacing with the following:
- “Development Officer may approve a Breweries, Wineries or Distilleries Use and up to two custom bakery facilities on the Site as accessory to the General Retail Stores Uses.”;
- ff) Deleting Section 819 entirely, and replacing it as follows:
- “819 Main Streets Overlay

819.1 General Purpose

The purpose of this Overlay is to encourage and strengthen the pedestrian-oriented character of Edmonton's main street commercial areas that are located in proximity to residential and transit-oriented areas, by providing visual interest, transparent storefront displays, and amenities for pedestrians.

819.2 Application

This Overlay applies to all Commercial Zones within the areas shown on the Appendix to this Overlay, and within 200 m of an existing LRT station or transit centre, or a future LRT station or transit centre with a Council-approved Concept Plan.

819.3 Development Regulations

1. The maximum Frontage width shall be 11.0 m. Where the width of ground floor commercial Uses exceeds 11.0 m, the front Façade of the building shall be designed to break the appearance into 11.0 m sections or less to the satisfaction of the Development Officer.
2. A Setback of 1.0 m shall be required where a Site Abuts a public roadway, other than a Lane. The 1.0 m Setback shall be paved and visually incorporated into the public Walkway to the satisfaction of the Development Officer in consultation with Integrated Infrastructure Services. The Development Officer may allow this Setback to be increased to a maximum of 2.5 m to accommodate street related activities that contribute to the pedestrian-oriented shopping character of the area. Buildings may project to the front and side property lines above 4.0 m in Height.
3. Notwithstanding 819.3.2, buildings may be built to the property line that Abuts a public roadway other than a Lane, provided the width of the public walkway is a minimum distance of 4.7 m from curb to property line.
4. On all Sites Abutting a Zone that allows Single Detached Housing as a Permitted Use or a Zone that allows for Row Housing as a Permitted Use:
 - a. The minimum Setback Abutting the residential Zone shall be 6.0 m; and
 - b. Any portion of the Façade facing the Residential Zone that exceeds 8.9 m in Height shall have a Stepback of 1.0 m.

5. Notwithstanding a more restrictive regulation existing in the underlying zone and Section 800.2.2.b, in the CB1 Zone or CNC Zone where the Site fronts onto an arterial roadway:
 - a. the maximum Height shall not exceed 14.5 m for flat, mansard and gambrel roofs, or 16.0 m for a roof type with a pitch of 4/12 (18.4 degrees) or greater, in accordance with Section 52; and
 - b. the maximum Floor Area Ratio shall be 3.5.
6. Where a building exceeds 14.5 m in Height, the portion of the building above this Height shall require a minimum Stepback of 4.5 m from the building façade facing a public roadway other than a Lane. Platform structures may project up to 1.5 m into the Stepback.
7. All vehicular access shall be from an Abutting Lane. Where there is no Abutting Lane, vehicular access shall be provided from a flanking public roadway. When a Site with existing vehicular access from a public roadway other than a Lane is redeveloped, the existing vehicular access shall be closed where an Abutting Lane exists, or relocated to a flanking public roadway where an Abutting Lane does not exist.
8. All surface parking and underground parking access shall be located at the rear of the building and be screened from view using methods such as Landscaping, public art, and Crime Prevention Through Environmental Design principles to enhance the appearance, natural surveillance and safety of the Lane.
9. Any parking structures shall be screened from view at ground level by street fronting commercial Uses with a minimum depth of 8.0 m from the Lot line Abutting a public roadway other than a Lane.
10. Parking, loading and passenger drop-off areas shall be designed to minimize pedestrian-vehicle conflicts.
11. The minimum number of off-street parking spaces required shall be in accordance with Section 54, Schedule 1C.
12. Any development with a drive-through service window shall:
 - a. form part of a mixed Use building and shall not be located within a freestanding building onto itself;

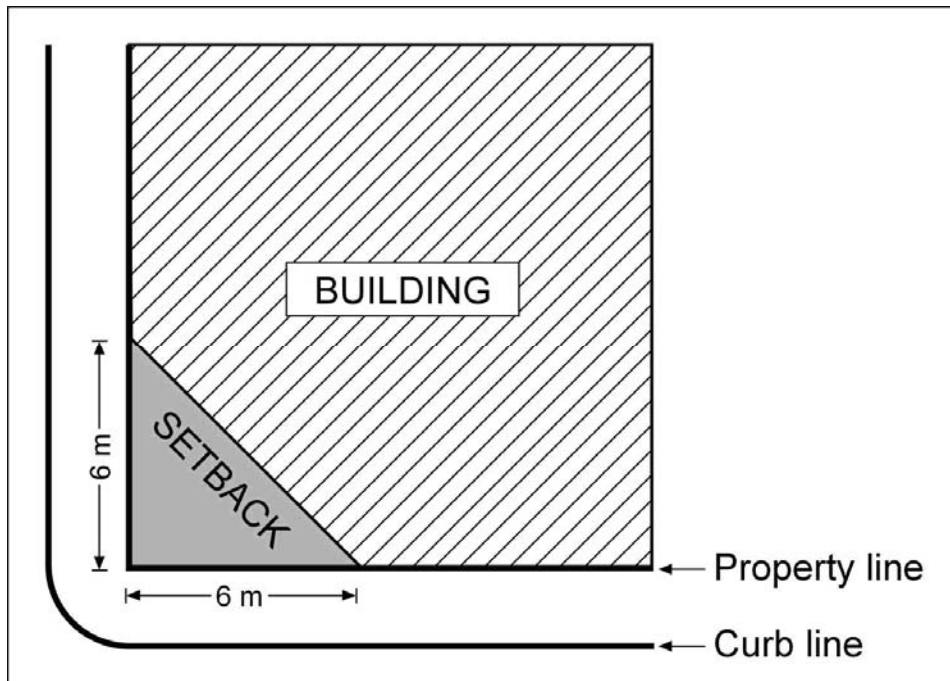
- b. be oriented so that the location of the drive-through service windows and queueing lanes are placed at the rear of the building; and
 - c. use Landscaping or other materials to screen and soften the impact of the drive-through service window from Residential Zones and adjacent development.
13. To improve architectural interest of the principal structure and create a pedestrian-friendly environment for all seasons, design techniques such as entrance features, varied roof design, outdoor seating areas, canopies, or Landscaping shall be incorporated.
14. Winter design elements such as the use of colour and functional and decorative lighting to enhance the appearance of the building while minimizing light pollution during the winter months shall be incorporated.
15. All exposed building Façades shall have complementary exterior finishing materials. On Corner Lots, the Façade treatment shall wrap around the side of the building to provide a consistent profile facing both public roadways.
16. Where a Commercial Use is provided at ground level Abutting a public roadway, other than a Lane, the principal entrance to the unit shall have direct external access to the adjacent public sidewalk. A maximum of two ground floor commercial units may share a common entranceway.
17. Apartment Housing above the ground floor shall have access at ground level that is separate from any Commercial premises other than Hotels. The principal residential entrance shall have direct external access to the adjacent public sidewalk.
18. Where a Hotel or Apartment Hotel is to be developed, a maximum Frontage of 11.0 m shall be used for lobbies. The remaining frontage shall be used for Commercial Uses, which may be ancillary to the Hotel.
19. Where a Hotel or Apartment Hotel is to be developed, the maximum building length above 14.5 m shall be no more than 30.0 m and shall have a maximum floor plate area of 900 m².
20. Main building entrances for all Uses shall be designed for universal accessibility. Level changes from the sidewalk to entrances of buildings shall be minimized. Sidewalk furniture and other elements shall be located out of the travel path of entrances to ensure they are not obstacles to building access.

21. Each Storey shall have windows on all Façades facing a public roadway.
22. Each Façade facing a public roadway other than a Lane shall have a minimum of 70% clear, non-reflective glazing on the exterior of the ground floor to promote pedestrian interaction and safety. Proportion of glazing is calculated as a percent of linear meters at 1.5 m above finished Grade.
23. A maximum of 10% of the first Storey glazing may be covered by Signs. The remainder of the glazing shall remain free from obstruction.
24. Landscaping of Sites shall use plant materials that provide colour throughout the year to enhance appearance during the winter months.
25. Where feasible, developments should provide for Rooftop Terraces or gardens.
26. Signs shall complement the pedestrian-oriented commercial environment and shall be provided in accordance with Schedule 59E of this Bylaw, except that:
 - a. the maximum Height of a Freestanding Sign or Digital Sign shall be 6.0 m.
 - b. Projecting Signs shall be located within 0.6 m of each individual business entrance of the building facing a public roadway other than a lane.
 - c. Notwithstanding Section 59E.2.2.e, one additional projecting sign may be permitted per Site for the purpose of advertising businesses that do not have access at ground level.
27. A Comprehensive Sign Design Plan, with a focus on pedestrian-oriented signs and promoting building identity shall be submitted for all new development permits and all exterior alteration development permits.
28. When the Development Officer determines that a Development Permit application does not comply with the regulations contained in this Overlay:
 - a. the Development Officer shall send notice to the municipal address and assessed owners of land wholly or partly located within a distance of 60.0 m of the Site of the proposed development, and the President of each affected Community League and each Business Improvement Area Association operating within the distance described above to outline any requested variances to the Overlay and solicit comments directly related to the proposed variance;

- b. the Development Officer shall not render a decision on the Development Permit application until 21 days after notice has been mailed, unless the Development Officer receives feedback from all specified recipients; and
- c. the Development Officer shall consider any comments directly related to the proposed variance when determining whether to approve the Development Permit application in accordance with Section 11.2.

819.4 Additional Development Regulations for Specific Areas

1. The following regulations shall apply to development within Commercial Zones at each corner of the intersection of 109 Street and 82 Avenue:
 - a. there shall be a triangular shaped Setback 6.0 m in length Abutting along the property lines that meet at each corner of the intersection of 109 Street and 82 Avenue, as shown in the following illustration;



”;

- gg) Deleting the existing Appendix 1 of Section 819, and replacing with the map attached as Schedule 'A' and forming part of this Bylaw, as "Appendix 1 - Main Streets Overlay";
- hh) Deleting Section 820.1 entirely and replacing it as follows:

“The purpose of this Overlay is to prohibit new Bars and Neighbourhood Pubs, and Nightclubs; and to prohibit the expansion of existing Bars and Neighbourhood Pubs, and Nightclubs, while providing opportunities for Breweries, Wineries and Distilleries in the Whyte Avenue Commercial Area.”;

ii) Adding the following to Section 820.3:

“4. Notwithstanding Section 800.2, a Breweries, Wineries and Distilleries Use shall only be allowed in the area of application of this Overlay if:

- a. developed with a total Public Space, including any private non-sale hospitality area, that does not exceed 80 m² or 30% of the total Floor Area, whichever is less;
- b. developed in combination with a Restaurant; or
- c. developed in combination with an existing Bar and Neighbourhood Pub or an existing Nightclub, provided the total Public Space, including any private non-sale hospitality area, does not exceed the occupancy load and the Public Space specified in the existing approval for the Bar and Neighbourhood Pub or Nightclub.”;

jj) Deleting Section 821 entirely.

kk) Deleting Section 860 Appendix IV: Floor Area Ratio (FAR) and Height Incentives, 6.A and 6.B., and replacing it as follows:

“A. Studio large - greater than 46 m²

B. Studio small - less than 46 m²”;

ll) Adding to Section 910.4(1) as follows, and renumbering accordingly:

“a. Parking shall be in accordance with Section 54 Schedule 1(B), except that:

- i. parking shall not be required for Conversions to Residential and Residential Related Uses;
- ii. parking shall not be required for any Uses located in buildings on the Inventory of Historic Resources in Edmonton; and
- iii. at such time as a Parking Impact Assessment is submitted, the applicant for a Development Permit may apply for a reduction to the minimum number of parking

spaces. The applicant must demonstrate through a Parking Impact Assessment that by virtue of the Use, character, or location of the proposed development, and its relationship to public transit facilities, car share programs, and any other available parking, the parking required for the proposed development may be less than any minimum set out in Schedule 1(B) of Section 54 of the Zoning Bylaw.”;

mm) Deleting Section 910.5(4)(e), Section 910.6(4)(e), Section 910.7(4)(e), Section 910.8(4)(g), Section 910.10(4)(g), Section 910.11(4)(f), and Section 910.12(4)(e) entirely, and renumbering accordingly;

nn) Adding Section 990.4(3) with the following and renumbering accordingly:

“3. Discretionary Uses

a. Breweries, Wineries and Distilleries”; and

oo) Adding “Breweries, Wineries and Distilleries” alphabetically to the following Sections and renumbering accordingly:

310.3, 320.3, 330.3, 340.3, 350.3, 360.3, 370.3, 400.2, 410.2, 420.2, 541 Appendix I (2), 910.5(3), 910.6(3), 910.7(3), 910.9(3), 910.11(3), 910.12(3), 930.4(2), 930.5(2), 940.6(4), 960.5(3), 960.6(3).

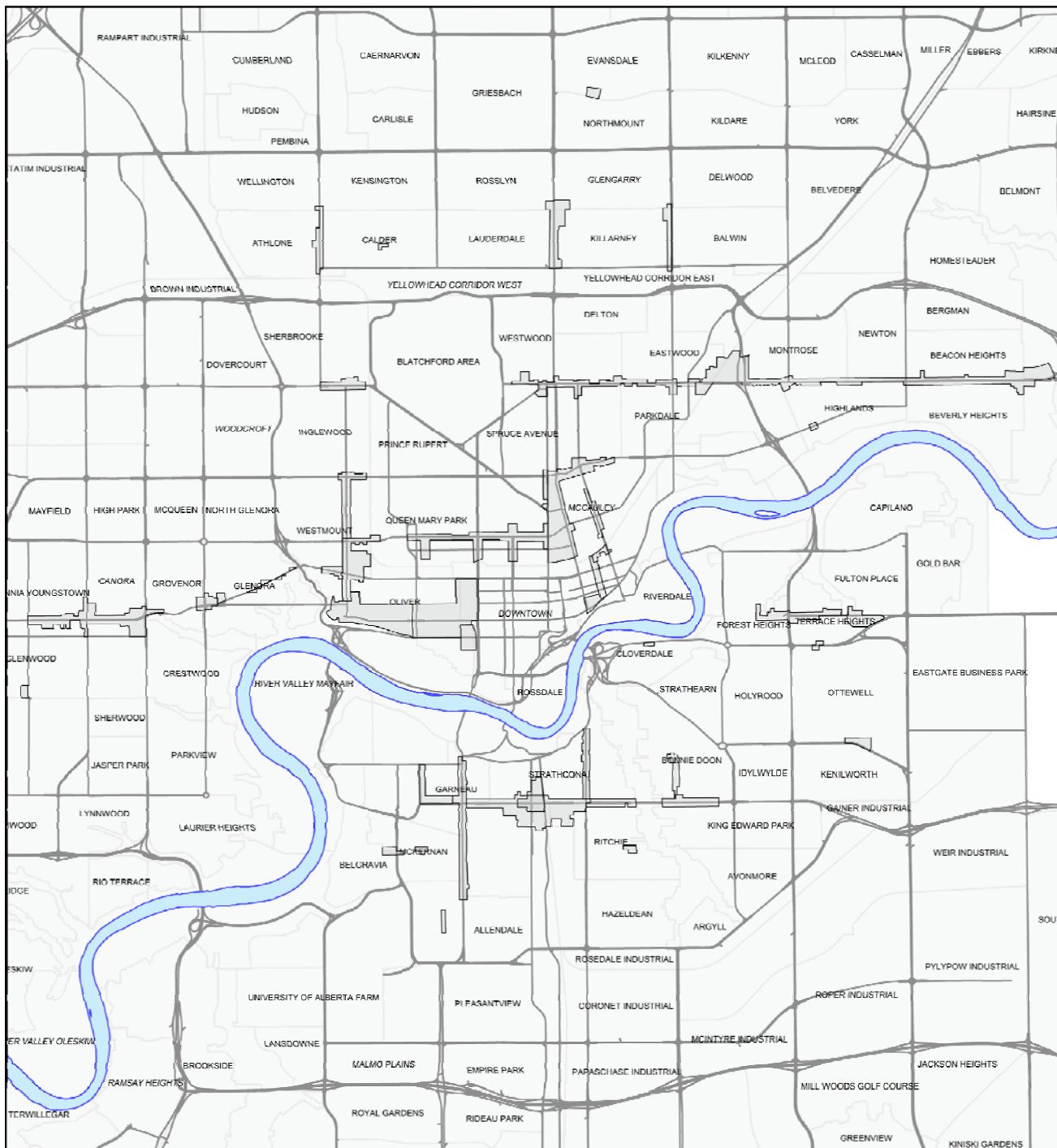
READ a first time this	day of	, A. D. 2017;
READ a second time this	day of	, A. D. 2017;
READ a third time this	day of	, A. D. 2017;
SIGNED and PASSED this	day of	, A. D. 2017.

THE CITY OF EDMONTON

MAYOR

CITY CLERK

Main Streets Overlay Area of Application



Map Compiled by:
Zoning Bylaw,
Development Services

July 2017

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LEGEND

 Main Streets Overlay



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