

Charter Bylaw 18837

A Bylaw to amend Bylaw 12800, as amended,
The Edmonton Zoning Bylaw
Amendment No. 2795

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 819, 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.

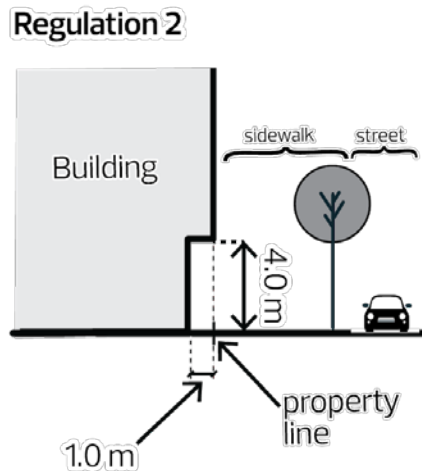
819.2 Application

1. This Overlay applies to sites zoned CNC, CSC, CB1, CB2, CHY, CO and CB3 that are located within:
 - a) the areas shown on the Appendix to this Overlay; and/or
 - b) 200 m of an existing LRT station, transit centre or future LRT station or transit centre with a Council-approved Concept Plan.

819.3 Development Regulations for New Principal Buildings

1. The development regulations contained within Section 819.3, shall apply to Development Permit applications for:
 - a. the construction of one or more new buildings; and/or
 - b. the addition of Storeys or Floor Area to an existing building.
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 the applicable City department. The Development Officer may allow this Setback to be increased to a maximum of 2.5 m to accommodate street related activities, such as patios and seating areas, or to retain existing mature landscaping, 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.

Diagram of Regulation 2 - for illustrative purposes



3. Notwithstanding Section 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 the RF5 Zone:
 - a. the minimum Setback Abutting the Residential Zone shall be 6.0 m except:
 - i. where the proposed building Height is 12.0 m or less, the minimum Setback Abutting a Residential zone shall be 3.0 m.
 - b. notwithstanding a more restrictive regulation existing in the underlying Zone, parking, loading, storage, and/or trash collection shall be permitted within the

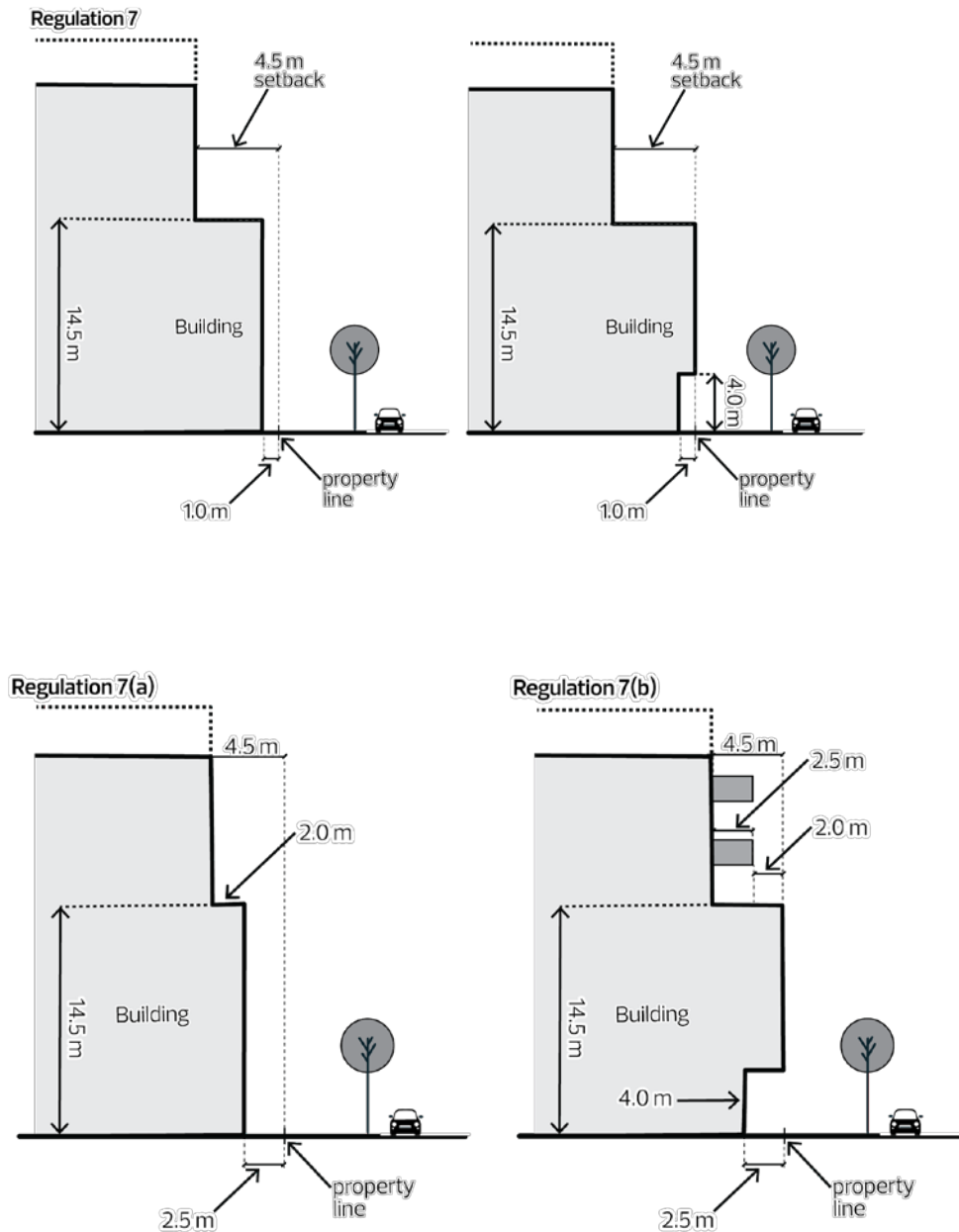
Setback, provided a minimum 1.5 m wide landscaping buffer, extending out from the shared property line, is provided for the purpose of screening all parking and service areas from view from any Abutting Residential Zone in accordance with Section 55.5(6).

- c. the Façade of the building facing the Abutting or adjacent Residential Lot Line shall be articulated to improve the visual interest and reduce the perceived mass of the building using one or more of the following techniques:
 - i. Stepbacks of a minimum depth of 1.0 m for any portion of the Façade above 8.9 m in Height or;
 - ii. projection or recession of portions of the Façade of a minimum depth of 1.0 m or;
 - iii. projecting architectural features; or
 - iv. projecting or recessed Platform Structures of a minimum depth of 1.5 m.

Variations in colour or building materials shall not satisfy this requirement.

- 5. Notwithstanding a more restrictive regulation existing in the underlying zone and Section 800.2(2)(b), when a Site zoned CB1 or CNC is fronting or flanking 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; and
 - b. the maximum Floor Area Ratio shall be 3.5.
- 6. Notwithstanding the underlying Zone and section 800.2.2.b, no maximum Floor Area Ratio shall apply to Apartment Housing.
- 7. Where a building exceeds 14.5 m in Height, the portion of the building above this Height shall require a minimum Setback of 4.5 m from the Lot Line Abutting a public roadway other than a Lane, except that:
 - a. where a building is Setback a minimum of 1.0 m to accommodate street related activities that contribute to the pedestrian-oriented shopping character of the area, no Platform Structures may project within 4.5 m of the property line.
 - b. where the proposed development projects to the front property line above 4.0 m, the provisions of subsection 819.3(7)(a) shall not apply.

Diagram of Regulation 7 - for illustrative purposes



8. 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.
9. All surface parking and underground parking access shall be located at the rear of the building.
10. 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.

11. Any vehicular oriented Uses, as identified in Section 72.1 of this Bylaw, or development with a drive through service window shall:
 - a. not be located within a freestanding building, except that, gas pump islands may be located in a freestanding structure at the rear of a Site;
 - b. be oriented so that drive aisles, drive-through service windows, and queueing lanes are located at the rear of the building; and
 - c. use Landscaping or other materials to screen and soften the impact of vehicular oriented Uses from Residential Zones, adjacent development and adjacent public roadways other than a Lane.
12. Where a Commercial Use is provided at ground level Abutting a public roadway, other than a Lane, the principal entrance shall have direct external access to the adjacent public sidewalk.
13. 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.
14. 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.

819.4 Development Regulations for All Developments

1. The development regulations contained within Section 819.4, shall apply to Development Permit applications for:
 - a. the construction of one or more new building;
 - b. the addition of Storeys or Floor Area to an existing building;
 - c. the exterior alteration of a Façade of a principal building; and/or
 - d. the addition to a principal building that faces a public roadway other than a Lane.
2. 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.
3. No new parking facilities, drive through aisles, and queueing spaces shall be added between an existing building and a public roadway other than a Lane. All existing and proposed surface parking, underground parking access, drive through aisles, and queueing spaces shall be screened from view from a public roadway other than a Lane and adjacent Sites using methods such as Landscaping, fencing or other materials.

Crime Prevention Through Environmental Design principles shall be used to enhance the appearance, natural surveillance and safety of the parking area.

4. Parking, loading and passenger drop-off areas shall be designed to minimize pedestrian-vehicle conflicts and prioritize pedestrian movement through the Site.
5. To improve architectural interest of the principal structure and create a pedestrian-friendly environment for all seasons, design techniques including but not limited to entrance features, varied roof design, outdoor seating areas, canopies, or Landscaping shall be incorporated.
6. 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.
7. 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.
8. Each Storey shall have windows on all Façades facing a public roadway.
9. Each Façade facing a public or private 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, except:
 - a. when a Development Permit application is solely for exterior alterations to existing buildings, each Façade facing a public roadway other than a Lane shall have a minimum of 50% clear, non-reflective glazing on the exterior of the ground floor.

Proportion of glazing is calculated as a percent of linear meters at 1.5 m above finished Grade.

10. A maximum of 10% of the first Storey glazing may be covered by Signs. The remainder of the glazing shall remain free from obstruction.
11. Landscaping of Sites shall use plant materials that provide colour throughout the year to enhance appearance during the winter months.
12. A Rooftop Terrace facing a Residential Zone that allows Single Detached Housing as a Permitted Use or the RF5 Zone, shall:
 - a. require Privacy Screening along the full length of the Rooftop Terrace facing the applicable Residential Zone that;
 - i. is a minimum of 1.5 m in Height; and
 - ii. shall not exceed 1.7 m in Height,

When measured from the surface of a rooftop in accordance with Section 61.

13. Where a Commercial Use is provided at ground level Abutting a public roadway other than a Lane, the principal entrance shall be designed for universal accessibility. A maximum of two ground floor commercial units may share a common entranceway.
14. 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 and shall be designed for universal accessibility.
15. 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 11.3.

819.5 Development Regulations for Signs

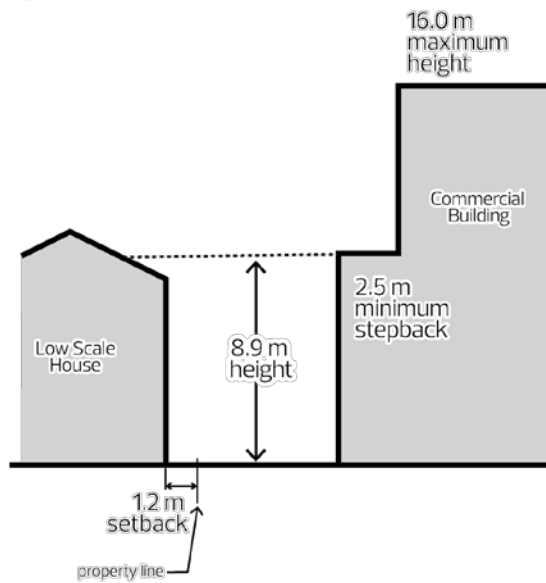
1. A Comprehensive Sign Design Plan, with a focus on pedestrian-oriented signs and promoting building identity, shall be submitted with a Development Permit application for:
 - a. the redevelopment of a Site
 - b. the construction of new principal buildings;
 - c. the exterior alteration of an entire principal building; or
 - d. any new Development Permit, at the discretion of the Development Officer.
2. 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 shall be 6.0 m, as measured from Grade to the top of the Freestanding Sign.

- b. Projecting Signs shall be located within 1.0 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 building for the purpose of advertising businesses that do not have access at ground level.
 - d. Where regulations for a Sign Use do not appear within Schedule 59E, the Schedule applicable to the underlying Zone shall apply.
3. When the Development Officer determines that a Development Permit application does not comply with the regulations contained in this section of the Overlay the notification process outlined in subsection 819.4(15) shall apply.

819.6 Additional Development Regulations for Specific Areas

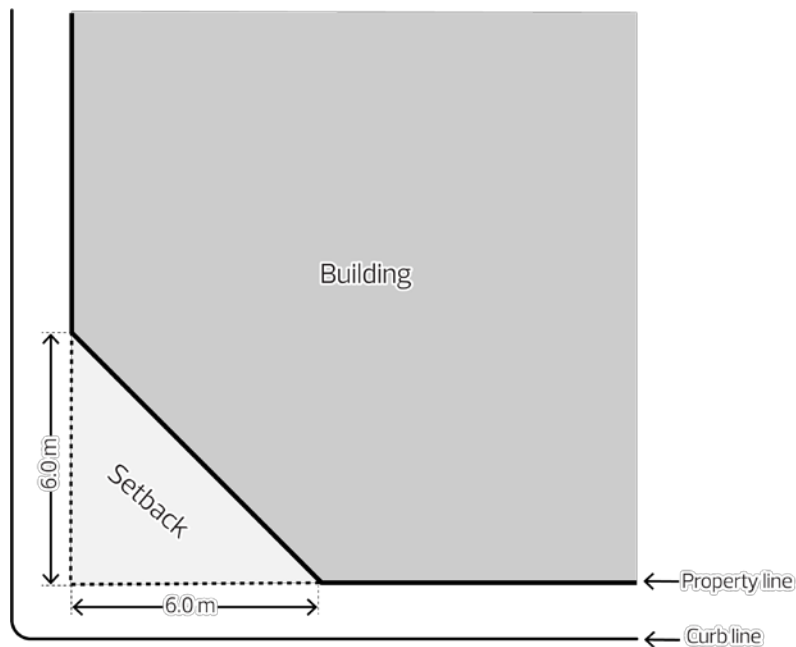
- 1. The development regulations contained within Section 819.6 shall apply to the portions of the Overlay that are contained within the boundaries of the 109 Street Area Redevelopment Plan.
- 2. Where the underlying Zone allows Bars and Neighbourhood Pubs, or Nightclubs as a Permitted or Discretionary Use, these Uses shall not exceed an occupant load of 200 or 240 m² of Public Space. Notwithstanding subsections 11.3 and 11.4, and that larger facilities may be listed as Discretionary Uses, variances shall not be granted unless otherwise specified by a Statutory Plan applicable to the Site.
- 3. Increases in Height and Floor Area Ratio provided in Section 819.3(5) shall only be granted when a development contains a minimum 1.5 Floor Area Ratio for Residential or Residential-related Uses.
- 4. The principal entrance for any Commercial Use on a Site that Abuts 109 Street shall be oriented to the street.
- 5. Notwithstanding subsection 819.3(4)(a)(i) and 819.3(4)(b), on all Sites adjacent to or Abutting a Zone that allows Single Detached Housing as a Permitted Use or the RF5 Zone, the minimum Setback facing the Residential Zone shall be 6.0 m, and no parking, loading, storage, trash collection, outdoor service or display area shall be permitted within this Setback.
- 6. Notwithstanding subsection 819.3(4)(c), on all Sites adjacent to or Abutting a property zoned to allow Single Detached Housing as a Permitted Use or the RF5 Zone, a 2.5 m Stepback shall be required for any portion of the directly adjacent Façade above 8.9 m in Height.

Diagram of Regulation 6 - for illustrative purposes

Regulation 6

7. The following regulations shall apply to development within Commercial Zones at each corner of the intersection of 109 Street and 82 Avenue:
- 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;

Diagram of Regulation 7 - for illustrative purposes



- the principle building entrance shall be located in the triangular shaped setback, as shown in the illustration.

8. When the Development Officer determines that a Development Permit application does not comply with the regulations contained in this section of the Overlay the notification process outlined in subsection 819.4(15) shall apply.”.

b) Deleting the existing Appendix 1 of this Overlay, and replacing with the map attached as Schedule 'A' and forming part of this Bylaw, as "Appendix 1 - Main Streets Overlay".

READ a first time this	day of	, A. D. 2019;
READ a second time this	day of	, A. D. 2019;
READ a third time this	day of	, A. D. 2019;
SIGNED and PASSED this	day of	, A. D. 2019.

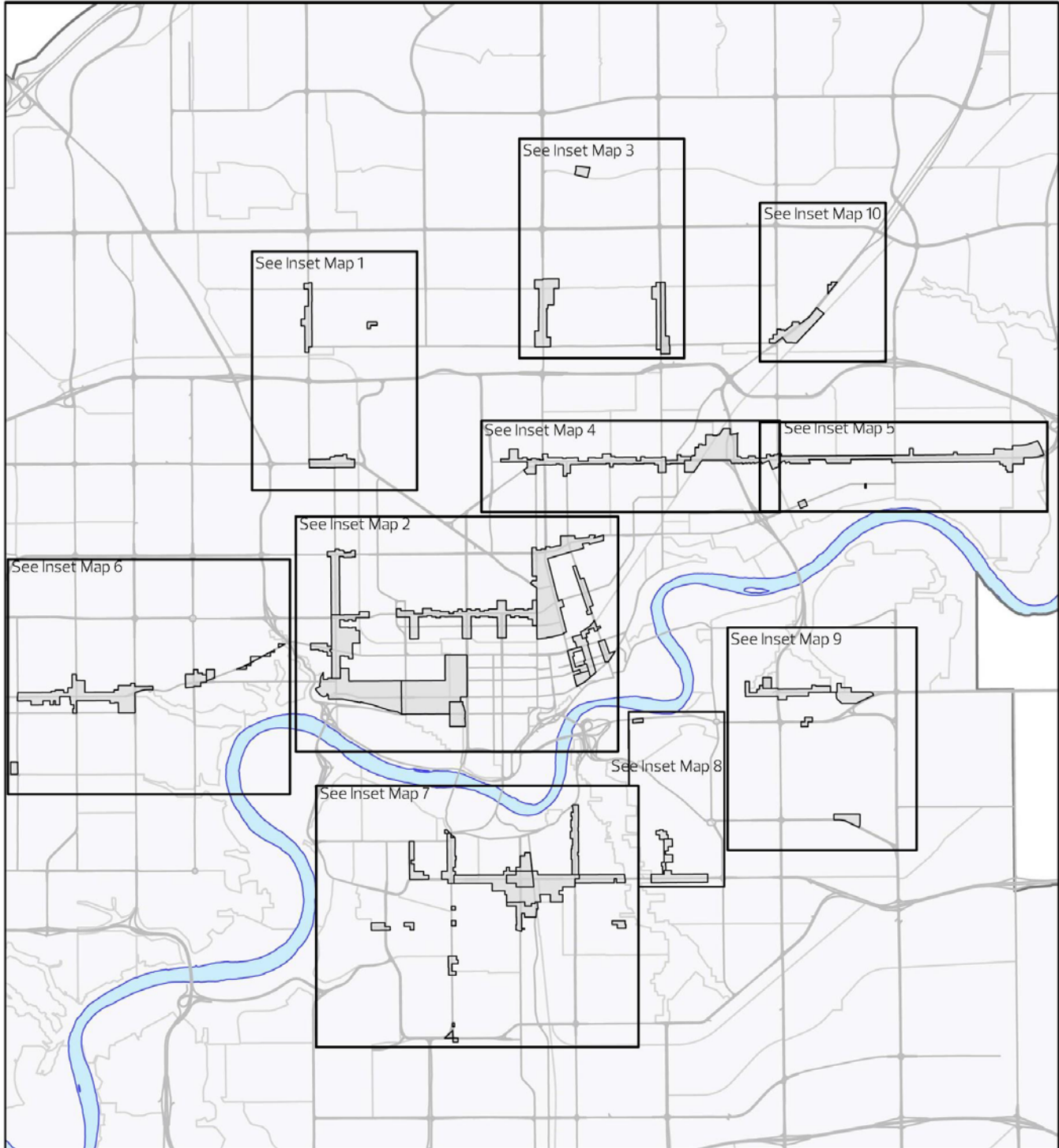
THE CITY OF EDMONTON

MAYOR

CITY CLERK

Main Streets Overlay Area of Application

Edmonton



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February 2019

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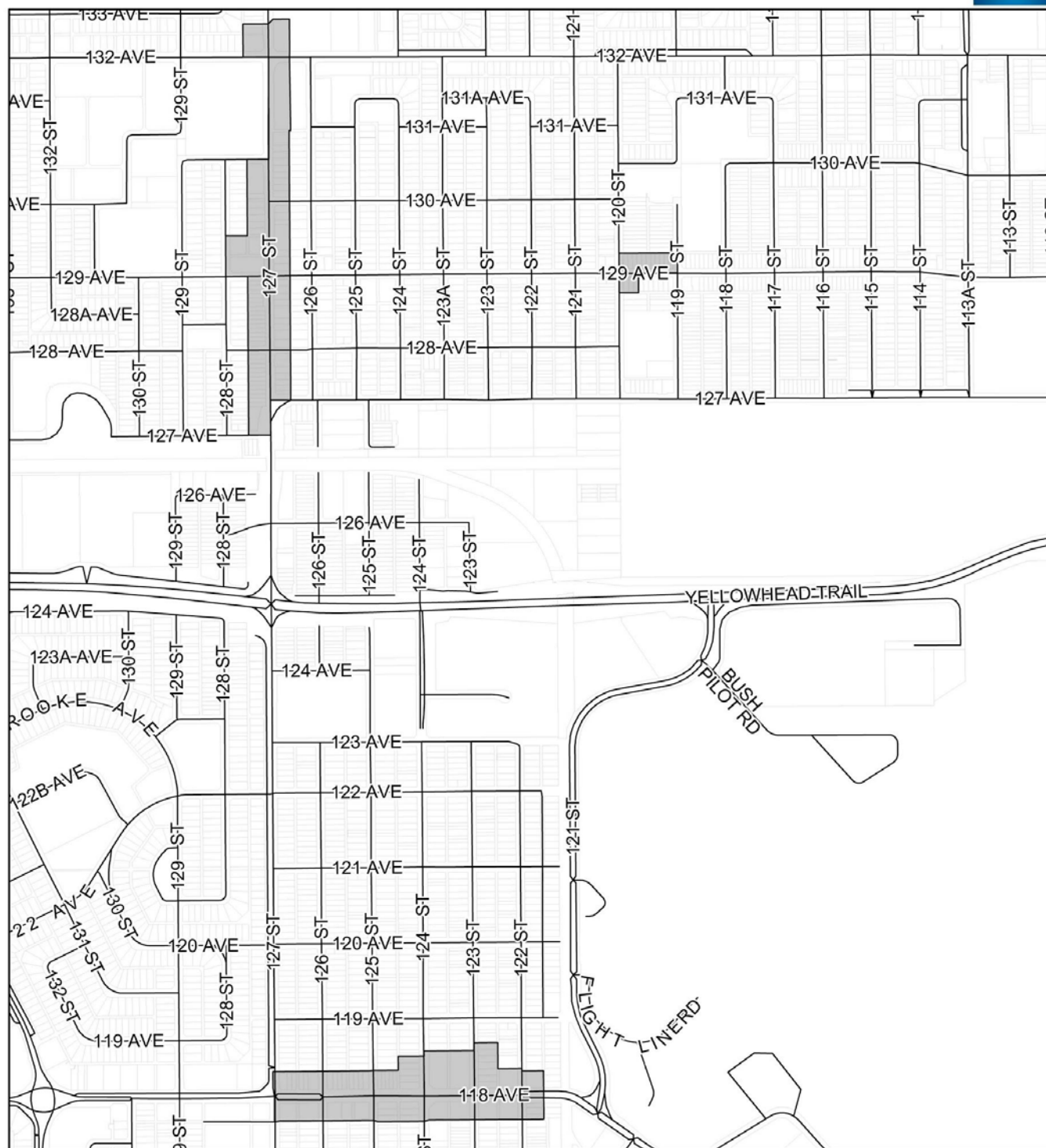
Mainstreet Overlay



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Main Streets Overlay: Inset Map 1



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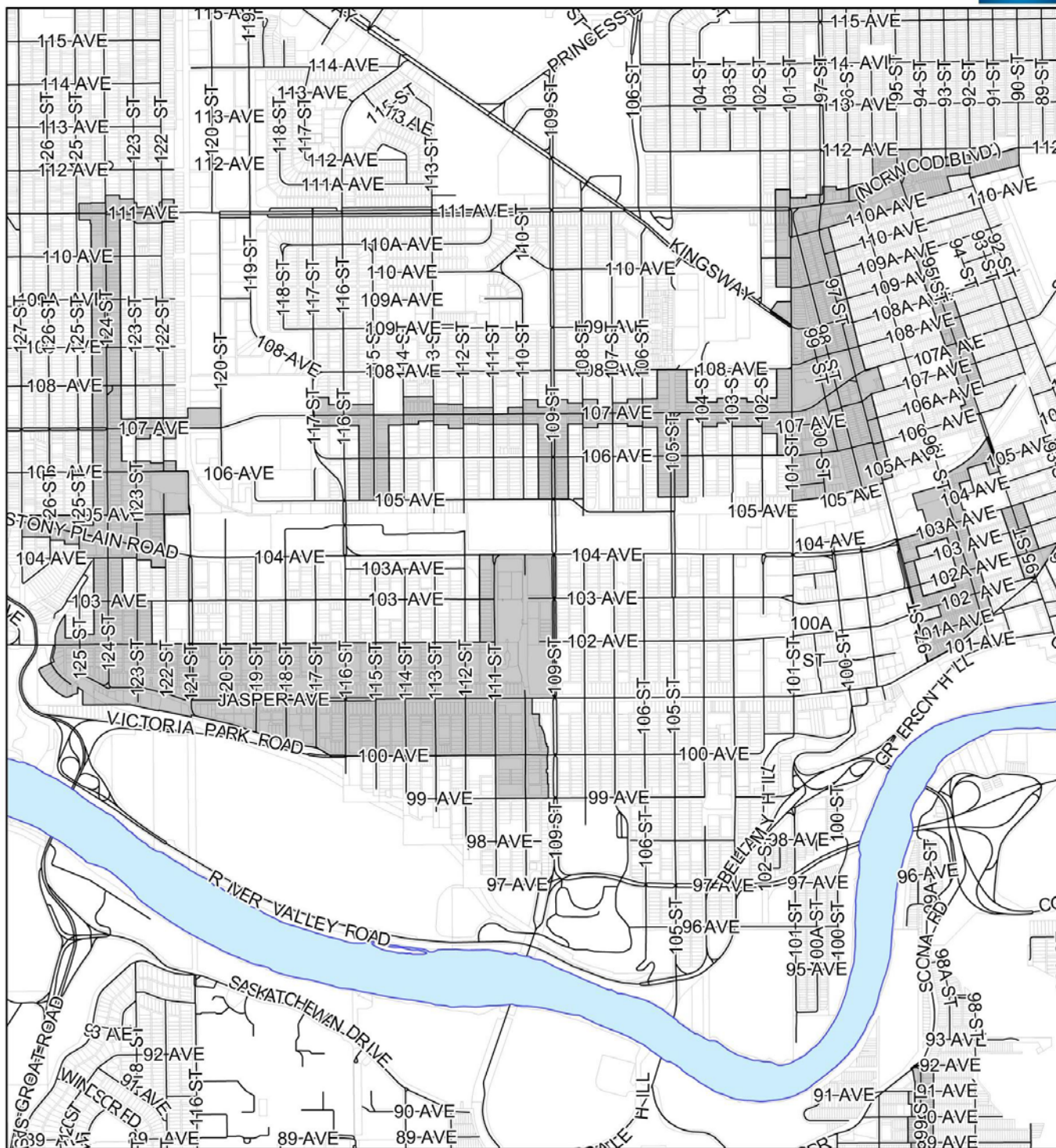
- Main Streets Overlay
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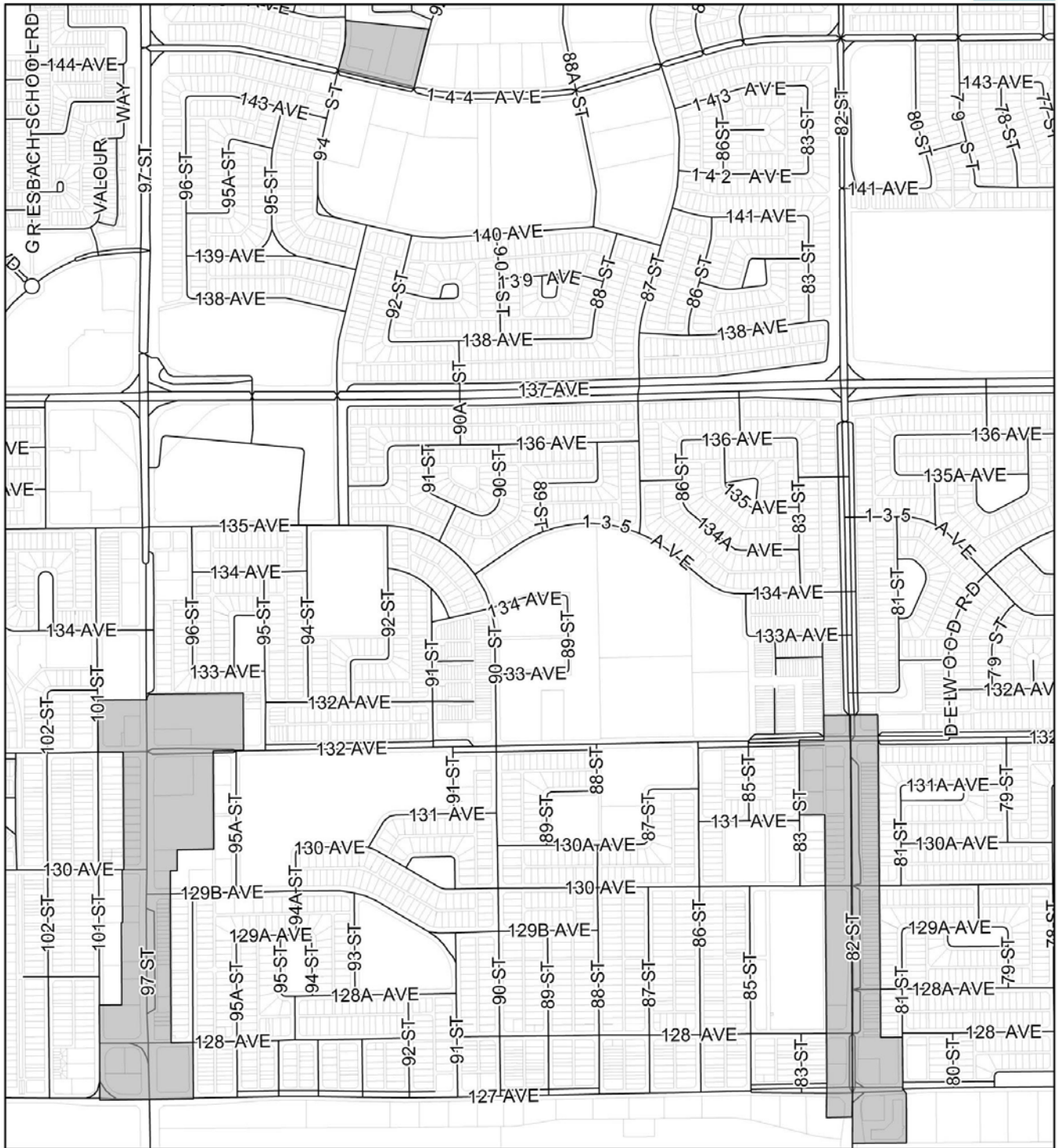
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Main Streets Overlay: Inset Map 3



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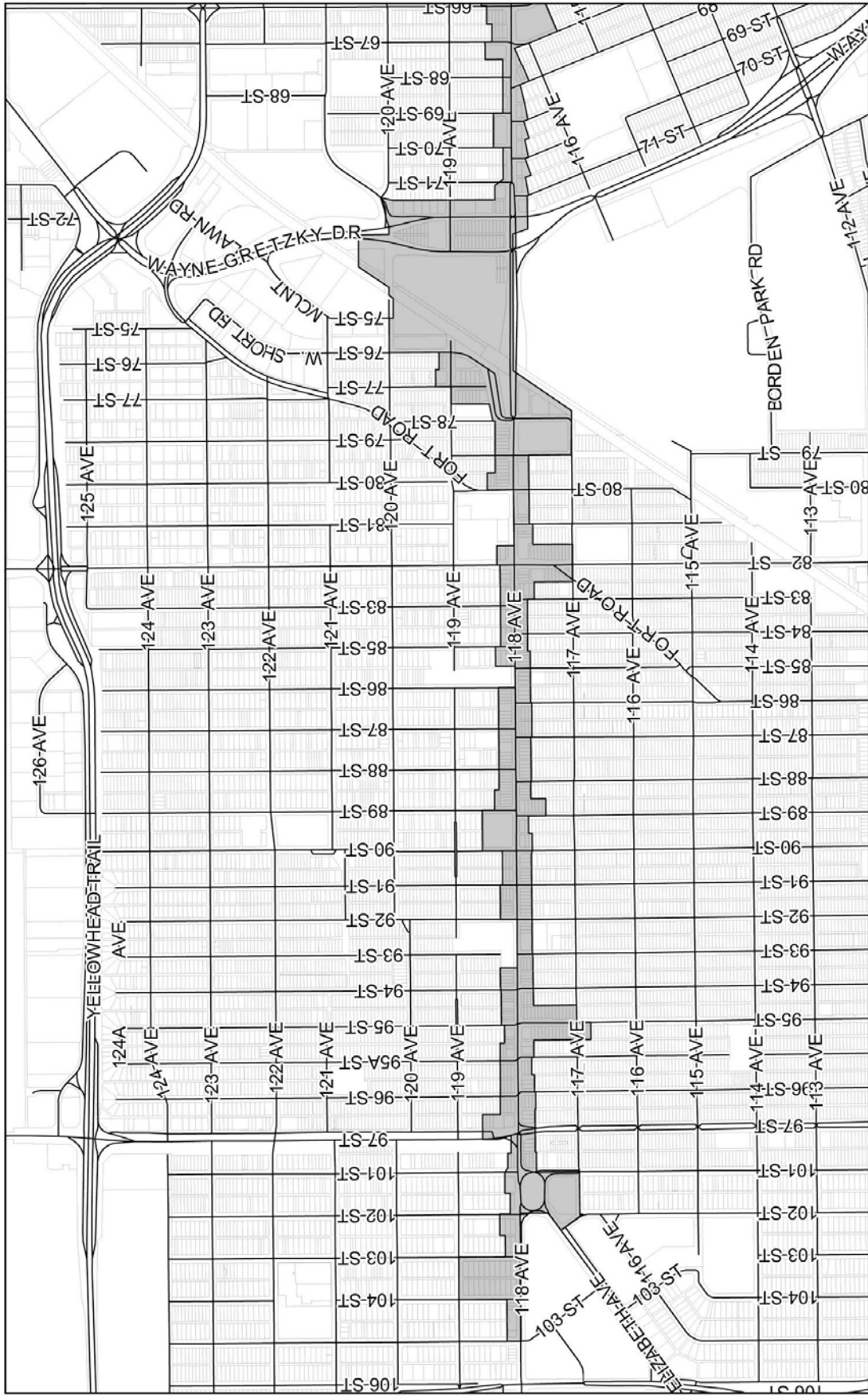
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Main Streets Overlay

Legal Parcels

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SCHEDULE A

Main Streets Overlay: Inset Map 5

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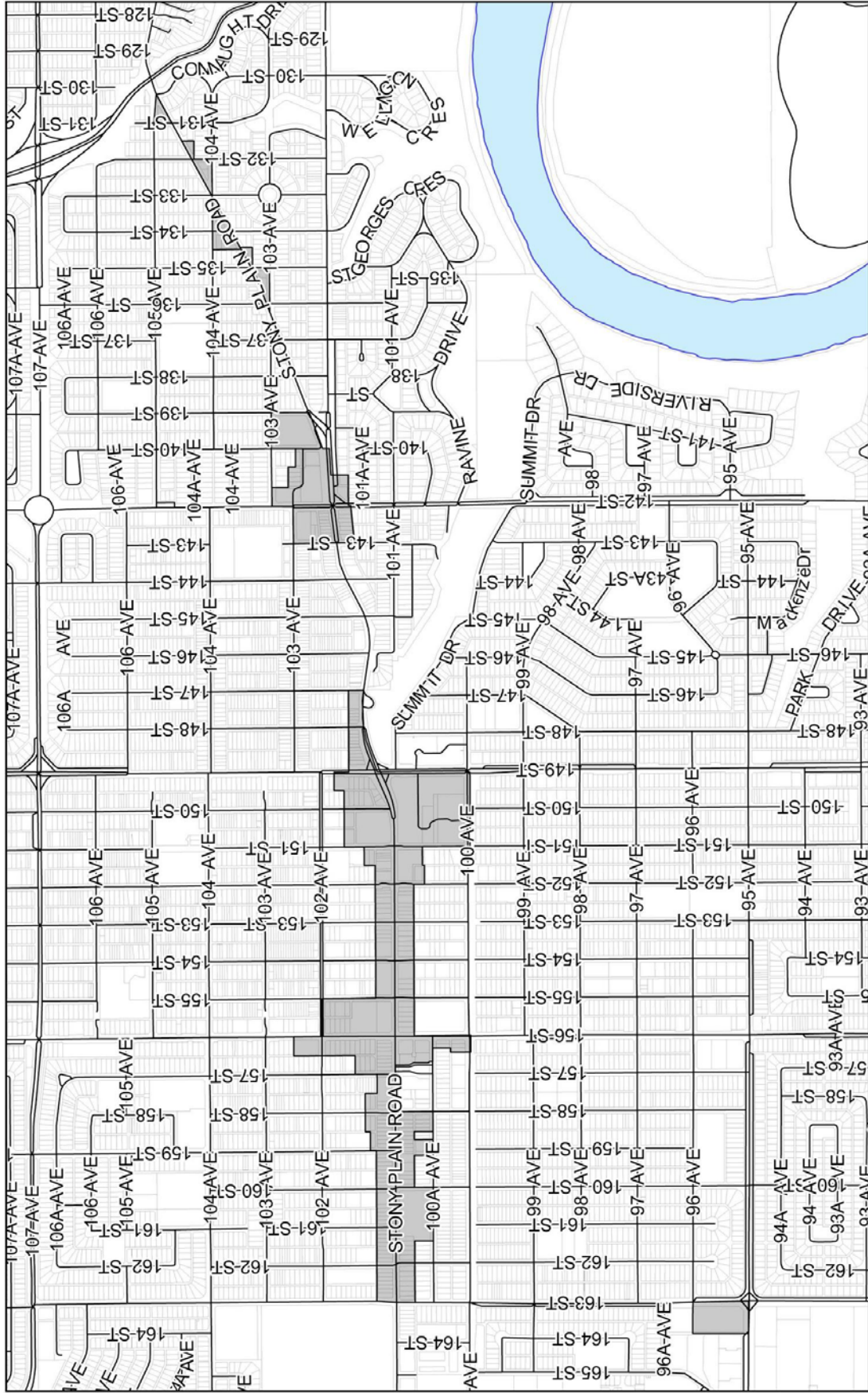
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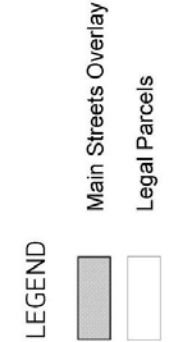
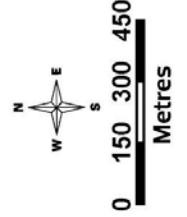
SCHEDULE A

Main Streets Overlay: Inset Map 6

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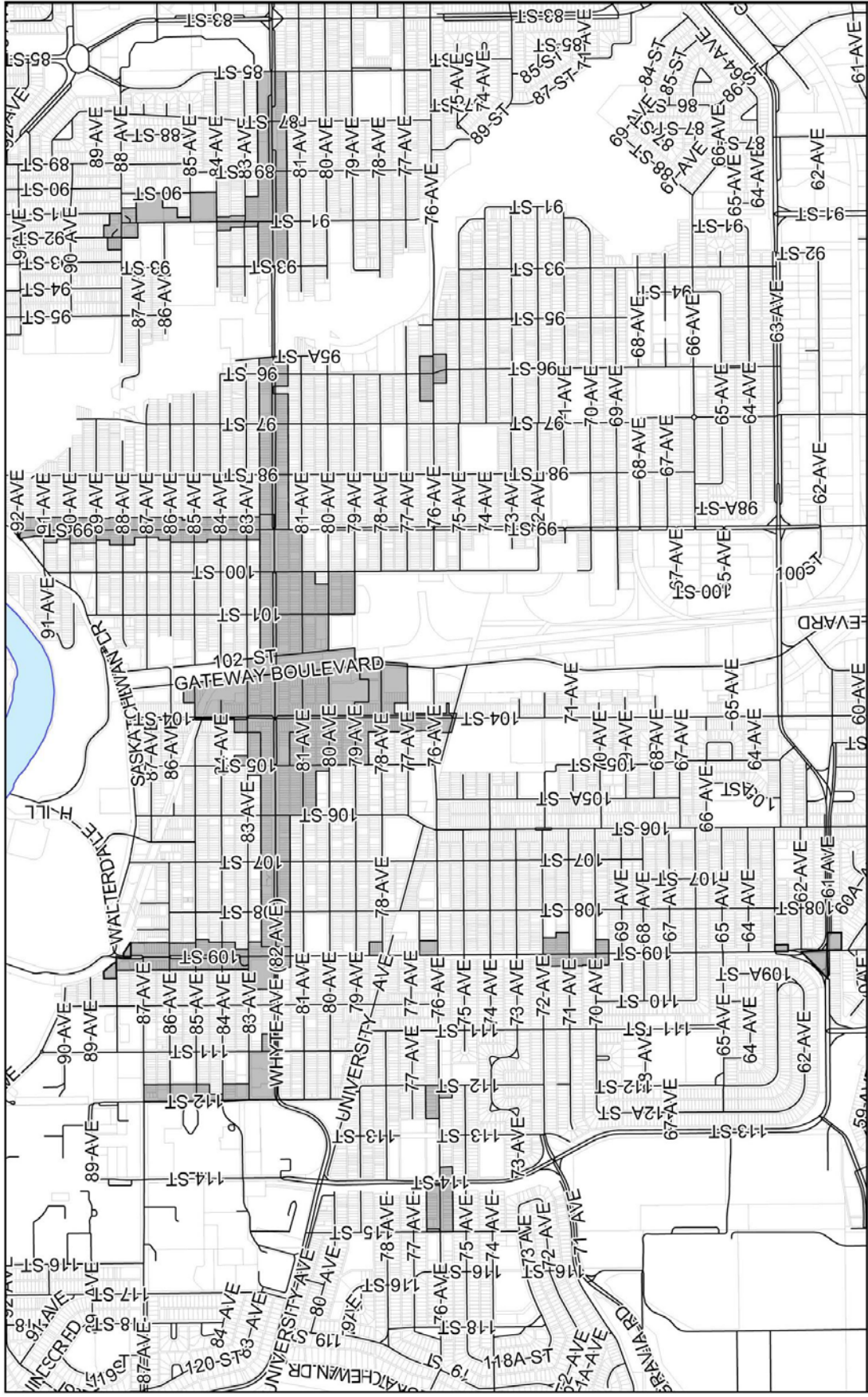
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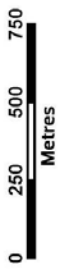
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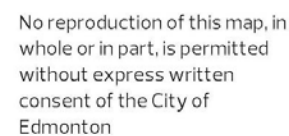


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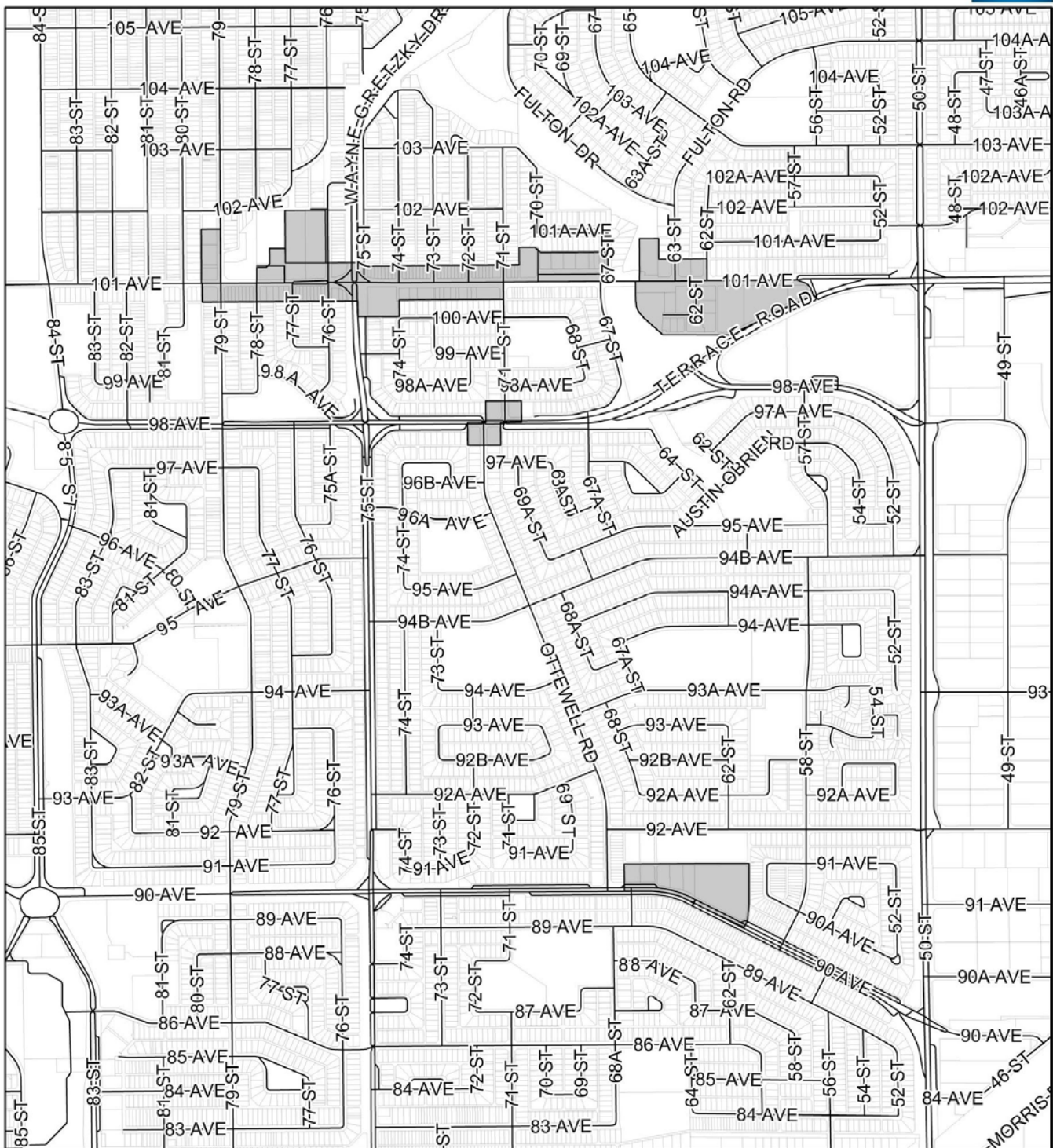


- LEGEND**
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Main Streets Overlay: Inset Map 9



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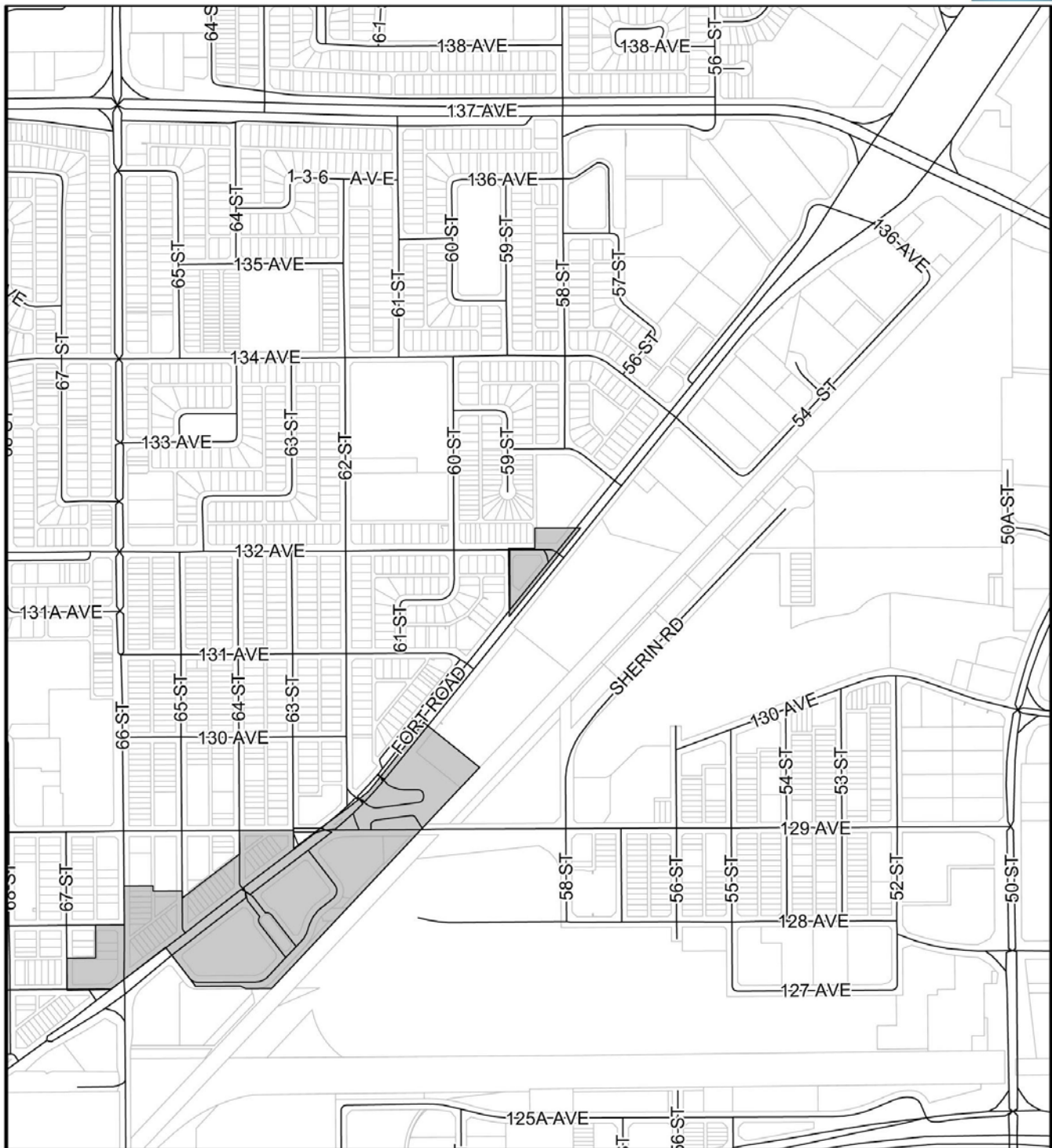
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Main Streets Overlay: Inset Map 10



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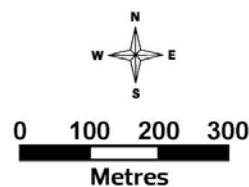
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