

Mark-up of Recommended Amendments to the Main Streets Overlay

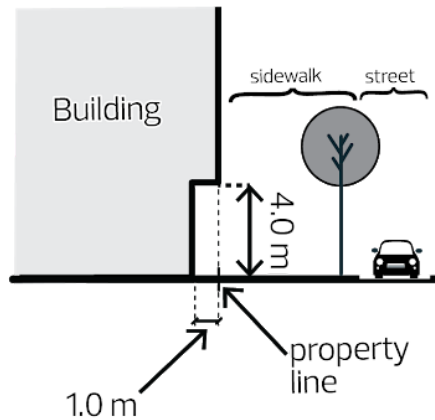
<p>Black Font Existing Text in Zoning Bylaw 12800</p> <p>Strikethrough: Proposed deletion from Zoning Bylaw 12800</p> <p><u>Underline:</u> Proposed addition to Zoning Bylaw 12800</p> <p><i>*please note that changes have been made to the order of regulations. For simplicity and to highlight textual changes, relocated regulations have not been identified in red text</i></p>	Rationale
<p>819 Main Streets Overlay</p>	
<p>819.1 General Purpose</p> <p>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.</p>	
<p>819.2 Application</p> <p>1. This Overlay applies to all Commercial Zones within <u>Sites zoned CNC, CSC, CB1, CB2, CHY, CO and CB3 that are located within:</u></p> <p>a) the areas shown on the Appendix to this Overlay, and within; <u>and/or</u></p> <p>b) 200 m of an existing LRT station, or transit centre; or a future LRT station or transit centre with a Council-approved Concept Plan.</p>	<p>Additional wording added to clarify that the Overlay only applies to commercial zones that fall within applicable geographic areas.</p>
<p>819.3 Development Regulations <u>for New Principal Buildings</u></p> <p><u>1. The development regulations contained within Section 819.3, shall apply to Development Permit applications for:</u></p> <p>a) <u>the construction of one or more new buildings; and/or</u></p> <p>b) <u>the addition of Storeys or Floor Area to an existing building.</u></p>	<p>This regulation ensures that regulations contained within 819.3 only apply to new developments, rather than investments to existing buildings.</p>
<p>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</p>	<p>This language provides clearer direction in the event of future</p>

Development Officer in consultation with Integrated Infrastructure Services 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.

department name changes. Development Officers have identified a number of instances where the one metre setback interferes with existing landscaping. This updated provision allows the Development Officer to allow a greater setback to preserve mature landscaping.

Diagram of Regulation 2 - for illustrative purposes

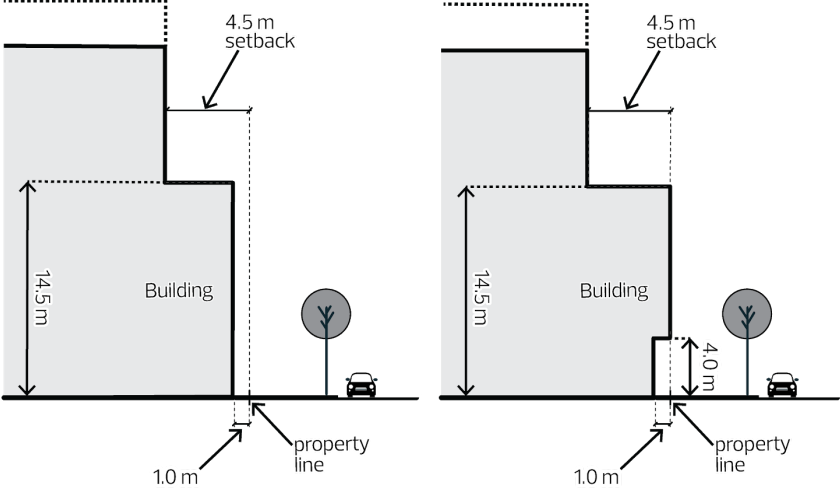
Regulation 2

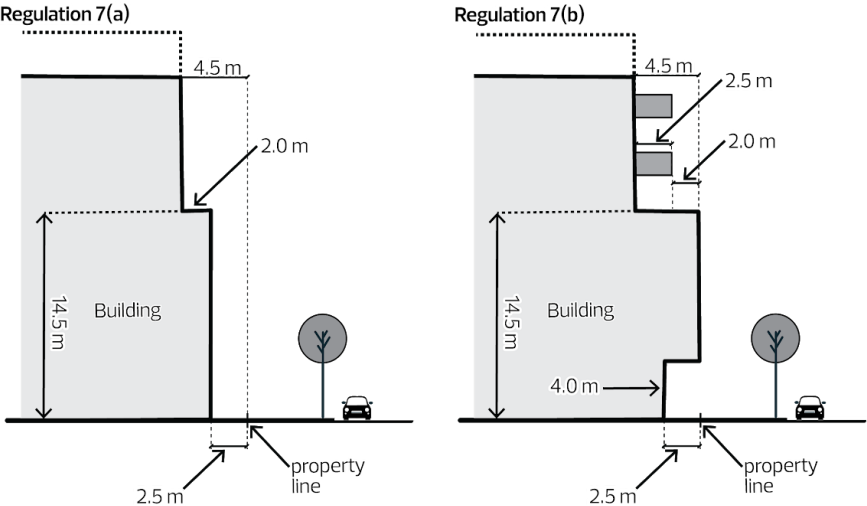


This diagram helps to explain the intent of the setback regulation.

<p>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.</p>	<p>No change proposed, correction to numbering only.</p>
<p>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 <u>the RF5 Zone</u>:</p> <p>a) The <u>the</u> minimum Setback Abutting the residential <u>Residential</u> Zone shall be 6.0 m and except:</p> <p>i) where the proposed building Height is 12.0 m or less, the minimum Setback Abutting a Residential zone shall be 3.0 m.</p>	<p>Clarification is provided for lower buildings to avoid creating a larger setback requirement than would be required in the underlying zone.</p>
<p>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).</p>	<p>This clause allows parking and waste collection within this 6.0 m setback. This will allow for greater use of sites that are constrained by size along established main streets. A 1.5m landscape buffer between adjacent low density properties ensures sufficient space for viable planting.</p>
<p>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.</p> <p>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:</p> <p>i) Stepbacks of a minimum depth of 1.0 m for any portion of the Façade above 8.9 m in Height or:</p>	<p>The existing stepback regulation (b) is replaced with additional design methods to enhance the rear façade of the building and reduce perceived massing (new c). Metrics have been added to the requirements to provide additional parameters, and it has been clarified that changes in</p>

<p><u>ii) projection or recession of portions of the Façade of a minimum depth of 1.0 m or;</u></p> <p><u>iii) projecting architectural features; or</u></p> <p><u>iv) projecting or recessed Platform Structures of a minimum depth of 1.5 m.</u></p> <p><u>Variations in colour or building materials shall not satisfy this requirement.</u></p>	<p>building materials or colours will not satisfy the requirement.</p>
<p>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 when a Site is zoned CB1 or CNC and is fronting or flanking an arterial roadway:</p> <p>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</p> <p>b) the maximum Floor Area Ratio shall be 3.5.</p>	<p>This regulation has been amended for clarity only.</p>
<p><u>6. Notwithstanding the underlying Zone and section 800.2.2.b, no maximum Floor Area Ratio shall apply to Apartment Housing.</u></p>	<p>This regulation has been added to exempt residential development from the maximum Floor Area Ratio as a means to encourage mixed use development along the city's main streets and transit areas.</p>
<p>6. 7. Where a building exceeds 14.5 m in Height, the portion of the building above this Height shall require a minimum Stepback <u>Setback</u> of 4.5 m from the building façade facing Lot Line Abutting a public roadway other than a Lane, except that:- Platform structures may project up to 1.5 m into the Stepback.</p> <p>a) <u>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.</u></p> <p>b) <u>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.</u></p>	<p>Changing from Stepback to Setback ensures that buildings that are set back further from the property line are not penalized. At the same time, a new restrictions for projections into the setback area has been added to ensure all buildings have articulation at 14.5m in height regardless of how far they</p>

	are setback from the property line at ground level.
<p><u>Diagram of Regulation 7 - for illustrative purposes</u></p> <p>Regulation 7</p>  <p>The diagram illustrates the setback requirements for a building under Regulation 7. It shows two side-by-side building footprints. Each building has a main rectangular base and a smaller rectangular section on top. The main base is 14.5 m high. The top section is 4.5 m high. The setback from the property line at ground level is 1.0 m. The setback from the property line at the top of the main base is 4.5 m. A tree and a car are shown to the right of each building for context.</p>	This diagram provides interpretation for the setback requirement for upper stories.

 <p>Regulation 7(a)</p> <p>Regulation 7(b)</p>	
<p>7. 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.</p>	<p>No changes proposed.</p>
<p>8. 9. 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.</p>	<p>Former regulation 8, new regulation 9, was broken into two separate regulations for the purpose of clarity. The latter half of this regulation is now contained within Section 819.4.</p>
<p>9. 10. Any parking structures shall be screened from view at ground level by street fronting commercial Commercial Uses with a minimum depth of 8.0 m from the Lot line Abutting a public roadway other than a Lane.</p>	<p>No changes proposed, correction for defined use capitalization only.</p>

<p>11. The minimum number of off-street parking spaces required shall be in accordance with Section 54, Schedule 1C.</p>	<p>Deleted as it is redundant to Section 54. Schedule 1C will continue to apply in the Overlay</p>
<p>42- 11. Any <u>vehicular oriented Uses, as identified in Section 72.1 of this Bylaw, or</u> development with a drive through service window shall:</p> <ul style="list-style-type: none"> a) form part of a mixed use building and shall not be located within a freestanding building, onto itself except that, gas pump islands may be located in a freestanding structure at the rear of a Site; b) be oriented so that the location of the 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 the drive-through service window of vehicular oriented Uses from Residential Zones, adjacent development and adjacent public roadways other than a Lane. 	<p>This regulation has been amended to ensure that vehicle oriented developments such as gas stations or service stations are screened from view, located at the rear of a site and oriented away from the main street.</p>
<p>46- 12. Where a Commercial Use is provided at ground level Abutting a public roadway, other than a Lane, the principal entrance to the unit shall <u>shall</u> have direct external access to the adjacent public sidewalk. A maximum of two ground floor commercial units may share a common entranceway.</p>	<p>This regulation has been combined with the old regulation 819.3(20) to ensure universal access is maintained, but allow for greater flexibility in design to meet that intent through the use of ramps or other barrier free designs. This regulation now directs the entrances to the ground level commercial use to have direct external access to the adjacent main street.</p>
<p>48- 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 <u>Frontage</u> shall be used for Commercial Uses, which may be ancillary to the Hotel.</p>	<p>No change proposed.</p>

<p>19. 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.</p>	No change proposed.
<p>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.</p>	The intent of this regulation has been captured in the revised regulation 819.4(14).
<p><u>819.4 Development Regulations for All Developments</u></p>	This new section has been added to provide appropriate regulations for minor changes to existing buildings. While these development regulations apply to new constructions as well, the reverse is not the case; exterior alterations will not be subject to the development regulations contained within Section 819.3.
<p><u>1. The development regulations contained within Section 819.4, shall apply to Development Permit applications for:</u></p> <ul style="list-style-type: none"> a) <u>the construction of one or more new building;</u> b) <u>the addition of Storeys or Floor Area to an existing building;</u> c) <u>the exterior alteration of a Façade of a principal building; and/or</u> d) <u>the addition to a principal building that faces a public roadway other than a Lane.</u> 	Based on feedback from community representatives, development permit applications for additional height and floor area has been added, to ensure that if an existing building were to redevelop, any new addition should adhere to development regulations such as building setbacks, rear façade articulation and the height and

	FAR bonus granted to new buildings. As such, new development regulation 819.4(13) has been added.
4. <u>2.</u> 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.	No change proposed.
8. <u>3.</u> <i>No new parking facilities, drive through aisles, and queuing 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 queuing 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.</i>	This regulation was enhanced to ensure that any new parking or queuing lanes cannot be located at the front of the building where they would be visible from the public roadway and impede direct pedestrian access between the site and the public sidewalk. In addition, surface parking, underground parking and drive through areas must be screened from view. Previous regulations only specified surface parking areas that were required to be screened from view. This enhances this regulation to capture all vehicular oriented uses.
10. <u>4.</u> Parking, loading and passenger drop-off areas shall be designed to minimize pedestrian-vehicle conflicts <i>and prioritize pedestrian movement through the Site.</i>	This addition reinforces the importance of providing pedestrian access to buildings on site.

13. <u>5.</u> To improve architectural interest of the principal structure and create a pedestrian-friendly environment for all seasons, design techniques <i>including but not limited to such as</i> entrance features, varied roof design, outdoor seating areas, canopies, or Landscaping shall be incorporated.	wording of regulation updated for clarity.
14. <u>6.</u> 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.	No change proposed.
15. <u>7.</u> 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.	No change proposed.
21. <u>8.</u> Each Storey shall have windows on all Façades facing a public roadway.	No change proposed.
<p>22. <u>9.</u> Each Façade facing a public <i>or private</i> 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-. <u>except:</u></p> <p><i>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.</i></p> <p>Proportion of glazing is calculated as a percent of linear meters at 1.5 m above finished Grade.</p>	This regulation has been amended to allow for flexibility for exterior alteration permits where the minimum 70% would not be possible to achieve due to the existing conditions of the building.
23. <u>10.</u> A maximum of 10% of the first Storey glazing may be covered by Signs. The remainder of the glazing shall remain free from obstruction.	No change proposed
24. <u>11.</u> Landscaping of Sites shall use plant materials that provide colour throughout the year to enhance appearance during the winter months.	No change proposed
<p>25. Where feasible, developments should provide for Rooftop Terraces.</p> <p><i>12. A Rooftop Terrace facing a Residential Zone that allows Single Detached Housing as a Permitted Use or the RF5 Zone, shall:</i></p> <p><i>a) require Privacy Screening along the full length of the Rooftop Terrace facing the applicable Residential Zone that:</i></p> <p><i>i) is a minimum of 1.5 m in Height; and</i></p> <p><i>ii) shall not exceed 1.7 m in Height.</i></p>	This regulation has been amended to incorporate privacy screening requirements as a means to mitigate the visual and audio impacts a Rooftop Terrace

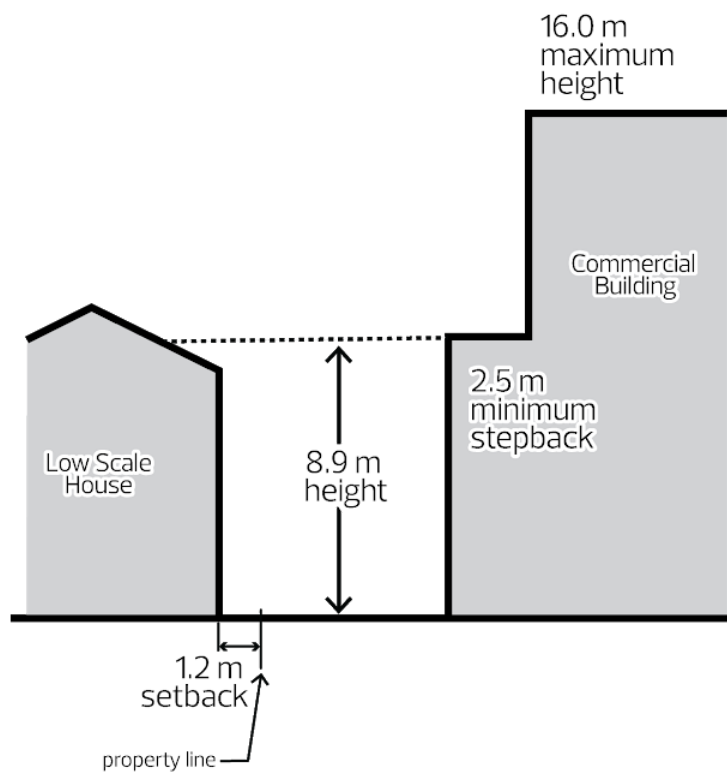
<u>When measured from the surface of a rooftop in accordance with Section 61.</u>	for commercial use could have on surrounding property owners.
<u>13. Where a Commercial Use is provided at ground level Abutting a public roadway other than a Lane, the principal entrance shall be designed for universal accessibility. A maximum of two ground floor commercial units may share a common entranceway.</u>	Included requirements for universal accessibility to this existing development regulation.
47. <u>14.</u> 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 <u>shall be designed for universal accessibility.</u>	Included requirements for universal accessibility to this existing development regulation.
<p>28. <u>15.</u> When the Development Officer determines that a Development Permit application does not comply with the regulations contained in this Overlay:</p> <ul style="list-style-type: none"> 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. 	This existing provision of the Overlay has been renumbered and relocated to ensure it applies to all development permit applications.
<u>819.5 Development Regulations for Signs</u>	A new subsection for signs has been created to ensure all development permits for signs within the boundaries of the Main Streets Overlay adhere to

	the following two development regulations.
<p>27. <u>1.</u> 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:</p> <ul style="list-style-type: none"> 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 <u>Development Permit</u>, at the discretion of the Development Officer. 	No change proposed changes to defined terms only.
<p>26. <u>2.</u> Signs shall complement the pedestrian-oriented commercial environment and shall be provided in accordance with Schedule 59E of this Bylaw, except that:</p> <ul style="list-style-type: none"> a) the maximum Height of a Freestanding Sign shall be 6.0 m, <u>as measured from Grade to the top of the Freestanding Sign</u>. 	<p>Providing clarity that the Height of freestanding signs in Main Streets areas are limited to 6 m in Height, as measured from the ground (Grade) to the top of the sign itself.</p> <p>Reference to General Sign Definitions have been updated to reflect changes made to Zoning bylaw 12800 on September 5, 2018 by Charter Bylaw 18534.</p>
<ul style="list-style-type: none"> b) Projecting Signs shall be located within 0.6 m <u>1.0 m</u> of each individual business entrance of the building facing a public roadway other than a lane <u>Lane</u>. c) Notwithstanding Section 59E.2-(2)-(e), one additional projecting sign may be permitted per <u>building Site</u> for the purpose of advertising businesses that do not have access at ground level. 	Projecting sign distance from an individual entrance has been increased from 0.6 m (2 feet) to 1.0 m (3.2 feet).

d) Where <u>regulations for</u> a Sign Use is not listed <u>do not appear</u> within Schedule 59E, the Schedule applicable to the underlying Zone shall apply.	
<u>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.</u>	This regulation has been added to ensure any proposed variances to this section of the Overlay shall adhere to the consultation process contained within Section 819.4.
819.4 819.6 Additional Development Regulations for Specific Areas	
<u>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.</u>	This section contains additional regulations that apply along the 109 Street Corridor.
<u>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.</u>	This regulation from the previous Pedestrian Commercial Shopping Street has been reintroduced into the Main Streets Overlay.
<u>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.</u>	To encourage mixed use development, the additional Height and FAR opportunities contained within the Overlay

	have been tied to providing residential or residential-related uses.
<u>4. The principal entrance for any Commercial Use on a Site that Abuts 109 Street shall be oriented to the street.</u>	Principal entrances for commercial uses are also required to front onto 109 Street.
<u>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.</u>	Based on comments received from a community league representative, this regulation has been added to the 109 area to ensure that the proposed 6.0 m is preserved, regardless of building height, and that no activities such as parking, loading, etc. will be allowed within this setback. This aligns with the motion passed at Urban Planning Committee on January 25, 2019.
<u>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.</u> <u>Diagram of Regulation 6 - for illustrative purposes</u>	Based on comments received from a community league representative, this regulation has been added to the 109 area to ensure the 2.5 m stepback is the articulation required where a commercial site abuts a low density residential zone.

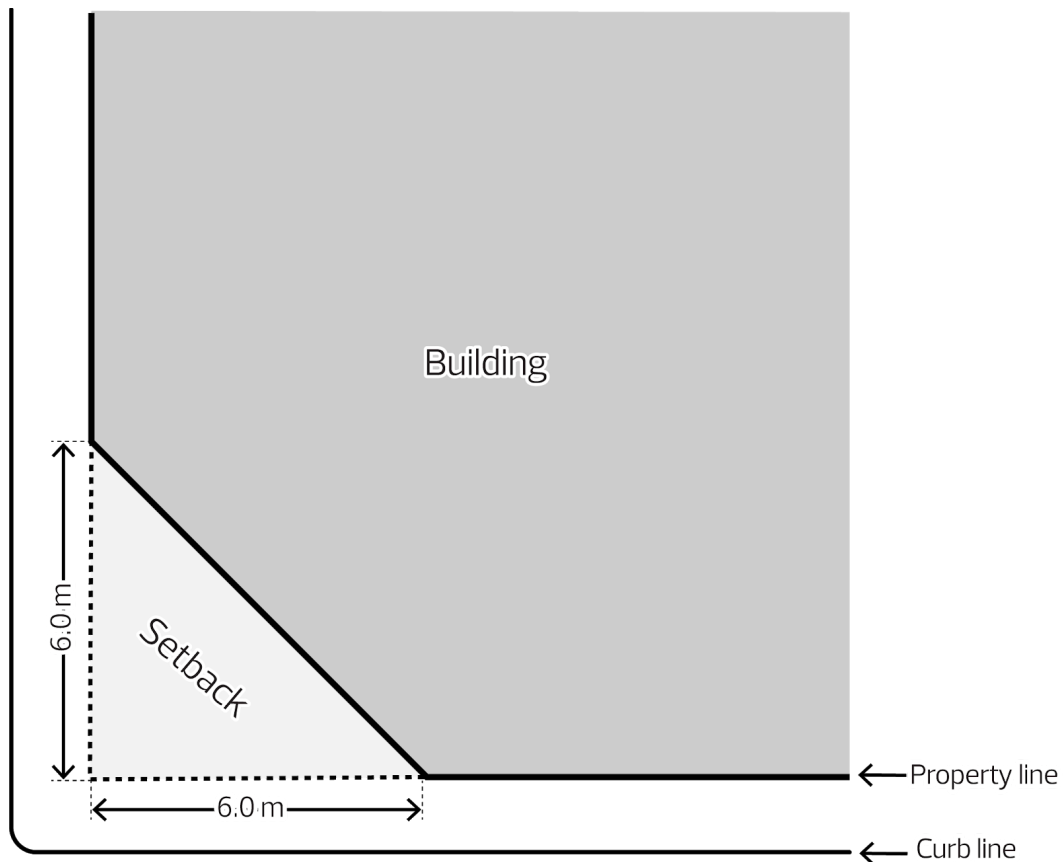
Regulation 6



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

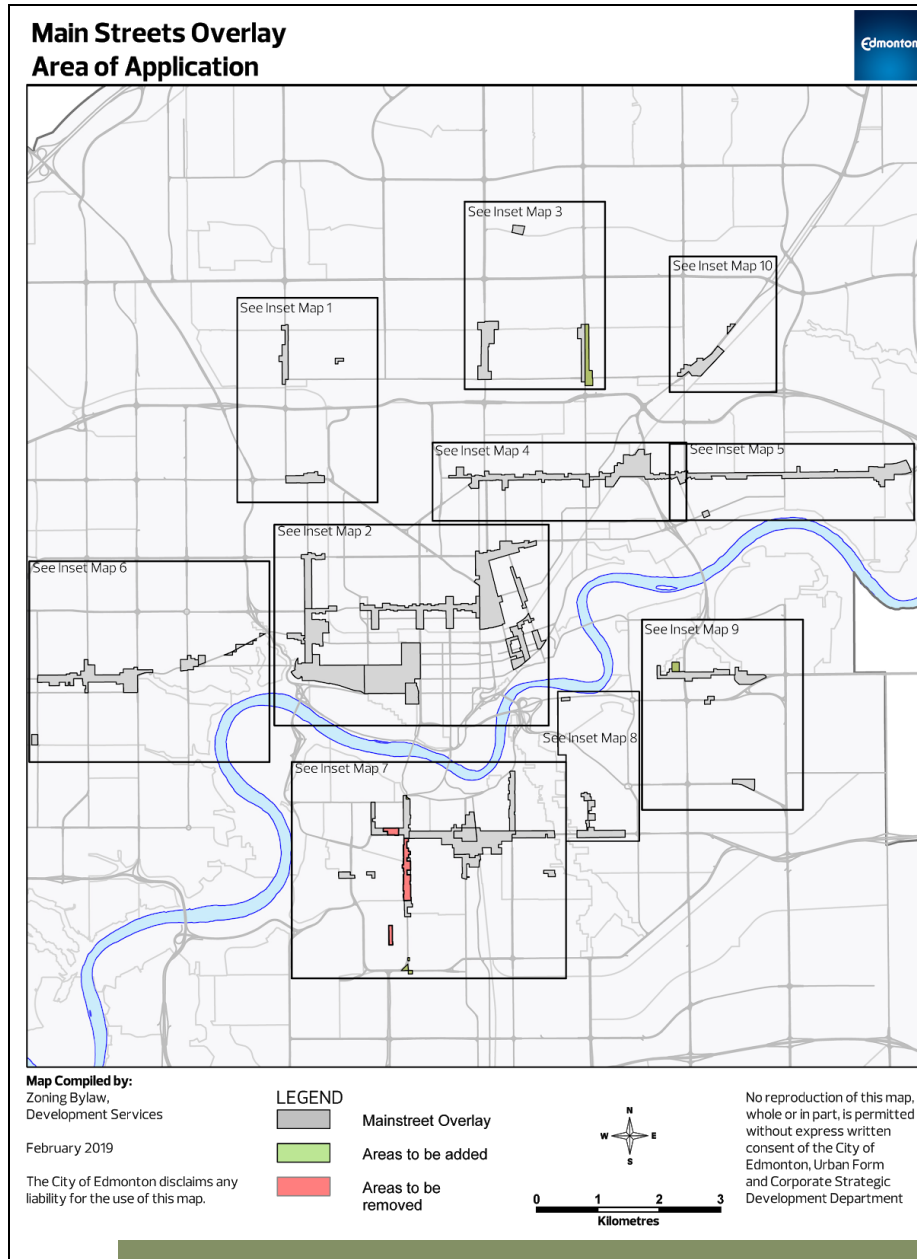
- a. there shall be a triangular shaped Setback 6.0 m in length Abutting along the property lines that meet at each corner of the intersection of 109 Street and 82 Avenue, as shown in the following illustration;

Diagram of Regulation 6 - for illustrative purposes



Attachment 3

<i><u>b. the principle building entrance shall be located in the triangular shaped setback, as shown in the illustration.</u></i>	Subclause b has been added to provide clarity that the principal building entrance at this intersection shall be where the building is required to be angled so patrons enter and exit onto the main street.
<i><u>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.</u></i>	This regulation has been added to ensure any proposed variances to this section of the Overlay shall adhere to the consultation process contained within Section 819.4.
Appendices	



Updated Main Street Overlay Area of Application Map. Areas to be included are highlighted in green and areas to be removed are highlighted in red.

Main Streets Overlay: Inset Map 3

Edmonton



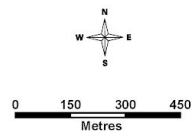
Map Compiled by:
Zoning Bylaw,
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September 2017

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LEGEND

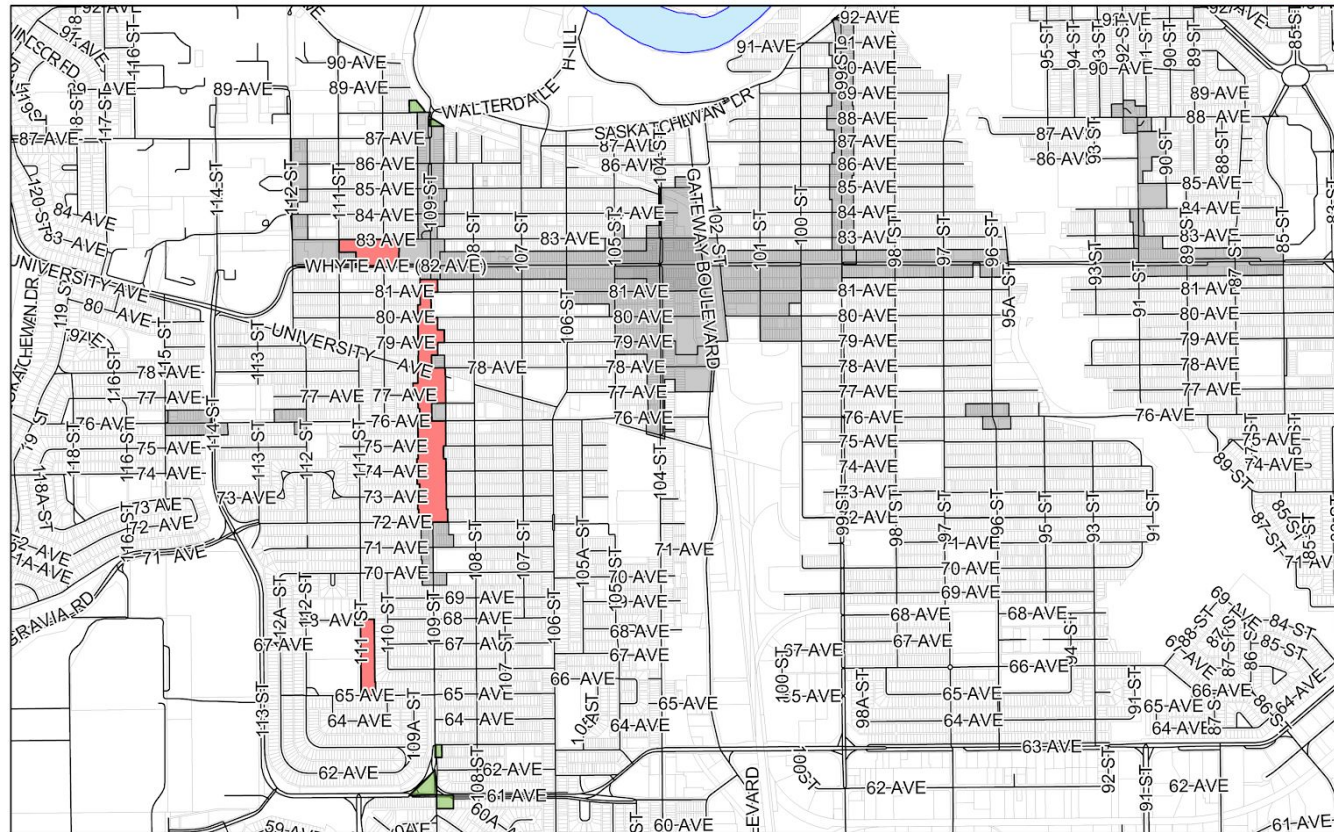
- Main Streets Overlay
- Area to be Added
- Legal Parcels



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The area in Inset Map 3 has been amended to include the eastern portion of 82 Street north of the Yellowhead and Rail right-of-way to the commercial zones just north of 132 Avenue. The addition of these sites will foster main street development along both sides of 82 Street and serve the needs of the surrounding communities.

Main Streets Overlay: Inset Map 7



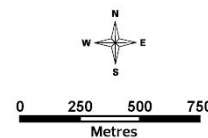
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LEGEND

	Main Streets Overlay		Areas to be Removed
	Legal Parcels		Areas to be Added

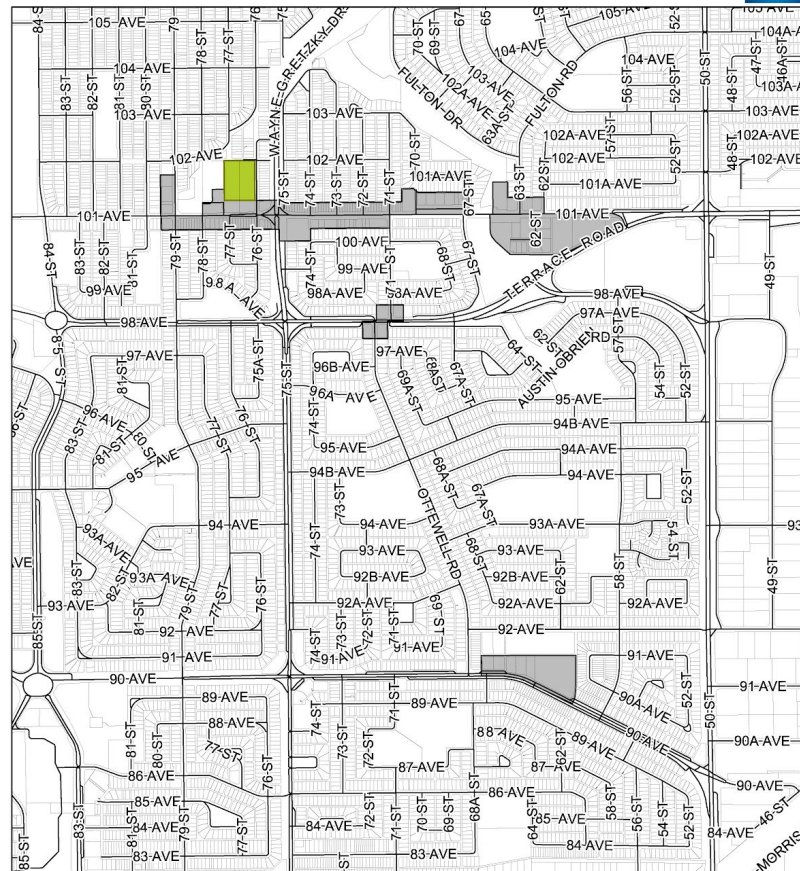


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The areas highlighted in Inset Map 7 are residential properties that have been removed and added from the 109 Street corridor at the request of the 109 Street Community Leagues.

Main Streets Overlay: Inset Map 9

Edmonton



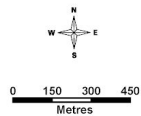
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LEGEND

-  Main Streets Overlay
-  Add to Main Streets Overlay
-  Legal Parcels



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The area in Inset Map 9 has
been amended to incorporate
the whole site.