

## Mark-up of Proposed Text Amendment to Zoning Bylaw 12800

---

Black Font	Existing Text in Zoning Bylaw 12800
Strikethrough:	Proposed deletion from Zoning Bylaw 12800
<u>Underline:</u>	Proposed addition to Zoning Bylaw 12800

---

### **~~819 — Pedestrian Commercial Shopping Street Overlay~~**

#### **~~819.1 — General Purpose~~**

~~The purpose of this Overlay is to maintain the pedestrian-oriented character of commercial areas, comprised of shopping streets in close proximity to residential areas of the City.~~

#### **~~819.2 — Application~~**

~~This Overlay applies to all Commercial Zones on those lands shown in the Appendices to this Overlay.~~

#### **~~819.3 — Development Regulations~~**

- ~~1. Where the underlying Zone allows Specialty Food Services, Restaurants, Bars and Neighbourhood Pubs, or Nightclubs as a Permitted or Discretionary Use, these Uses shall not exceed an occupant load of 200 nor 240 m<sup>2</sup> 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 to this regulation unless otherwise specified by a Statutory Plan applicable to the Site~~
- ~~2. The maximum Frontage for Sites abutting a commercial shopping street shall be 10.06 m or consistent with the Frontage of other Sites abutting the shopping street and, where the Frontage for Sites abutting the commercial shopping street exceeds 10.06 m or the consistent development pattern for the street, the front façade of the building shall be designed to break the appearance into 10.06 m sections or modules consistently sized with other buildings on the shopping street.~~
- ~~3. Buildings shall be built to the front and side property lines. The Development Officer may allow building Setbacks up to 2.5 m to accommodate street related activities, such as sidewalk cafes, architectural features and Landscaping that contribute to the pedestrian-oriented shopping character of the area.~~
- ~~4. The maximum Height for Hotel and Apartment Hotel developments shall not exceed 23.0 m, in accordance with Section 52 for buildings fronting onto an~~

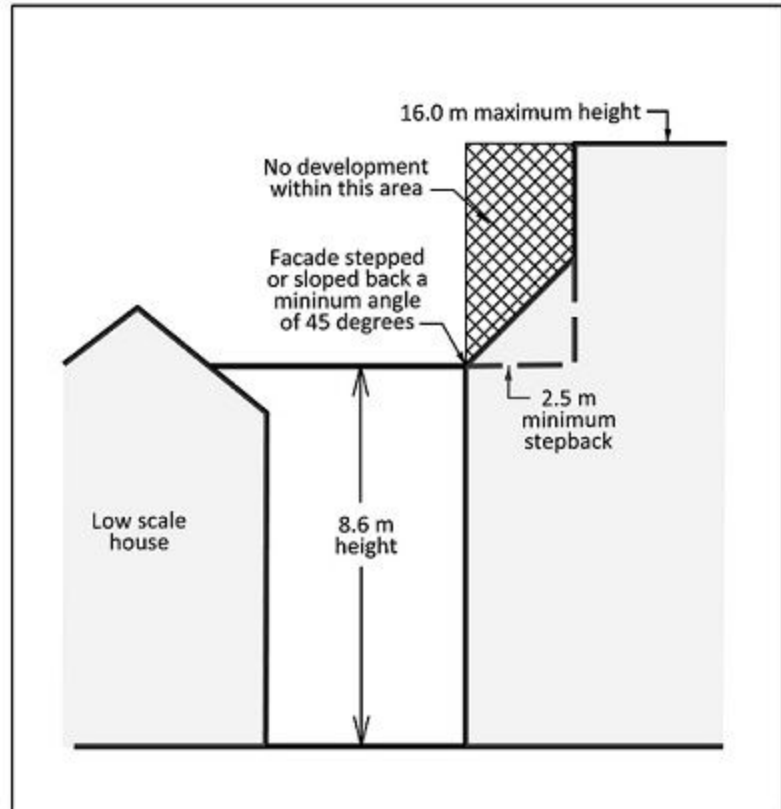
- arterial roadway, and shall not exceed 15.0 m nor four Storeys for buildings fronting onto a collector or local roadway.
5. ~~At Grade Frontage shall be developed for Commercial Uses and, where a Hotel is to be developed, a maximum 30% of the first Storey Frontage shall be used for lobbies, with the remaining floor space used for Commercial Uses.~~
  6. ~~The minimum Setback of the principal front wall of a residential development, above the second Storey, for buildings on all Sites not fronting onto an arterial roadway, shall be 4.5 m.~~
  7. ~~Vehicular access to properties from a public roadway shall be restricted to the abutting Lanes to preclude breaks in the street façade and strengthen the pedestrian-oriented character of the area. Where there is no abutting Lane, vehicular access shall be provided from a flanking public roadway.~~
  8. ~~The minimum number of off-street parking spaces required shall be in accordance with the provisions of Section 54, Schedule 1 of this Bylaw, except that:~~
    - a. ~~for Professional, Financial and Office Support Services at Grade, parking shall be provided on the basis of 1 parking space per 90.9 m<sup>2</sup> of Floor Area and no parking spaces shall be required for this Use on upper floors;~~
    - b. ~~for Specialty Food Services, Restaurants, Bars and Neighbourhood Pubs, and Nightclubs, parking shall be provided on the basis of one parking space per 4.8 m<sup>2</sup> of Public Space, except for when the proposed development is on a Lot within the boundaries described in Section 54.2 Appendix II – Boundaries for Reduced Parking Requirement, the parking requirements in Section 54.2 Schedule 1(A) shall apply;~~
    - c. ~~for all other Commercial Use Classes, parking shall be provided on the basis of 1 parking space per 90.9 m<sup>2</sup> of Floor Area; and~~
    - d. ~~Accessory vehicular parking shall be located at the rear of the building.~~
  9. ~~Whenever Non-accessory Parking is a Discretionary Use, it shall not be approved on a Site fronting or flanking onto an arterial roadway.~~
  10. ~~All new development and major renovations shall create a pedestrian-friendly environment on the shopping street, which may include such things as entrance features, outdoor sitting areas, canopies, landscaping and other features that lend visual interest and a human scale to development along the street.~~
  11. ~~Architectural treatment of new developments and substantial renovations shall ensure that each Storey has windows on the front façade of the building, and that the placement and type of windows shall allow viewing into the building to promote a positive pedestrian-oriented shopping street.~~
  12. ~~On Corner Lots the façade treatment shall wrap around the side of the building to provide a consistent profile facing both public roadways.~~

- ~~13. Signage shall be provided in accordance with Schedule 59E of this Bylaw, with the intent to compliment the pedestrian-oriented commercial environment, except that:~~
- ~~a. the maximum Height of a Freestanding Sign shall be 6.0 m;~~
  - ~~b. a Projecting Sign may be used to identify businesses that are located entirely at or above the second Storey level; and~~
  - ~~c. the top of a Projecting Sign on a building two Storeys or higher shall not extend more than 75 cm above the floor of the second or third Storey, nor higher than the windowsill level of the second or third Storey.~~
- ~~14. A Comprehensive Sign Design Plan and Schedule, consistent with the overall intent of subsection 59.3 of the Zoning Bylaw, shall be prepared for the development and submitted, with the Development Application, to be approved by the Development Officer.~~
- ~~15. Where an application for a Development Permit does not comply with the regulations contained in this Overlay:~~
- ~~a. the applicant shall contact the affected parties, being each assessed owner 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 the President of each Business Revitalization Zone Association operating within the distance described above, at least 21 days prior to submission of a Development Application;~~
  - ~~b. the applicant shall outline to the affected parties, any requested variances to the Overlay and solicit their comments on the application;~~
  - ~~c. the applicant shall document any opinions or concerns, expressed by the affected parties, and what modifications were made to address their concerns; and~~
  - ~~d. the applicant shall submit this documentation as part of the Development Application.~~

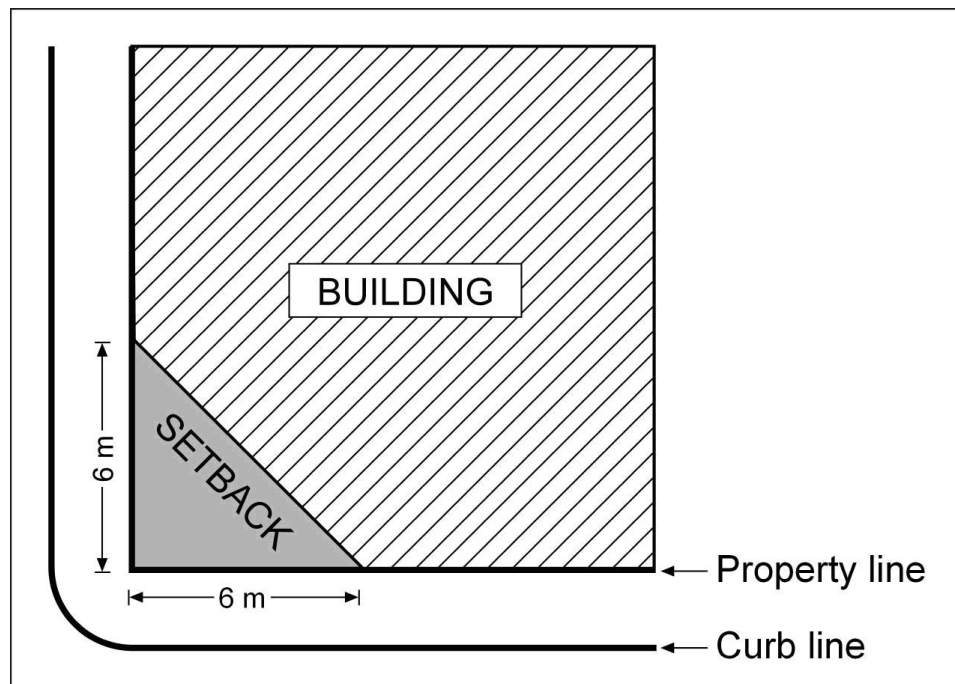
#### **~~819.4 — Additional Development Regulations for Specific Areas~~**

- ~~1. The following regulations shall apply to development within Commercial Zones abutting 109 Street between the north side of 61 Avenue and the south side of 88 Avenue:~~
- ~~a. notwithstanding subsections 330.4(2), 330.4(9), 330.5(1)(d) and 819.3(4), where the underlying zone is CB1 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, the maximum Floor Area Ratio shall be 3.5 and the maximum Floor Area Ratio of Apartment Housing shall be 2.0;~~
  - ~~b. on all Sites abutting a property zoned to allow Single Detached Housing as a Permitted Use or the RF5 Row Housing Zone, at a maximum Height of 8.6 m the directly adjacent façade shall be stepped~~

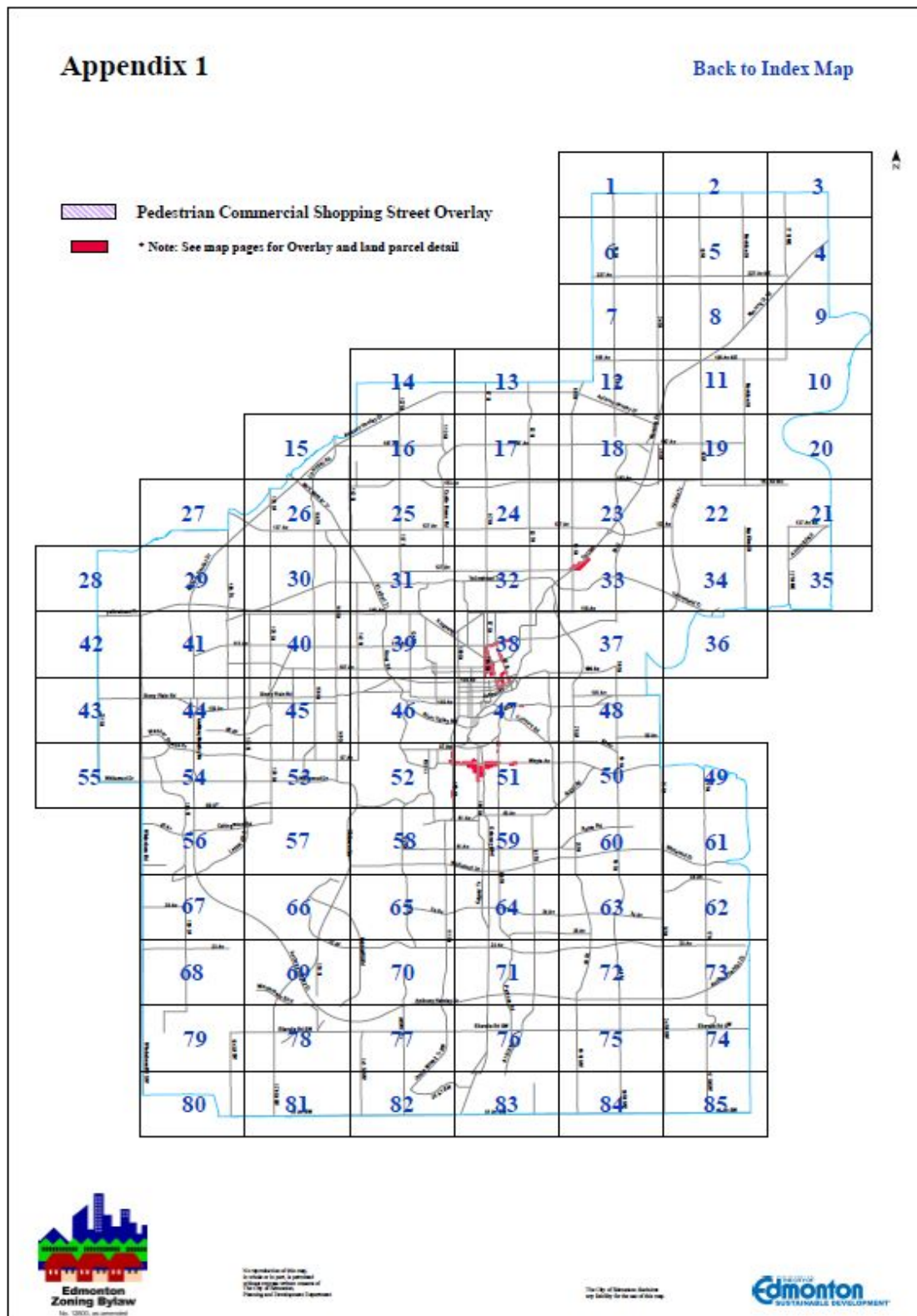
*or sloped back at a minimum angle of 45 degrees from the vertical plane for a minimum horizontal distance of 2.5 m to optimize access to sunlight, increase privacy and otherwise provide for an appropriate transition to the abutting property, as shown in the following illustration;*



- e. there shall be a Setback of 1.0 m from 109 Street with the construction of all new developments unless a comprehensive streetscaping plan has been completed that determines such a Setback is not required. The Development Officer may allow an additional building setback up to 2.5 m to accommodate street related activities, such as sidewalk cafes, architectural features and Landscaping that contribute to the pedestrian-oriented shopping character of the area;*
- d. notwithstanding subsection 819.3(3), a minimum Setback of 6.0 m shall be required where the Rear or Side Lot Line of a Site abuts the lot line of a Site in a Residential Zone;*
- e. there shall be a triangular 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;*



- ~~f. setback areas shall be Hardsurfaced and visually incorporated into the sidewalk;~~
- ~~g. a pedestrian walkway system and/or a road (including a Lane) serving or giving access to the development shall be provided to the satisfaction of the Development Officer and Transportation Services;~~
- ~~h. the number, location and design of bicycle parking spaces shall be to the satisfaction of the Development Officer and Transportation Services and may exceed the requirements of Section 54.3 of this Bylaw; and~~
- ~~i. all building façades shall use high quality, durable, compatible and harmonious exterior finishing materials.~~

**Appendix 1 -- Pedestrian Commercial Shopping Street Overlay**



## **~~821 Alberta Avenue Pedestrian Commercial Shopping Street Overlay~~**

### **~~821.1 General Purpose~~**

~~The purpose of this Overlay is to facilitate development of a pedestrian-oriented character to commercial and mixed Use developments along 118 Avenue, between 76 and 105 Streets, in close proximity to residential areas, in accordance with the Avenue Initiative Revitalization Strategy and Plans in effect for this area of the City.~~

### **~~821.2 Application~~**

~~Notwithstanding any provisions of the Zoning Bylaw respecting the area of application of Overlays, this Overlay applies to all properties fronting onto 118 Avenue between 76 Street and 105 Street, as shown on Appendix I to this Overlay.~~

### **~~821.3 Development Regulations~~**

- ~~1. Where the underlying Zone allows Specialty Food Services, Restaurants, Bars and Neighbourhood Pubs, or Nightclubs as a Permitted or Discretionary Use, these Uses shall not exceed an occupant load of 200 nor 240 m<sup>2</sup> 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 to this regulation unless otherwise specified by a Statutory Plan applicable to the Site.~~
- ~~2. The maximum Frontage for Sites abutting a commercial shopping street shall be 10.06 m or consistent with the Frontage of other Sites abutting the shopping street and, where the Frontage for Sites abutting the commercial shopping street exceeds 10.06 m or the consistent development pattern for the street, the front façade of the building shall be designed to break the appearance into 10.06 m sections or modules consistently sized with other buildings on the shopping street.~~
- ~~3. A Setback of one metre shall be required for all development along 118 Avenue. The one metre is to be Hardsurfaced and visually incorporated into the sidewalk. Buildings shall be built to the one (1) metre Setback and Side Lot Lines. The Development Officer may allow a further building Setback up to 2.5 m to accommodate street related activities, such as sidewalk cafes, architectural features and Landscaping that contribute to the pedestrian-oriented shopping character of the area.~~
- ~~4. The maximum Height for Hotel and Apartment Hotel developments shall not exceed 23.0 m in accordance with Section 52, for buildings fronting onto an arterial roadway, and shall not exceed 15.0 m for buildings fronting onto a collector or local roadway.~~
- ~~5. The minimum Setback of the principal front wall of a residential development, above the second Storey, for buildings on all Sites not fronting onto an arterial roadway, shall be 4.5 m.~~
- ~~6. Vehicular access to properties from a public roadway shall be restricted to the abutting Lanes to preclude breaks in the street façade and strengthen the~~

- ~~pedestrian-oriented character of the area. Where there is no abutting Lane, vehicular access shall be provided from a flanking public roadway.~~
- ~~7. The minimum number of off-street parking spaces required shall be in accordance with the provisions of Section 54, Schedule 1 of this Bylaw, except that:~~
    - ~~a. for Professional, Financial and Office Support Services at Grade, parking shall be provided on the basis of 1 parking space per 90.9 m<sup>2</sup> of Floor Area and no parking spaces shall be required for this Use on upper floors;~~
    - ~~b. for Specialty Food Services, Restaurants, Bars and Neighbourhood Pubs, and Nightclubs, parking shall be provided on the basis of one parking space per 4.8 m<sup>2</sup> of Public Space;~~
    - ~~c. for all other Commercial Uses, parking shall be provided on the basis of 1 parking space per 90.9 m<sup>2</sup> of Floor Area; and~~
    - ~~d. Accessory vehicular parking shall be located at the rear of the building.~~
  - ~~8. Whenever Non-accessory Parking is a Discretionary Use, it shall not be approved on a Site fronting or flanking onto an arterial roadway.~~
  - ~~9. Bicycle Parking spaces shall be provided in accordance with Section 54 of the Edmonton Zoning Bylaw.~~
  - ~~10. All new development and major renovations shall create a pedestrian-friendly environment on the shopping street, which may include such things as entrance features, outdoor sitting areas, canopies, landscaping and other features that lend visual interest and a human scale to development along the street.~~
  - ~~11. Architectural treatment of new developments and substantial renovations shall ensure that each Storey has windows on the front façade of the building, and that the placement and type of windows shall allow viewing into the building to promote a positive pedestrian-oriented shopping street.~~
  - ~~12. On Corner Lots the façade treatment shall wrap around the side of the building to provide a consistent profile facing both public roadways.~~
  - ~~13. Minimum Private Outdoor Amenity Area of 7.5m<sup>2</sup> Dwelling for all residential units above the ground floor.~~
  - ~~14. Apartment Housing at or above the ground floor shall have access at Grade that is separate from the Commercial premises.~~
  - ~~15. Buildings shall address all adjacent public roadways, other than Lanes, with individual entrances that are clearly visible to lend a sense of occupancy to the street. Buildings on corner sites shall address both the street and avenue.~~
  - ~~16. The use of stucco on any development shall be limited to a maximum of 25 percent of the exterior surface area.~~
  - ~~17. Development on a Site shall incorporate functional and decorative lighting to enhance the appearance of the building during the winter months.~~
  - ~~18. Main building entrances for any Use 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 to ensure they are not obstacles to building access.~~
- ~~19. Where feasible, development should provide gardens or patios on the rooftops.~~
- ~~20. Where feasible, Dwellings should be sited and oriented to minimize the impact on other Dwellings considering such things as daylight, sunlight, ventilation, quiet, visual privacy and views.~~
- ~~21. Landscaping of sites should consider the use of plant materials that provide colour throughout the year to enhance appearance during the winter months.~~
- ~~22. Parking, loading and passenger drop-off areas should be easily accessible and designed to minimize the pedestrian-vehicle conflicts.~~
- ~~23. Signage shall be provided in accordance with Schedule 59E of this Bylaw, with the intent to compliment the pedestrian-oriented commercial environment, except that:~~
- ~~a. the maximum Height of a Freestanding Sign shall be 6.0 m;~~
  - ~~b. a Projecting Sign may be used to identify businesses that are located entirely at or above the second Storey level; and~~
  - ~~c. the top of a Projecting Sign on a building two Storeys or higher shall not extend more than 75 cm above the floor of the second or third Storey, nor higher than the windowsill level of the second or third Storey.~~
- ~~24. A Comprehensive Sign Design Plan and Schedule, consistent with the overall intent of subsection 59.3 of the Zoning Bylaw, shall be prepared for the development and submitted, with the Development Application, to be approved by the Development Officer.~~
- ~~25. Where an application for a Development Permit does not comply with the regulations contained in this Overlay:~~
- ~~a. the applicant shall contact the affected parties, being each assessed owner 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 the President of each Business Revitalization Zone Association operating within the distance described above, at least 21 days prior to submission of a Development Application;~~
  - ~~b. the applicant shall outline to the affected parties, any requested variances to the Overlay and solicit their comments on the application;~~
  - ~~c. the applicant shall document any opinions or concerns, expressed by the affected parties, and what modifications were made to address their concerns; and~~
  - ~~d. the applicant shall submit this documentation as part of the Development Application.~~

## ***Appendix I – Alberta Avenue Pedestrian Commercial Shopping Street Overlay***

## Alberta Avenue Pedestrian Commercial Shopping Street Overlay

Appendix I - Section 821 of Bylaw 12800,  
as amended by subsequent appropriate Bylaws.



## **819 Main Streets Overlay**

### **819.1 General Purpose**

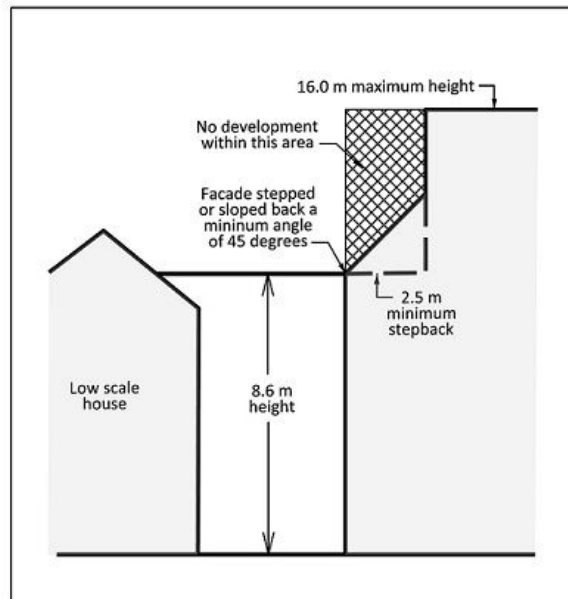
The purpose of this Overlay is to encourage and strengthen the pedestrian-oriented character of Edmonton's main street commercial areas, that are located in proximity to residential and transit-oriented areas, by providing visual interest, transparent storefront displays, and amenities for pedestrians.

### **819.2 Application**

This Overlay applies to all Commercial Zones, the Low Rise Apartment Zone (RA7), the Medium Rise Apartment Zone (RA8) and the High Rise Apartment Zone (RA9) on those lands shown in the Appendices to this Overlay.

### **819.3 Development Regulations**

1. The maximum floor area of any individual commercial unit shall not exceed 275 m<sup>2</sup>.
2. The maximum width of ground floor commercial unit shall be 11 m. Where the width of ground floor commercial uses exceeds 11 m the front façade of the building shall be designed to break the appearance into 11 m sections.
3. A Setback of 1.0 m shall be required where a Site Abuts a public roadway, other than a Lane. The 1.0 m shall be paved and visually incorporated into the public Walkway. 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.
  - a. Notwithstanding 819.4, buildings may be built to the front property line provided the public walkway is a minimum distance of 4.5 m from curb to property line.
4. Buildings may project to the front and side property lines above the first storey.
5. On all Sites Abutting a Zone that allows Single Detached Housing as a Permitted Use or the RF5 Row Housing Zone:
  - a. the required Setbacks Abutting the residential Zone shall be 4.5 m.
  - b. at a maximum Height of 8.6m, the directly adjacent facade shall be stepped back at a minimum angle of 45 degrees from the vertical plane for a minimum horizontal distance of 2.5 m as shown in the following illustration



6. Notwithstanding 330.4.2, 330.4(9), 330.5.1.d in the CB1 Zone:
  - 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.
  - b. The maximum FAR shall be 3.5.
7. Where a building exceeds 14.5m in height, the portion of the building above this height shall require a minimum Stepback of 3.0 m from the façade facing a public roadway other than a lane.
8. Regardless of whether a Site has existing vehicular access from a public roadway other than a Lane, no such access shall be permitted where an Abutting Lane exists. Where there is no abutting Lane, vehicular access shall be provided from a flanking public roadway. Any existing vehicular access from a public roadway other than a lane shall be closed where an Abutting Lane exists.
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 CPTED principles to enhance the appearance, natural surveillance and safety of the lane.
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. Parking, loading and passenger drop-off areas shall be designed to minimize pedestrian-vehicle conflicts.
12. The minimum number of off-street parking spaces required shall be in accordance with the provisions of Section 54, Schedule 1C.
13. Loading docks or facilities shall be located at the rear of the building and accessed via the lane. Loading spaces requirements may be waived by the Development Officer, in consultation with transportation.

14. 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 sitting seating areas, canopies, landscaping shall be incorporated.
15. Winter design elements such as unique colour palettes, location of glazing areas, balconies, softened corners and irregularities into a building's exterior shall be used on all facades facing a public roadway other than a Lane.
16. Functional and decorative lighting to enhance the appearance of the building during the winter months shall be incorporated.
17. All exposed building faces shall have consistent and harmonious 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.
18. 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 or vestibule.
19. Residential Sites within the Overlay shall be developed to accommodate mixed-use development with Commercial Uses at ground level and Residential Uses on the upper floors of the building.
20. Apartment Housing above the ground floor shall have access at ground level that is separate from any Commercial premises. The principal residential entrance shall have direct external access to the adjacent public sidewalk.
21. Where a Hotel is to be developed, a maximum 30% of the ground floor commercial space shall be used for lobbies. The remaining floor space shall be used for Commercial Uses, which may be ancillary to the Hotel.
22. Main building entrances for any Use 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 to entrances ensure they are not obstacles to building access.
23. Each Storey shall have windows on all facades facing a public roadway
24. Each facade 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.
25. A maximum of 10% of the first storey glazing may be covered by Signs. The remainder of the glazing shall remain free from obstruction.
26. Landscaping of sites shall use plant materials that provide colour throughout the year to enhance appearance during the winter months.
27. Where feasible, development should provide gardens or patios on the rooftops.
28. Signs shall be provided in accordance with Schedule 59E of this Bylaw, with the intent to complement the pedestrian-oriented commercial environment, except that:



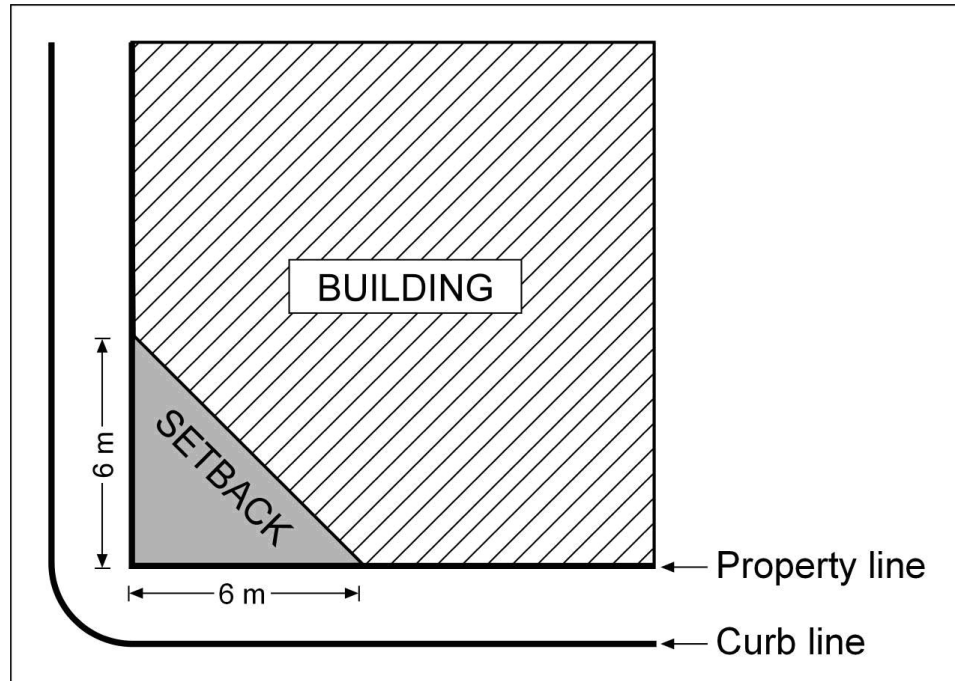
- a. the maximum Height of a Freestanding Sign and signs containing digital copy shall be 6.0 m;
  - b. Projecting Signs shall not extend higher than 75 cm above the floor of the second storey. The top of a Projecting Sign on a one Storey building shall not extend more than 30 cm above the building roof or parapet wall.
  - c. Projecting Signs shall be limited to one per individual entrance of the building facing a public roadway other than a lane. The Projecting sign shall be located within 0.6 m of the entrance.
  - d. Notwithstanding 819.31.c, one additional projecting sign may be permitted for the purpose of advertising businesses that do not have access at grade.
  - e. Fascia signs shall not extend higher than 75 cm above the floor of the second storey. The top of a Fascia Sign on a one Storey building shall not extend more than 30 cm above the building roof or parapet wall.
  - f. Fascia Signs shall be limited to one per individual business premises frontage (or for every 11 of building facade facing a public roadway other than a lane)
29. A Comprehensive Sign Design Plan and Schedule, with a focus on pedestrian-oriented signage and promoting building identity, consistent with the overall intent of subsection 59.3 of the Zoning Bylaw, shall be prepared for all new developments and exterior alteration permits and submitted, with the Development Application, to be approved by the Development Officer.
30. 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.

#### **819.4 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 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:



## Appendix 1 - Main Street Overlay

