

Rationale for Retiring the Main Streets Overlay (MSO)

January 2024

This document provides a detailed rationale for the City’s approach to retiring the Main Streets Overlay. The Main Streets Overlay was a set of additional regulations intended to guide development in Edmonton’s main street-style commercial areas and support a more pedestrian-oriented built form. In its place, the new Zoning Bylaw includes two new mixed use zones which accomplish many of the same outcomes.

The new Zoning Bylaw and Zoning Map will officially come into effect on January 1, 2024. Until this date, the existing regulations under the Main Streets Overlay as contained in Zoning Bylaw 12800 remain in effect.

REGULATIONS	NOTES / RATIONALE
819.1. PURPOSE	
<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>Retired</p> <p>The Main Streets Overlay has been retired as a zoning tool. In its place, two mixed use zones have been created that integrate design regulations that are intended to enhance visual interest, ensure transparent storefront displays and support amenities for pedestrians. The mixed use zones replace commercial zones located within the current Main Streets Overlay.</p>
819.2. APPLICATION	
<p>1. This Overlay applies to sites zoned CNC, CSC, CB1, CB2, CHY, CO and CB3 that are located within:</p> <ul style="list-style-type: none">a. the areas shown on the Appendix to this Overlay; and/orb. 200 m of an existing LRT station, transit centre or future LRT station or transit centre with a Council-approved Concept Plan.	<p>1 – Retired</p> <p>CO and CB3 sites have been rezoned to the (MU) Mixed Use Zone.</p> <p>CB2 and CSC sites within the Main Streets Overlay have been rezoned to the (MU) Mixed Use Zone.</p> <p>CNC and CB1 sites within the Main Streets Overlay and within the City Centre Node, Major Nodes, District Nodes and along Primary and Secondary Corridors have been rezoned to the Mixed Use (MU) Zone.</p> <p>CNC and CB1 sites within the current Main Streets Overlay, but outside of the Nodes and Corridors identified above, have been rezoned to the Neighbourhood Mixed Use (MUN) Zone.</p>

Note:
 + There are no sites currently zoned CHY within the Main Streets Overlay.
 + At least 50% of the commercial site must be located in the Main Streets Overlay to be considered "within" the overlay.

REGULATIONS	NOTES / RATIONALE
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819.3. DEVELOPMENT REGULATIONS

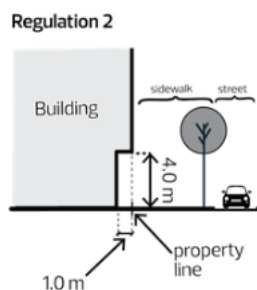
1. The development regulations contained within Section 819.3, shall apply to Development Permit applications for:
- a. the construction of one or more new buildings; and/or
 - b. the addition of Storeys or Floor Area to an existing building.

1 – Retired
 The application of specific regulations for new buildings and additions is included in the mixed use zones.

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

2 – Revised in S.2.70.4.4.1, S.2.70.4.4.2, S.2.80.4.4.1, S.2.80.4.4.2
 Minimum and maximum setbacks are carried forward for non-residential uses on the ground floor in the mixed use zones; however, the maximum 2.5 m setback is increased to 3.0 m to provide additional space for sidewalk activities.

Diagram of Regulation 2 – for illustrative purposes



REGULATIONS	NOTES / RATIONALE
<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>3 – Transferred to S.2.70.4.4.4 and S.2.80.4.4.4 The minimum 0 m setback is carried forward in the mixed use zones where a site is abutting a street with a sidewalk width 4.7 m or greater.</p>
<p>4. On all Sites Abutting a Zone that allows Single Detached Housing as a Permitted Use or the RF5 Zone:</p> <p>a. the minimum Setback Abutting the Residential Zone shall be 6.0 m 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>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>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>ii. projection or recession of portions of the Façade of a minimum depth of 1.0 m or;</p> <p>iii. projecting architectural features; or</p> <p>iv. projecting or recessed Platform Structures of a minimum depth of 1.5 m.</p> <p>Variations in colour or building materials shall not satisfy this requirement.</p>	<p>4.a – Revised in S.2.70.4.4.9, S.2.80.4.6.3 The minimum setback required for development abutting sites that are zoned to allow Single Detached Housing or sites zoned RF5 is revised in the MU Zone so that for sites abutting small scale residential zones (that have a maximum height 12 m or less), the minimum setback is 3 m for portions of development up to 16 m in height, and then 6 m for portions of development greater than 16 m in height. In the MUN Zone, due to the maximum height in that zone being 16 m, the base setback is 3 m when abutting a site in a residential zone.</p> <p>4.b – Transferred to S.2.70.6.2.2 and S.2.80.6.2.2 The requirement for a 1.5 m landscape buffer from lot lines is carried forward in the mixed use zones where development proposes to project into a minimum setback abutting a site in a residential zone.</p> <p>4.c – Revised in S.2.70.5.1 and S.2.80.5.1 Design regulations to minimize the perception of massing are addressed in the mixed use zones through requiring 2 or more design features to minimize the perception of massing, eliminate large blank walls, provide visual interest, and enhance the appearance of buildings during winter months.</p>

REGULATIONS	NOTES / RATIONALE
<p>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:</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; and</p> <p>b. the maximum Floor Area Ratio shall be 3.5.</p>	<p>5.a – Revised in S.2.70.4.1.2 and S.2.80.4.1.1 The maximum height for sites rezoned to the MU Zone will be regulated through height modifiers, which will be similar to the maximum currently permitted (16 m). The maximum height for sites rezoned to the MUN Zone is 16 m. The maximum height regulation is simplified by no longer regulating based on roof type. The exception to the maximum height for sites only fronting or flanking an arterial road is also removed.</p> <p>5.b – Revised in S.2.70.4.1.4 and S.2.80.4.1.3 The maximum floor area ratio for sites rezoned to the MU Zone is regulated through floor area ratio modifiers, which will be similar to the maximum currently permitted (3.5). The maximum floor area ratio for sites rezoned to the MUN Zone is 3.5. The exception to the maximum floor area ratio for sites only fronting or flanking an arterial road is removed. However, sites which have been rezoned to the MU Zone and MUN Zone are mostly located on arterial roads.</p>
<p>6. Notwithstanding the underlying Zone and section 800.2.2.b, no maximum Floor Area Ratio shall apply to buildings that contain Residential or Residential Related Uses, except that the maximum Floor Area Ratio for Non-Residential Uses shall continue to apply to those portions of the building used for Non-Residential Uses.</p>	<p>6 – Revised in S.2.70.4.2 and S.2.80.4.2 To help incentivize mixed use development inclusive design and larger dwelling units for families, the exclusion of residential uses from the floor area ratio calculation is carried forward when at least 10% of the dwellings provided meet the criteria for inclusive design or larger dwellings.</p>

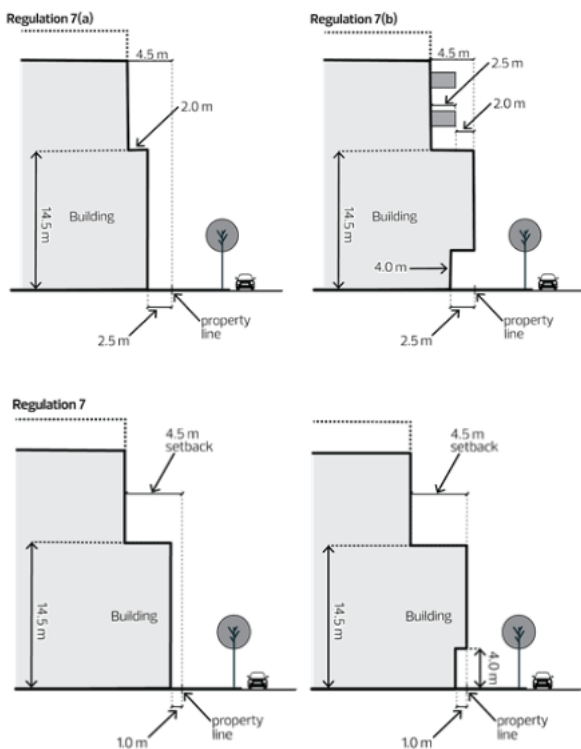
REGULATIONS

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.

NOTES / RATIONALE

7 – Revised in S.2.80.4.4.7

To help reduce the perceived impact of massing and support a more comfortable public realm, the 4.5 m setback is carried forward in the MU Zone. However, this setback only applies to portions of development greater than 16 m in height. This will result in a stepback for portions of development greater than 16 m in height where the lower portion of the building (up to 16 m in height) is built less than 4.5 m from the lot line abutting the street. The 4.5 m setback is not carried forward in the MUN Zone which has a maximum height of 16 m.

7.a – Retired

The limitation on projections of platform structures is not carried forward to help reduce complexity and due to the minimal impact these structures have.

7.b – Retired

The regulation related to the projection exception of the portion of the building between 4 m and 14.5 m in height has been retired. This will be replaced by the setbacks specified in the mixed use zones, which will be dependent on whether residential or non-residential uses are proposed on the ground floor.

8 – Transferred to S.2.70.6.1 and S.2.80.6.1

The requirement for vehicle access to be from an alley is carried forward in the mixed use zones.

REGULATIONS	NOTES / RATIONALE
<p>9. All surface parking and underground parking access shall be located at the rear of the building.</p>	<p>9 – Revised in S.2.70.6.2.1 and S.2.80.6.2.1 In the mixed use zones, vehicle parking must not be located between a building and a street, and a minimum 2.0 m wide landscape buffer is required to ensure parking is not located directly beside streets. Vehicle access must be from an alley. Where there is no alley, vehicle access must be designed to minimize impacts to existing trees and the streetscape.</p>
<p>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.</p>	<p>10 – Revised in S.2.70.6.3 and S.2.80.6.3 The requirement to screen the front of parkades facing a street with commercial uses, with a minimum depth of 8.0 m, is carried forward; however, this requirement is expanded to parkades facing parks, and to allow community uses for screening (e.g., child care services, community services, etc.).</p>
<p>11. Any vehicular oriented Uses, as identified in Section 72.1 of this Bylaw, or development with a drive through service window shall:</p> <ul style="list-style-type: none"> 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. 	<p>11.a, 11.b – Revised in S.6.110.13.2 Regulations limiting the location of freestanding structures are carried forward. However, an adjustment is made to the location in relation to corner sites that do not abut an alley, so that freestanding structures are permitted to be located beside the building provided they do not extend past the facade closest to the street. These regulations apply to all mixed use zones and the regulations are contained in the specific development regulations for Vehicle Support Services and Uses with Drive-through Services.</p> <p>11.c – Transferred to S.6.110.13.3 Landscaping and fencing requirements are carried forward to screen and soften the impact of vehicle-related services on adjacent streets and sidewalks.</p>

REGULATIONS	NOTES / RATIONALE
<p>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.</p>	<p>12 – Revised in S.2.70.5.8 and S.2.80.5.8 The requirement for main entrances to be directed towards the street is carried forward. It is expanded to all main entrances associated with non-residential uses and shared entrances for Multi-unit Housing (e.g., apartments) or Supportive Housing.</p>
<p>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.</p>	<p>13 – Revised in S.2.70.3.10.1 and S.2.80.3.8.1 The limitation on hotel lobby frontage has been retired; however, a regulation is included in the mixed use zones to ensure ground floor guest rooms are not located adjacent to a street to support more active street frontages.</p>
<p>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>	<p>14 – Retired The regulation intended to reduce the massing of hotels greater than 14.5 m in height is retired and replaced by the general setback and tower regulations in the MU Zone.</p>

REGULATIONS	NOTES/RATIONALE
<p>15. For sites zoned CB3, notwithstanding the underlying Zone:</p> <p>a. the maximum Tower Floor Plate shall be 850 m²;</p> <p>b. the maximum total building Height shall be increased to 75.0 m for a building containing Residential or Residential-related Uses, provided that the Site is not Abutting or directly across a Lane from a Site zoned to allow for Residential development with a maximum Height of 10.0 m or less; and</p> <p>c. when the Site is located directly across a Lane from a Site zoned to allow for Residential development that has a maximum Height of 10.0 m or less, a 3.0 m Setback shall be provided from the Lot line Abutting the Lane.</p>	<p>15.a – Transferred to S.2.80.4.7.1 The maximum tower floor plate in the MU Zone is 850 m², which aligns with the maximum floor plate of a number of Downtown Special Area Zones and still falls within the range specified in the City’s urban design guidelines for tall buildings.</p> <p>Note: all sites zoned CB3 have been rezoned to the MU Zone.</p> <p>15.b – Revised in S.2.80.4.1.1 Maximum height in the MU Zone is regulated through height modifiers. A height modifier of 75 m applies to sites formerly zoned CB3, within the Main Streets Overlay, and not located next to, or across the lane from, a small-scale residential zone.</p> <p>15.c – Revised in S.2.80.4.5.2 and S.2.80.4.5.3 A 1.0 m setback from a lot line abutting an alley is required when the alley is less than 6 m wide, and a 3.0 m setback is required for portions of development greater than 16 m in height to help provide a transition to sites across the lane.</p>

REGULATIONS	NOTES/RATIONALE
819.4. DEVELOPMENT REGULATIONS FOR ALL DEVELOPMENTS	
<p>1. The development regulations contained within Section 819.4, shall apply to Development Permit applications for:</p> <ul style="list-style-type: none"> 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. 	<p>1 – Retired The application of specific regulations for new buildings and additions is included in the mixed use zones.</p>
<p>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.</p>	<p>2. Revised in S.2.70.5.3 and S.2.80.5.3 The requirement for the facade of the building to be broken into the appearance of 11 m sections in the mixed use zones is carried forward. However, this requirement is revised so that it only applies to the ground floor. In addition, at least 2 building design techniques are required in order to break up the appearance of the ground floor into 11 m sections. This requirement applies to facades facing streets and parks.</p>
<p>3. 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.</p>	<p>3 – Revised in S.2.70.6.2, S.2.80.6.2, S.6.110.13.2 Regulations limiting vehicle access from the street are carried forward, and a landscape buffer is required between parking, loading, waste collection and other vehicle-related activities/ uses and the street.</p>

REGULATIONS	NOTES/RATIONALE
<p>4. Parking, loading and passenger drop-off areas shall be designed to minimize pedestrian-vehicle conflicts and prioritize pedestrian movement through the Site.</p>	<p>4 – Revised in S.5.80.3.1.1 General regulations for parking, access and site circulation require safe locations for vehicle and pedestrian access and travel routes.</p>
<p>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.</p>	<p>5 – Revised in S.2.70.5.10, S.2.70.5.1, S.2.80.5.10, and S.2.80.5.1 Regulations for weather protection features are carried forward to support a more comfortable environment for pedestrians in all seasons in the mixed use zones. Design regulations to address visual interest are integrated within the building design techniques requirements in the mixed use zones.</p>
<p>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.</p>	<p>6 – Revised in S.2.70.5.1, S.2.80.5.1 and S.5.60.8.3 Design features to support winter city design, by requiring the design of facades to enhance the appearance of buildings during winter months, are incorporated into the mixed use zones. However, the section related to light pollution is removed, as this is addressed in the new site performance standards section.</p>
<p>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.</p>	<p>7 – Revised in S.2.70.5.6 and S.2.80.5.6 The requirement for consistent design and materials on building facades on corner sites is carried forward. However, this requirement is expanded to some internal sites, where the side of the site abuts an alley.</p>
<p>8. Each Storey shall have windows on all Façades facing a public roadway.</p>	<p>8 – Transferred to S.2.70.5.4 and S.280.5.4 The requirement for all facades facing a street to include windows is carried forward to reduce blank walls and support a more pedestrian-friendly environment.</p>

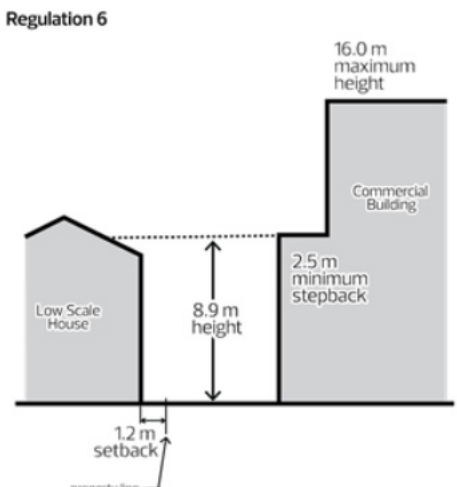
REGULATIONS	NOTES/RATIONALE
<p>9. Each Façade facing a public or private roadway other than a Lane shall have a minimum of 70% clear, non-reflective glazing on the exterior of the ground floor to promote pedestrian interaction and safety, except:</p> <p>a. when a Development Permit application is solely 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.</p>	<p>9 – Revised in S.2.70.5.5 and S.2.80.5.5 Window transparency requirements are carried forward in the mixed use zones. However, the area for where this requirement applies will be adjusted, from being measured 1.5 m above grade to the portion of the facade between 1 m and 2 m. The minimum transparency requirement is also reduced from 70% to 65% based on industry feedback and consideration of energy code requirements.</p>
<p>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.</p>	<p>10 – Revised in S.2.70.5.5.3 and S.2.80.5.5.3 The limitation on covered windows is carried forward. However, this requirement does not only apply to signs, but any non-transparent materials. This requirement only applies to ground-floor windows facing streets, parking areas interior to the site and ground-floor windows facing parks.</p>
<p>11. Landscaping of Sites shall use plant materials that provide colour throughout the year to enhance appearance during the winter months.</p>	<p>11 – Revised in S.5.60.8.3 The requirement for plant material that provides colour throughout the year is carried forward to support winter city design objectives. However, this requirement is expanded to all development and moved into the general landscaping regulations. The requirement has also been adjusted to allow plant material that provides visual interest throughout the year.</p>
<p>12. A Rooftop Terrace facing a Residential Zone that allows Single Detached Housing as a Permitted Use or the RF5 Zone, shall:</p> <p>a. require Privacy Screening along the full length of the Rooftop Terrace facing the applicable Residential Zone that:</p> <ul style="list-style-type: none"> i. is a minimum of 1.5 m in Height; and ii. shall not exceed 1.7 m in Height, <p>When measured from the surface of a rooftop in accordance with Section 61.</p>	<p>12 – Retired Specific regulations related to privacy screening for development abutting small scale residential zones have been retired. Instead, the general regulations for privacy screens in S.5.50 apply.</p>

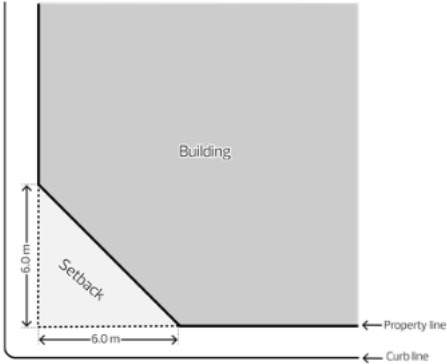
REGULATIONS	NOTES/RATIONALE
<p>13. Where a Commercial Use is provided at ground level Abutting a public roadway other than a Lane, the principal entrance shall be designed for universal accessibility. A maximum of two ground floor commercial units may share a common entranceway.</p>	<p>13 – Revised in S.2.70.5.7, S.2.70.5.8.2, S.2.80.5.7, and S.2.80.5.8.2 Regulations supporting universal design and allowing for entrances to share a common vestibule are carried forward in the mixed use zones. However, these regulations are expanded to all non-residential uses and the wording is revised to be more specific to the outcomes intended to support the ease of access to entrances for all people, by requiring level doorway thresholds with abutting sidewalks.</p>
<p>14. Multi-unit 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.</p>	<p>14 – Revised in S.2.70.5.8.2 and S.2.80.5.8.2 The requirement for residential and commercial uses to have separate entrances has been retired. The requirement for entrances to be universally accessible has been adjusted to be more specific to the outcomes intended to support the ease of access to entrances for all people, by requiring level doorway thresholds with abutting sidewalks.</p>
<p>15. 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. 	<p>15 – Retired Specific notification requirements for development within areas of the current Main Streets Overlay have been retired; instead, the general notification requirements specified in Section 7.160 apply.</p>

REGULATIONS	NOTES/RATIONALE
819.5. DEVELOPMENT REGULATIONS FOR SIGNS	
<p>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:</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, at the discretion of the Development Officer. 	<p>1 – Transferred to S. 6.90.3.21</p>
<p>2. 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, 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. 	<p>2a – Transferred to S. 6.90.5.13 and S. 6.90.5.25</p> <p>2b – Retired This regulation has been retired as the requirement was difficult for applicants to meet and was often varied.</p> <p>2c – Transferred to S. 6.90.5.20.2</p> <p>2d – Retired It is proposed to retire this regulation as all Sign Uses within Subsection 5 of Section 6.80 will have regulations.</p>
<p>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.</p>	<p>3 – Retired Specific notification requirements for development within the current Main Streets Overlay has been retired and instead defer to the general notification requirements specified in Section 7.160.</p>

REGULATIONS	NOTES/RATIONALE
819.6. ADDITIONAL DEVELOPMENT REGULATIONS FOR SPECIFIC AREAS	
<p>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.</p>	<p>1 – Retired Specific regulations for development within the boundaries of the 109 Street ARP have been retired. This is in consideration that these regulations do not apply to any other major corridors within the city and that elements of these regulations (i.e., transitions, nuisance, etc.) are incorporated into the mixed use zones.</p>
<p>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.</p>	<p>2 – Revised S.270.3.6.1 and S.280.3.10.1 Based on engagement feedback related to retirement of the Whyte Avenue Commercial Overlay, Major Indoor Entertainment uses (which includes nightclubs) are limited to a maximum floor area of 500 m² per individual establishment in the MU Zone (except where located on a site greater than 1 ha). In the MUN Zone, floor area limits for food and drink services and bars are included and Major Indoor Entertainment is not permitted.</p>
<p>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.</p>	<p>3 – Retired Limitations to increase height and floor area ratio based on minimum floor area ratio provided for residential and residential-related uses have been retired to reduce complexity. Both of the new mixed use zones will incorporate the increased height and floor area ratio in order to encourage mixed use development and density within the Nodes and Corridors.</p>
<p>4. The principal entrance for any Commercial Use on a Site that Abuts 109 Street shall be oriented to the street.</p>	<p>4 – Revised in S.270.5.8 and S.280.5.8 Main entrances associated with non-residential uses and shared entrances for Multi-unit Housing are required to be directed towards the street. However, the specific requirement that entrances face 109 Street has been retired.</p>

REGULATIONS	NOTES/RATIONALE
<p>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.</p>	<p>5 – Retired Parking, waste collection and loading are allowed to project into minimum setbacks abutting other sites provided a minimum 1.5 m wide landscape buffer is provided within the setback (as identified in S.2.70.6.2.2 and S.2.80.6.2.2). This is intended to reduce variance requests and allow for greater redevelopment opportunities.</p>

<p>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.</p> <p>Diagram of Regulation 6 – for illustrative purposes</p> 	<p>6. Revised in S.280.4.5.3 Transition setbacks in the MU Zone are applied where abutting small scale residential zones, to require a base 3 m setback for portions of development up to 16 m in height, and a 6 m setback for portions of development greater than 16 m in height.</p>
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REGULATIONS	NOTES/RATIONALE
<p>7. The following regulations shall apply to development within Commercial Zones at each corner of the intersection of 109 Street and 82 Avenue:</p> <p>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;</p> <p>Diagram of Regulation 7 – for illustrative purposes</p>  <p>b. the principal building entrance shall be located in the triangular shaped setback, as shown in the illustration.</p>	<p>7 – Retired The minimum triangular shaped setback required at the 109 Street and 82 Avenue intersection has been retired.</p>
<p>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.</p>	<p>8 – Retired Specific notification requirements for development within the current Main Streets Overlay have been retired and instead defer to the general notification requirements specified in Section 7.160.</p>

APPENDIX 1 – MAIN STREETS OVERLAY