

ZONING BYLAW RENEWAL INITIATIVE

DISCUSSION PAPER



OVERLAYS

Edmonton

HOW TO USE THE DISCUSSION PAPERS

The discussion papers provide an entry point into the world of zoning by breaking it out into understandable parts and allowing Edmontonians to select topics that interest them. They explore various aspects of zoning and the new Zoning Bylaw, and provide the preliminary thinking and direction for the approach it may take. Please refer to the [Overview and Philosophy of the New Zoning Bylaw](#) for more information.

These papers are a **first attempt** at exploring potential directions for new zoning regulations. All Edmontonians – from developers to residents – are encouraged to explore the topics that interest them and provide feedback through the [Engaged Edmonton](#) platform. Information gathered through the discussion paper conversation will be used to help inform how the new Zoning Bylaw will be written.

TOPICS



**PHILOSOPHY OF THE
NEW ZONING BYLAW**



NODES & CORRIDORS



RESIDENTIAL ZONES



**COMMERCIAL &
INDUSTRIAL ZONES**



**AGRICULTURE &
RURAL ZONES**



**OPEN SPACE &
CIVIC SERVICES ZONES**



SPECIAL AREA ZONES



**DIRECT CONTROL
ZONES**



**NOTIFICATIONS &
VARIANCES**



OVERLAYS



SIGNS



**CLIMATE RESILIENCE &
ENERGY TRANSITION**



ECONOMY

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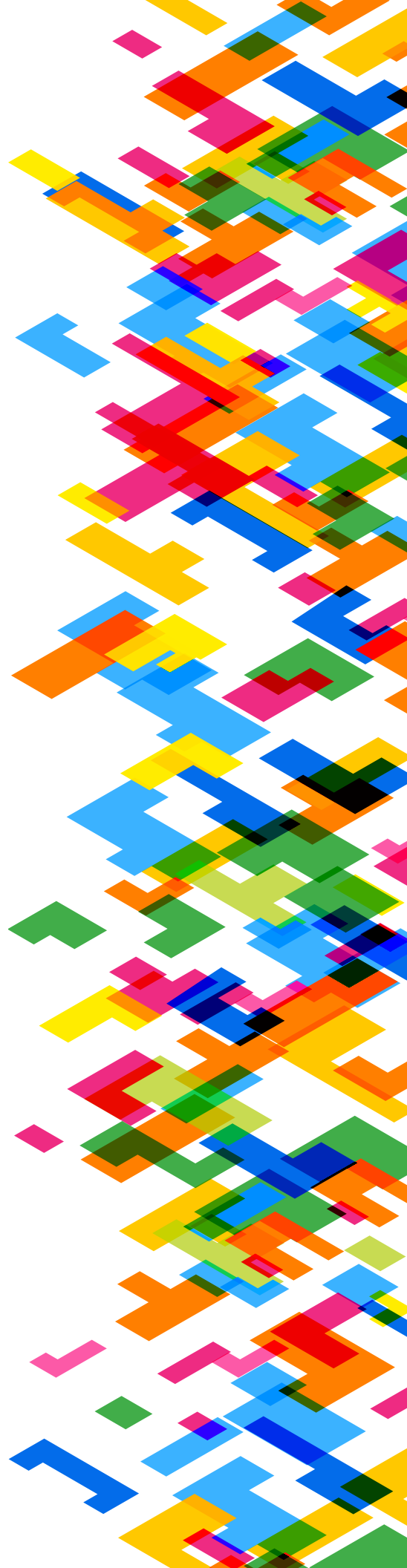
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CONVERSATION STARTER

How should the new Zoning Bylaw **address overlays**?

The purpose of an overlay is:

+ to control the built form + to reduce risk (e.g. safety) and + to preserve for future, unknown uses

This paper shows that the new Zoning Bylaw can address overlays by

- 1 Maintaining the use of overlays** in the new Zoning Bylaw

 - Carry over existing overlays and adjust to the new Zoning Bylaw format
- 2 Eliminating overlays** from the new Zoning Bylaw entirely

 - Delete overlays as a tool within the new Zoning Bylaw
- 3 Retaining the use of overlays related to the protection of the environment and the reduction of risk**



Risk Mitigation Overlays

 - + Floodplain Protection Overlay
 - + North Saskatchewan River Valley and Ravine System Protection Overlay
 - + *Edmonton International Airport Protection Overlay (Create new)*
- 4 Retaining specific development regulations from key overlays and incorporate them into new zones** where they have the greatest effect citywide and removing all others



Heritage and Built Form Overlays

 - + Major Commercial Corridors Overlay
 - + Mature Neighbourhood Overlay
 - + Main Street Overlay
 - + High Rise Residential Overlay

Other Overlays

 - + Secondhand Stores and Pawn Stores Overlay
 - + Whyte Avenue Commercial Overlay
 - + Industrial Plan Overlays
 - + The Quarters Overlay



DISCUSSION PAPER GOALS

- This discussion paper seeks to explore the following questions:
- + What is an **overlay**?
 - + How are overlays used in **other municipalities**?
 - + Are Edmonton's overlays **working**?
 - + How can the new Zoning Bylaw incorporate **relevant overlay regulations**?

WHAT IS AN OVERLAY?

The **use-based zoning system**, also known as single-use zoning, focuses on regulating activities and uses, typically keeping each use separated from the other. This common form of land use planning **employs a one-size-fits-all approach** to the development and use of land. It contains a single set of regulations that apply to large areas that often have distinct and different characteristics. This system of land use planning generally **does not provide the flexibility required to allow for context-specific regulations**.

In response to this one-size-fits-all approach, local governments have developed tools to achieve more control over specific geographical areas, such as overlays. While zoning is applied to all land within a municipality, **an overlay is an additional set of rules applied to a defined area to achieve a specific purpose**. The overlay's regulations can cut across zone boundaries and apply to different types of zones, if desired.

Local governments have the authority to regulate development according to their communities best interests. Although municipalities use overlays for different purposes, **the method for employing them generally falls into three broad categories as seen in Table 1**.

Table 1. Overlay Categories

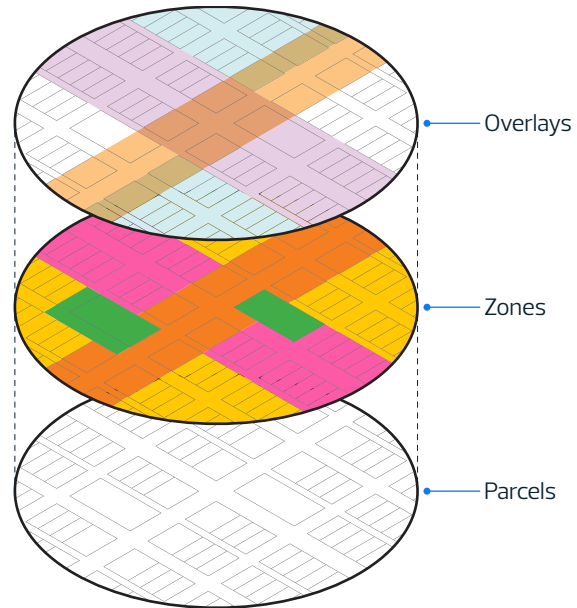
| Category | Description |
|----------------------------------|--|
| Heritage and Built Form Overlays | To support the redevelopment of private property with consideration to heritage and built form |
| Risk Mitigation Overlays | To ensure developments consider potential hazards and risk mitigation |
| Other Overlays | To achieve a specific purpose which does not align with the approaches outlined above |

“Overlays have the potential to be very effective governmental regulatory tools. Since they tailor regulations to specific properties and districts to meet specific community goals, they can be more politically feasible to implement and can help communities meet stated goals or address specific inequities. On the other hand, they can create inefficiencies and inequities by applying regulations and restrictions to some properties and not others. Moreover, additional regulations may increase time and expense both for developers and for the public bodies involved in the development approval process.”
(American Planning Association)

*"An overlay is typically created to address only one topic or a related group of topics (e.g. hillside, steep slope, and erosion control). The overlay should, however, be an **enhancement to the existing zone, not a complete alternative.**" (Garvin, E., 2001).*

Overlays are beneficial because they help achieve a specific function across a geographical area. Over time, though, they can deviate from this and can serve as an unnecessary barrier to development or act as a zone in their own right. Overlays have been created or had regulations added to them to address specific problems in need of an immediate fix. Assessing the validity and objectives of each overlay is necessary to determine if existing overlays are needed to direct desired development outcomes or if the outcomes could be controlled through conventional zoning.

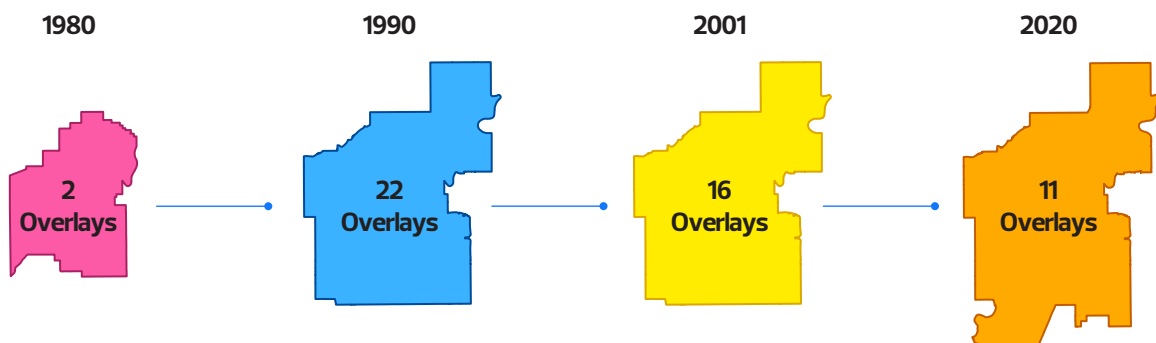
Fig 1. Overlay Diagram



EDMONTON'S OVERLAYS | ORIGINS AND EVOLUTION

Overlays were introduced to Edmonton with the adoption of the **1980 Land Use Bylaw (5996)**. It contained only two overlays, the Airport Protection Overlay (APO), which limited building height in the downtown so aircrafts would have a clear path to the municipal airport and the Statutory Plan Overlay (SPO), which established the overlays framework.

Fig 2. Edmonton's Overlays Evolution



By the late 1990s, the number of overlays contained in Land Use Bylaw 5996 had ballooned to 22. While the majority of these new overlays were tied to implementing the policies of Area Redevelopment Plans, some provided additional land use control for other reasons. They were intended for areas with federal concerns (such as the Airport Protection Overlay), sensitive environmental areas (such as the North Saskatchewan River Valley and Ravine System Protection Overlay), and to achieve land use objectives that could not be guaranteed under standard zoning regulations (the Entrance Routes and Special Areas Overlay).

When Zoning Bylaw 12800 was approved in 2001, the 22 overlays were consolidated and reduced to 16 as part of the update. Overlays that reduced risk, such as the North Saskatchewan River Valley and Ravine System Protection Overlay and Floodplain Protection Overlay were retained. Other overlays that governed the built form, such as the neighbourhood specific overlays, were removed and replaced with larger, wide-reaching ones, such as the Mature Neighbourhood and Medium Density Residential. Overlays that relate to specific Area Redevelopment Plans were removed entirely from the Zoning Bylaw 12800.

The Mature Neighbourhood Overlay: A Case Study

As Edmonton entered into the 21st Century, large, suburban-style houses with front attached garages were being built in mature neighbourhoods. City Administration and many community members felt these new developments did not fit within the context of the existing development.

In response to this, Zoning Bylaw 12800 introduced the Mature Neighbourhood Overlay to regulate new low-density development in Edmonton's mature residential neighbourhoods. The overlay required new homes to be sensitive to existing development, and to retain the classic tree-lined street and rear lane access. This overlay reduced the maximum height for new development from

8.9 metres to 8.6 metres, required a contextual front setback based on existing homes across the entire block and restricted development to two and half storeys.

In 2017, a revised Mature Neighbourhood Overlay was adopted to support more infill, while continuing to encourage development that responds to the context of surrounding properties. It also was intended to increase predictability in the approvals process, and provide more design flexibility for new housing.

Source: [CR_4726 Text Amendment to Zoning Bylaw 12800 – Bylaw 18013 – Mature Neighbourhood Overlay](#)



EDMONTON'S OVERLAYS | ZONING BYLAW 12800

The current Zoning Bylaw has 11 overlays. This is the result of the consolidation of certain overlays and efforts from Administration to streamline the development review process over the past five years.

The [Mature Neighbourhood Overlay](#) was updated to address present day development pressures. The recent updates to the [Main Streets Overlay](#) combined and expanded the urban design efforts of the Pedestrian Commercial Shopping Streets Overlay and the Alberta Avenue Pedestrian Commercial Shopping Streets Overlay. With the closure of the City Centre Airport, the Airport Protection Overlay and the Airport Protection Overlay Schedule were no longer necessary and were removed from the bylaw.

Through the recent [Missing Middle bylaw changes](#), there was no longer a need for the Medium Density Residential Development Overlay. **A number of the beneficial development regulations were incorporated into the underlying zones.** Those regulations that served as a barrier to development or did not lead to good development outcomes were removed along with the overlay as a whole.

See [Appendix 1](#) for a list of Edmonton's 11 overlays and how they can be categorized into the three general categories of an overlay, as seen in [Table 1](#).

THE NEW ZONING BYLAW

The new Zoning Bylaw is intended to be **user-friendly for all audiences, provide regulations that support better development outcomes and be efficient and effective in its regulations.**

It is also intended to be adaptable over time. The question of whether overlays should continue to be used as a zoning tool is one that needs answering prior to its approval. Overlays provide the precision that is needed to drive a specific built form for a specific area (which is not necessarily possible under conventional zoning), reduce risk and to preserve land for future, unknown uses.

However, by employing overlays in the new Zoning Bylaw, Administration would be introducing a layer of regulation that may not be user-friendly for all audiences. Overlay regulations supersede underlying zones and require the knowledge of their existence by the landowner, applicant or developer. While the intent of an overlay and its

regulations may support better development outcomes and contain purposeful and enforceable regulations, by introducing another layer of rules that does not apply equitably to all sites of the same zone Administration runs the risk of losing its user-friendly approach of the new Zoning Bylaw.

In the 18 years since Zoning Bylaw 12800 was introduced, overlays have been added to and removed from the Bylaw and amended numerous times. A consistent approach to how overlays will be addressed in the new Zoning Bylaw is needed to provide clear direction to Edmontonians and to assist them in understanding how and why they are being used or not being used.

CITY PLAN INTENTIONS AND DIRECTIONS

The Draft City Plan policies support the transformation of Edmonton, guided by the **Big City Moves** (Greener As We Grow, A Rebuildable City, A Community Of Communities, Inclusive And Compassionate, Catalyze And Converge).

These moves point the way as our city welcomes **one million more residents**. The **use of overlays in the new Zoning Bylaw is one of many land use planning tools** that can be employed to support these Big City Moves.

1.3.1.3 Encourage diverse design and development in all neighbourhoods so communities can continue to evolve over time.

3.1.3.5 Develop regulations and processes that are efficient, streamlined and easily understood in order to enhance Edmonton's competitiveness for investors and entrepreneurs.

3.2.1.1 Adapt the planning and regulatory environment to support innovative business models and operations.

development and protecting new buildings from other elements of risk is highlighted as well. Intentions have been included in the Draft City Plan to create a flexible and inclusive city, one that can respond to emerging trends and new ways of conducting business. The new Zoning Bylaw acknowledges this and is purposefully crafting the new zones and regulations to be flexible and accommodate innovative development.

There is strong policy direction within the Draft City Plan to allow for communities to evolve over time and to support new regulations that are efficient, easily understood and that support innovative development outcomes within our city. Overlays can provide the regulatory tool to achieve these policy directions and intentions within specific geographic areas and for specific purposes. However, overlays create an additional layer of regulation within a zoning bylaw. To develop regulations that are efficient, streamlined and easily understood, careful consideration is needed to determine if the goal of using an overlay to achieve a specific development outcome cannot be achieved through any other tool or zone.

The Draft City Plan provides direction to celebrate the unique physical pattern of the city's systems and places as well as to promote opportunities to support health, Edmonton as a winter city, and encourage the compact development of new and existing neighbourhoods. Urban design policy direction aims to create a beautiful compact city for all Edmontonians. The reduction of risk to the city's natural systems by way of private

CURRENT ISSUES RELATED TO OVERLAYS

As illustrated above, overlays can be used to serve three purposes for regulating development: **to reduce the risk of damage to private property that a zone cannot control, built form outcomes beyond what is prescribed in a standard zone and to achieve a specific purpose.** With the new Zoning Bylaw's philosophy in mind, Administration has identified the following potential issues with translating the existing overlays into the new Zoning Bylaw.

Reducing Risk

Several overlays in Zoning Bylaw 12800 specifically serve to preserve environmentally-sensitive areas of the city by prohibiting development. Specifically, the North Saskatchewan River Valley and Ravine System Protection Overlay, which establishes a development setback from the top of bank of the river valley system to protect potential development from erosion and slumping. In addition, this overlay requires any potential development to submit a geotechnical report which is reviewed by the City's geotechnical engineer to ensure the integrity of the River Valley and Ravine System is maintained. The City's Floodplain Protection Overlay provides a similar function for the safe and efficient use of lands located in established flood prone areas of the river valley. These two overlays restrict development in areas where the environmental conditions of the landscape pose a risk to any existing and future development on private property.

Layers of Complex Regulations

There are other overlays that add an unintended layer of complexity, creating unnecessary regulatory barriers to new development. The Quarters Overlay, for example, is also governed by a series of Direct Control Provisions. The overlay was added to curtail the Direct Control's overly prescriptive regulations by giving the Development

Officer unprecedented interpretation and variance power. These layers of regulation have served to limit development in the area; **the Quarters Overlay has only seen one development permit for a new building issued in the area since it was approved by Council in 2009.**

In addition to the Quarters Overlay, there are other overlays that fall into this category, such as the Whyte Avenue Commercial and the Secondhand Stores and Pawn Stores Overlays. These two overlays are similar in that they add additional layers of control to specific uses within a defined geographic area. The Whyte Avenue Commercial Overlay prohibits the development of new bars and nightclubs in the area. The Secondhand Stores and Pawn Stores Overlay requires the Development Officer to notify surrounding property owners when someone applies to build a new secondhand or pawn store in specific areas of the city.

Overlays such as these introduce complex regulations and additional reporting requirements to specific developments. The Second Hand Stores and Pawn Stores Overlay, for example, establishes additional notification requirements for these stores, but only some parts of the city and not others. **In context of the new Zoning Bylaw's goals, these overlays do not contribute to better development outcomes or add to a user-friendly bylaw with clear and purposeful regulations.**

Creating Efficient and Effective Overlays

If a municipality is not careful, it can rely too heavily on the use of overlays to control development across the city. At which point, if the zone plus overlay is widely employed, **it may be simpler and more direct to create an entirely new zone rather than rely on an additional set of rules to meet certain goals or objectives.**

Over the past four years, Administration has put in a substantial effort to update and simplify regulations with several of its key overlays. Examples of this include the Mature Neighbourhood Overlay and the Main Streets

Overlay. The new regulations contained in these overlays are considered to be effective in achieving a specific built form. However, in the context of the new Zoning Bylaw, it could be argued that the changes made to these overlays didn't go far enough to simply and streamline the regulatory process. **Administration needs to undertake the assessment of whether or not these regulations will remain appropriate for specific geographical areas they apply to, or if they should be applied to the city as a whole and incorporated into a new base zone.**

Missing Middle: A Case Study

In 2018 and 2019, Administration undertook a comprehensive review at how low-medium density residential development, the "missing middle," is regulated within the city. This included the multi-unit housing that fall between single detached housing and high rise apartment buildings. The Missing Middle Zoning Review was designed to address and remove regulatory barriers to this form of development.

Administration analyzed all zones and overlays that governed the missing middle. The Zoning Bylaw contained three overlays that impacted medium density development within the city:

- + The Mature Neighbourhood Overlay applies to the (RF3) Small Scale Infill Development Zone and (RF5) Row Housing Zone within the boundaries of the city's mature neighbourhoods;
- + The Medium Scale Residential Overlay which uses the same boundary as the Main Streets Overlay, applies to all (RF6) Medium Density Multiple Family Zoned and (RA7) Low Rise Apartment Zoned sites; and
- + The Medium Density Residential Overlay applies to select (RA8) Medium Rise Apartment Zone sites in the Strathcona and Belvedere neighbourhoods.

These overlays restricted development and led to projects failing to move forward or resulted in the sites being rezoned to Direct Control Zones. While it was proven that these overlays served as a barrier to missing middle development, public sentiment was that the urban design elements

of the overlays were essential in preventing unarticulated and uninteresting apartment developments.

Administration incorporated the design elements of the overlays directly into the (RA7) Low Rise Apartment and the (RA8) Medium Rise Apartment zones as a solution. This way the best practice and standard design principles will serve to ensure high quality development in all Edmonton neighbourhoods, not just a select few based on geography. Design elements that were incorporated into the underlying zones included:

- + Street orientation of building entrance features and individual entrances for units at grade
- + Articulation of all building facades
- + Requirement for vehicular access to be provided from the lane where one exists
- + Requirement for parking to be behind buildings
- + Contextual front setbacks where adjacent to low density development
- + Smaller front setbacks on pedestrian shopping streets
- + Smaller side setbacks to enable infill development
- + Specific design regulations for 109 Street

Submissions to the Missing Middle Infill Design Competition, which invited architect/builder/developer teams to submit medium-density housing proposals, were used to test the proposed amendments.

Source: [CR_6225, Attachment 2, July 9, 2019](#)



MUNICIPAL BEST PRACTICES

This section explores the application of overlays in **five Canadian cities**, including Calgary, Saskatoon, and Regina, with a specific focus on the overlay’s **intention** (“Why was it created?”) and **regulation aptitude** (“Does it meet its intention?”).

In reviewing other similarly sized Canadian cities to Edmonton (see [Appendix 2](#)), **each municipality contained at least one overlay that was designed to achieve a specific development goal across a geographical boundary**. As per [Table 2](#), the overlays in these municipal examples were designed to address the following:

Table 2. Municipal Examples of Overlays Categories

| Categories in Theory (as per Table 1) | Examples |
|--|--|
| Heritage and Built Form Overlays | + Calgary’s City Centre Bonus Overlay + Saskatoon’s Architectural Control Overlay |
| Risk Mitigation Overlays | + Regina’s Aquifer Protection Overlay + Ottawa’s Flood Plain Overlay + Saskatoon’s Flood Plain Overlay |
| Other Overlays | + Regina’s Holding Overlay |

The Municipal Best Practice Scan provides a better understanding for how overlay categories in theory might be adapted in practice. Specifically, the purpose behind an overlay’s use is:

- + to control the built form;
- + to reduce risk (e.g. safety); and
- + to preserve for future, unknown uses.

This type of overlay codification confirms Edmonton’s current Zoning Bylaw aligns with the methods used to employ overlays in other, similar municipalities. Edmonton’s own use of overlay tool where the City has employed multiple versions to reduce risk (i.e. preserving the top of bank of the River Valley from private development), as well as to control the built form to address a specific issue, such as preventing suburban style development

in the city’s older neighbourhoods (Mature Neighbourhood Overlay) and creating high quality pedestrian shopping streets (through the recent update to the Main Streets Overlay).

While Edmonton’s existing overlays align with current practices in other Canadian municipalities, **the new Zoning Bylaw must be able to support better development outcomes and create user-friendly, efficient regulations that align with strategic policies and direction.** With the goal of developing a strategic, simplified and streamline Zoning Bylaw, several options regarding how to address overlays are proposed.

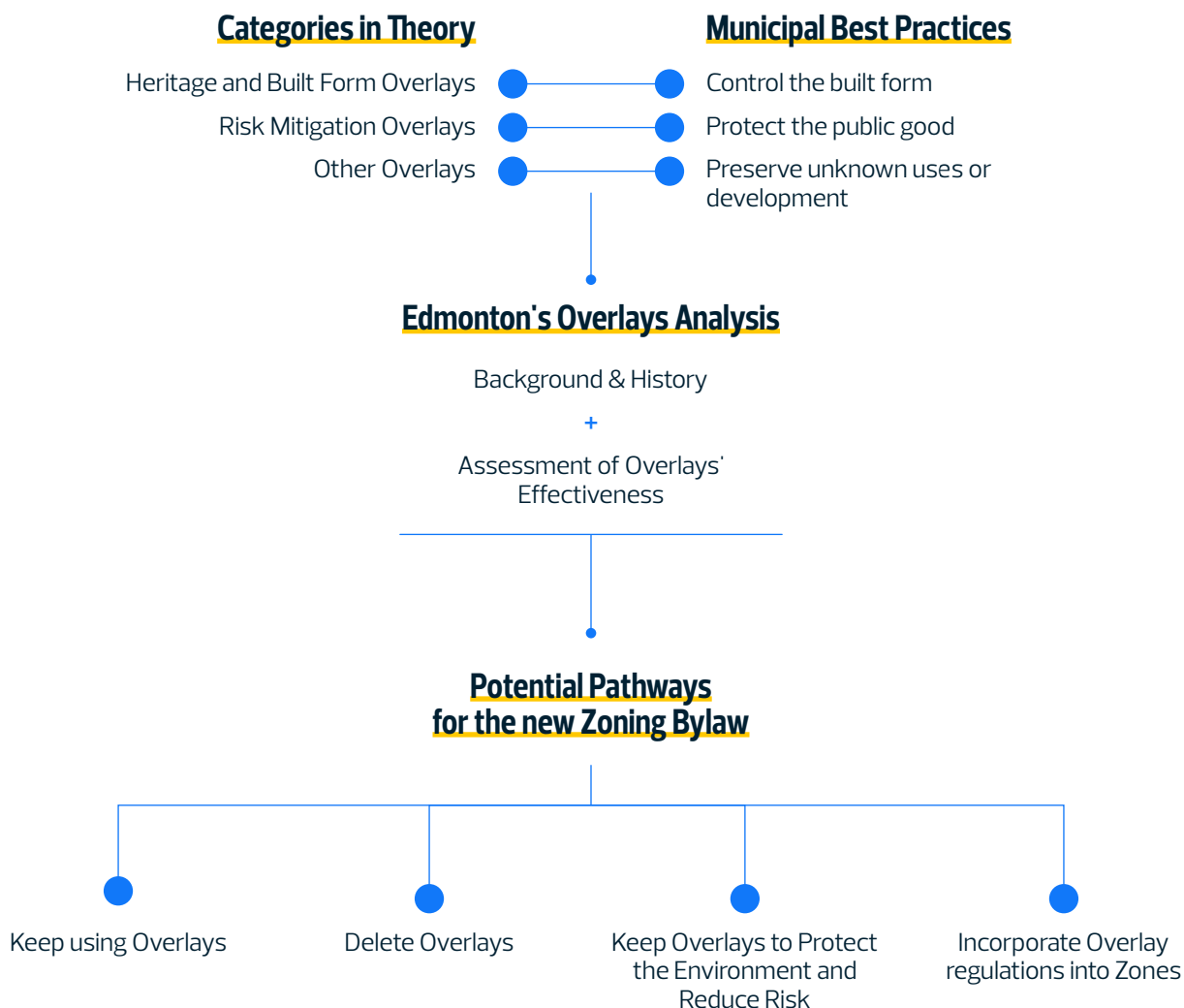


GENERAL APPROACH TO OVERLAYS

Edmonton's existing overlays were assessed by for their conformance to criteria identified as **best practice in municipalities**, their **perceived impact**, and their **effectiveness in meeting their original intention**.

Figure 3 brings all of the concepts raised in this discussion paper together, illustrating how Edmonton's existing overlays might be preserved, retired, or incorporated into the city's rewrite of its Zoning Bylaw.

Fig 3. Overlays Discussion Paper – Line of Thought



The following options have been developed to best address overlays within the framework of the new Zoning Bylaw.

Maintain the use of Overlays in the New Zoning Bylaw

This approach acknowledges that overlays have a **specific role to play within zoning**. It is reasonable for the new Zoning Bylaw to carry forward the concept of controlling specific areas by modifying the standard zones using overlays. This would include overlays that address all three elements of development, such as the built form, reducing risk and for other purposes as well. However, in the context of the new Zoning Bylaw overlays will need to be rethought of as more than a stop-gap measure to address narrow or specific development issues. **If overlays are a necessary planning tool to be used within the new Zoning Bylaw, their application should be in the context of supporting overarching city building outcomes** (e.g. employing overlays to realize specific City Plan policy direction).

Eliminate Overlays from the new Zoning Bylaw Entirely

The Missing Middle Zoning Review was an example of this option in practice. A majority of regulations within two overlays were ineffective and serving as a barrier to new development. Regulations Edmontonians supported and that supported city goals were kept and moved into the underlying zones. **This approach rejects overlay's geographic nature in favour of a blanket approach and treats all lots in the city equally.**

Keep overlays related to environmental protection, reduce risk for private development, and eliminate specific overlays that no longer fit or serve their purpose

This approach identifies that **overlays have a specific role to play within zoning**. Rather than controlling design, the built form and other elements that may or may not be development-oriented, **the use of overlays within the new Zoning Bylaw will be focused on the reduction of risk**. This includes retaining those overlays that protect the North Saskatchewan River Valley and Ravine System, limit development within flood plains, or align our regulatory practices with federal jurisdiction through the introduction of an Airport Protection Overlay in the newly annexed lands near the Edmonton International Airport.

Keep specific development regulations from key overlays and incorporate them into new zones where they would have the greatest effect citywide

This approach calls for the removal of **specific overlays that are ineffective and restrict development or that add an additional layer of complexity that does not align with the strategic goals of the new Zoning Bylaw**. Like the Missing Middle Zoning Review, there may be some key overlay regulations worth retaining and incorporating into the new zones. Administration will work with key stakeholders and the public to identify which overlays and, more specifically, which regulations fall in this category and incorporate them into the draft zone as they are prepared.

Fig 4. Potential Pathways for Translating Existing Overlays into the new Zoning Bylaw





NEXT STEPS

One of the four goals of the new Zoning Bylaw is to be a **more efficient and effective tool to foster development within Edmonton** as it serves to realize the policies of The Draft City Plan. The current suite of overlays, like many other development regulations found in Zoning Bylaw 12800, are the **result of 60 years worth of incremental additions, resulting in a Zoning Bylaw that over-regulates development.**

While certain overlays have been amended and updated recently, there hasn't been the political or social will to take a step back and review these tools to create efficiencies and reduce the Zoning Bylaw's red tape. The direction has been to look at how we can reshape these existing tools into something better. The opportunity to consider if this was the correct tool for the job had not presented itself – until now.

As Edmonton becomes the city described in The Draft City Plan (and realizes the Big City Moves – such as becoming a rebuildable city), the use of overlays may change or overlays might be removed all together.

Considering how the city of Edmonton may evolve over time, and how overlays can be written into the new Zoning Bylaw is critical.

Potential next steps

- + Continue to discuss and promote the three purposes behind the overlays: Enhance the built form; reduce risk; and preserve for future, unknown uses.
- + Through public engagement with stakeholders and community members, identify the

appropriate approach, or combination of approaches, presented in General Approach to Overlays section of this paper and begin working towards what this would look like in conjunction with the rest of the new Zoning Bylaw project.

GET INVOLVED!

- Submit your feedback about this discussion paper at engaged.edmonton.ca
- Visit edmonton.ca/zoningbylawrenewal
- For all other ideas and feedback regarding Zoning Bylaw Renewal Initiative, please use the [General Feedback Form](#)
- Subscribe to our [newsletter](#)
- Contact us at zoningbylawrenewal@edmonton.ca



Appendix 1 | Edmonton's Overlays Arranged by Category

| Overlay Category (as per Table 1) | City of Edmonton Overlays | General Purpose of the Overlay |
|--|--|---|
| Heritage and Built Form Overlays + Designed to achieve a specific built outcome and addresses the future use of property through a development-specific lense. | + Major Commercial Corridors Overlay | The purpose of this Overlay is to ensure that development along Major Commercial Corridors is visually attractive and that due consideration is given to pedestrian and traffic safety. |
| | + Mature Neighbourhood Overlay | The purpose of this Overlay is to regulate residential development in Edmonton's mature residential neighbourhoods, while responding to the context of surrounding development, maintaining the pedestrian-oriented design of the streetscape, and to provide an opportunity for consultation by gathering input from affected parties on the impact of a proposed variance to the Over |
| | + Main Street Residential Overlay | 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. |
| | + High Rise Residential Overlay | The purpose of this Overlay is to accommodate the development of high density housing in established areas of the City that is compatible, in mass and scale, with existing forms of lower and medium density development and maintains the pedestrian friendly character and streetscape of these established areas. |
| Risk Mitigation Overlays + Relates to a property's site conditions and is designed to protect development from hazards. | + (FPO) Flood Protection Overlay | The purpose of this Overlay is to provide for the safe and efficient use of lands which may be within the defined floodplains of the North Saskatchewan River and its tributaries within the City of Edmonton. The Overlay regulates building Height, the location and geodetic elevation of openings into buildings, the Use in portions of buildings, the design Grade of the Site, and Landscaping, to mitigate the potential negative effects of a flood event. |
| | + North Saskatchewan River Valley and Ravine System Protection Overlay | The purpose of this Overlay is to provide a development Setback from the North Saskatchewan River Valley and Ravine System. |

| Overlay Category (as per Table 1) | City of Edmonton Overlays | General Purpose of the Overlay |
|--|---|---|
| Other Overlays + Employed to achieve a specific purpose. | + Secondhand Stores and Pawn Stores Overlay | The purpose of this Overlay is to supplement the regulations of Commercial Zones regarding Secondhand Stores and Pawn Stores in order to require notification of surrounding property owners prior to the Development Officer's decision in Zones where either Secondhand Stores or Pawn Stores are listed as Discretionary Uses. |
| | + Whyte Avenue Commercial Overlay | The purpose of this Overlay is to prohibit new Bars and Neighbourhood Pubs, and Nightclubs; and to prohibit the expansion of existing Bars and Neighbourhood Pubs, and Nightclubs, while providing opportunities for Breweries, Wineries and Distilleries in the Whyte Avenue Commercial Area. |
| | + Industrial Plan Overlays | The purpose of this Overlay is to provide a means to alter Use and to alter or specify regulations for Uses and Use activities, in order to achieve the local planning objectives of an Industrial Statutory Plan. |
| | + Quarters Overlay | The purpose of this Overlay is to apply common regulations to a number of underlying Direct Control Provisions in order to achieve the objectives of The Quarters Area Redevelopment Plan and The Quarters Urban Design Plan. |

Appendix 2 | Comparison of various municipal overlays, highlighting their purpose and their impact on the lands they are applied to

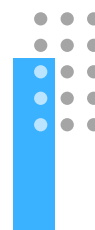
| Municipality | Overlay Name | Overlay Intention | Overlay Impact |
|------------------|-------------------------------|--------------------------------|--|
| Calgary | City Centre Bonus Overlay | Downtown Aesthetics | Negotiates better design in exchange for density |
| Saskatoon | Floodplain Overlay | Environmental, Public Safety | Prohibits new development in an area where flooding is prone |
| | Architectural Control Overlay | Aesthetics, Physical Character | Provides appropriate development standards in order to preserve the physical character of an area or to promote a selected design theme for an area |
| | Sutherland Commercial Overlay | Physical Character | Implements the building height and off street parking policies of the Sutherland Neighbourhood Local Area Plan |
| | Site Specific DCD1 | Physical Character | Preserves the physical character of an area and promote a selected design theme for an area |
| | Site Specific B5B | Physical Character | Building height, off-street parking policies |
| Regina | Aquifer Protection Overlay | Environmental, Public Safety | Protects the city's aquifer from contamination from development |
| | Floodway Fringe Overlay | Public Safety | Designed to reduce flood losses by prescribing performance regulations and special review procedures for the development of residential and non-residential structures |
| | Floor Area Overlay | Physical Character | This Overlay is intended to restrict the floor area of buildings/structures in areas or neighbourhoods where unique conditions or unusual circumstances make the control of FAR necessary for public safety, views, light, wind, air temp, and air |
| | Height Overlay | Physical Character | Governs height in areas of the city |

| Municipality | Overlay Name | Overlay Intention | Overlay Impact |
|-----------------|---|--|--|
| Regina | Heritage Conservation Overlay | Physical Character | Retains land for specific uses |
| | Holding Overlay | Future Development | Retains land for specific future uses |
| | Innismore Industrial Transitional Overlay | Physical Character | Ensures new industrial development is sensitive to existing homes |
| | Airport Noise Attenuation Overlay | Public Safety | Reduces noise from the airport |
| Ottawa | Flood Plain Overlay | Public Safety, Environmental | Applies to flood prone lands to restrict development in a floodplain area to minimize the threat of injury, loss of life and property damage |
| | May 2017 Flood Relief Overlay | Public Safety Development Rights | Allows properties affected by the 2017 flood to rebuild, but in a less flood prone area |
| | Heritage Overlay | Heritage Protection | Encourages the reuse of heritage buildings |
| | Low-Rise Residential Infill Development in the Mature Neighbhds Overlay | Physical Character | Requires residential infill to reflect existing development |
| Winnipeg | Planned Development Overlay Districts | To achieve local planning objectives in specially designated areas | Acts in a similar function to a Direct Control Zone (DC1) in Edmonton. |
| | Planned Development Overlay 2 | Site Specific control over an individual proposed development in unique or special circumstances | Acts in a similar function to a Site Specific Direct Control Zone (DC2) in Edmonton |



Appendix 3 | Further Reading and References

- + Kobos, S. (2018). "Is a Zoning Overlay the Magic Wand You've Been Looking For?" Strong Towns. Retrieved from: <https://www.strongtowns.org/journal/2018/1/17/can-a-zoning-overlay-be-your-neighborhoods-magic-wand>
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- + American Planning Association. (n.d.). "Property Topics and Concepts." Retrieved from: <https://www.planning.org/divisions/planningandlaw/propertytopics.htm>
- + Anchor Homes. (2017). "What are planning overlays and how do they affect me?" Retrieved from: <https://blog.anchorhomes.com.au/what-are-planning-overlays-victoria>
- + Zoning Bylaw 12800 Amendments – Missing Middle Zoning Review <http://sirepub.edmonton.ca/sirepub/mtgviewer.aspx?meetid=2268&doctype=minutes&itemid=74933>



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