

Charter Bylaw 18527

Text Amendment to add Cannabis Retail Sales to the Terwillegar Mixed Use Zone

Purpose

The proposed rezoning will amend Section 920.10 (TMU) Terwillegar Mixed Use Zone by adding Cannabis Retail Sales as a permitted Use.

Readings

Charter Bylaw 18527 is ready for three readings after the public hearing has been held. If Council wishes to give three readings during a single meeting, Council must unanimously agree “That Charter Bylaw 18527 be considered for third reading.”

Advertising and Signing

This Charter Bylaw has been advertised in the Edmonton Journal on August 17, 2018, and August 25, 2018. The Charter Bylaw can be passed following third reading.

Position of Administration

Administration supports this proposed Charter Bylaw.

Previous Council/Committee Action

At the May 29, 2018, City Council meeting, the following motion was passed:

That Administration provide an opportunity to apply for rezoning to add the Cannabis Retail Sales Use to Special Area Zones that include commercial areas or shopping centers without an applicant paying an administration fee for a period not exceeding 90 days after the passage of Charter Bylaw 18387.

Report

Administration determined the most effective way to meet the intent and timelines of the motion was to review the Special Area Zones and, where practical, proceed with the amendments.

The Special Area Zones were reviewed based on planning considerations and what was heard through public engagement as identified in the May 29, 2018 report (refer to CR_5812). It was determined that Cannabis Retail Sales:

- Would be appropriate in commercial areas;
- Would not be appropriate in residential areas (although, may be acceptable in some mixed use areas); and
- Must be in line with provincial regulations including separation distances from “sensitive uses”.

Of the 48 Special Area Zones in the Zoning Bylaw, 14 were identified as being appropriate for the addition of Cannabis Retail Sales as a permitted Use in the Zone. The (TMU) Terwillegar Mixed Use Zone was one of these.

In addition to the Use being added to the Zone, a regulation has also been added that will ensure Section 70 of the Zoning Bylaw, which regulates Cannabis Retail Sales, will be applied at the Development Permit stage.

Policy

The proposed Charter Bylaw supports *The Way We Grow*, Edmonton’s Municipal Development Plan’s strategic goal of Supporting Prosperity: *Edmonton is home to an innovative and diverse business environment that fosters economic development and supports prosperity.*

Corporate Outcomes

The proposed Charter Bylaw contributes to the Corporate Outcome “Edmonton has a globally competitive and entrepreneurial business climate” by creating commercial development opportunities.

Public Consultation

All landowners within the Special Area Zone were informed in writing of the proposed addition to the Zone. The letter included contact information outlining how property owners could support, object and/or obtain more information on the proposed changes. This letter was sent on July 10, 2018.

Advance notice was sent to surrounding property owners within 60 metres of the Special Area Zone on July 13, 2018.

Several emails and telephone calls were received in opposition to this change as a result of the notification. The opposition heard related to the potential for Cannabis retail sales to be located in close proximity to Child Care Services. There are a number of reasons why there are no required separation distances between Cannabis Retail Sales and Child Care Services. Primarily, it is due to Child Care Services requiring direct adult supervision of children at all times. They are not free to enter

these stores and they are not generally of an age to be influenced the same way that school aged (5-18 years olds) children are. As well, being a commercial use, Child Care Services often located in commercial areas and creating a separation distance would severely limit the options for Cannabis Retail Stores to locate in Edmonton and also potentially limit options for future Child Care Services as well.

Attachment

1. Charter Bylaw 18527