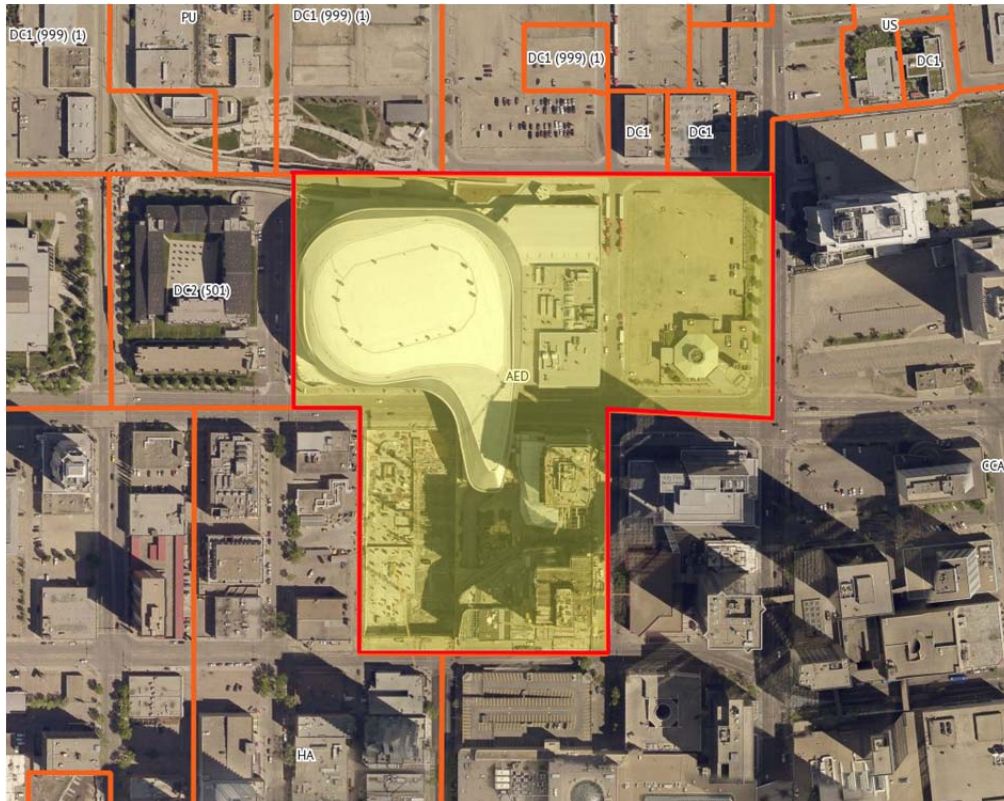




TEXT AMENDMENT APPLICATION DOWNTOWN

To effectively exempt the Arena and Entertainment District (AED) from the 500 meter alcohol sales separation rule by providing the opportunity for alcohol sales to operate, regardless of whether or not other alcohol sales exist within 500 meters.



RECOMMENDATION AND JUSTIFICATION

City Planning does NOT SUPPORT this application because it:

- Exempts a specific area from the 500 meter alcohol sales buffer without supporting or appropriate planning rationale.
- Compromises the effectiveness of the 500 meter buffer outside of the AED Zone.

City Planning recommends additional amendments, upon further study and consultation, are made to the 500 meter alcohol sale buffer regulation that recognizes the existing and future planned density of population in the Downtown and the role it plays as a large employment, service, and entertainment center.

THE APPLICATION

BYLAW 18224 proposes to amend Section 910.12 of the Zoning Bylaw, the (AED) Arena and Entertainment District Zone, by allowing alcohol sales within the AED Zone to be located within 500 meters of existing alcohol sales.

While alcohol sales are currently permitted within the AED Zone, due to other existing alcohol sales within 500 meters of the zone, new outlets are not permitted. The amendment will effectively exempt properties within this particular zone from the regulation while leaving it in place for the rest of the downtown and majority of the City. In addition, because the regulation would remain in place for the balance of the area, it requires any new alcohol sales to respect the 500 meter buffer from any new store operating within the AED Zone.

The text amendment as proposed is:

The following regulations shall apply to Major Alcohol Sales and Minor Alcohol Sales:

i. Subsections 85(1), (2), (3), (5), (6), (7), (8) and (9) of this Bylaw, shall not apply to Major Alcohol Sales or Minor Alcohol Sales.

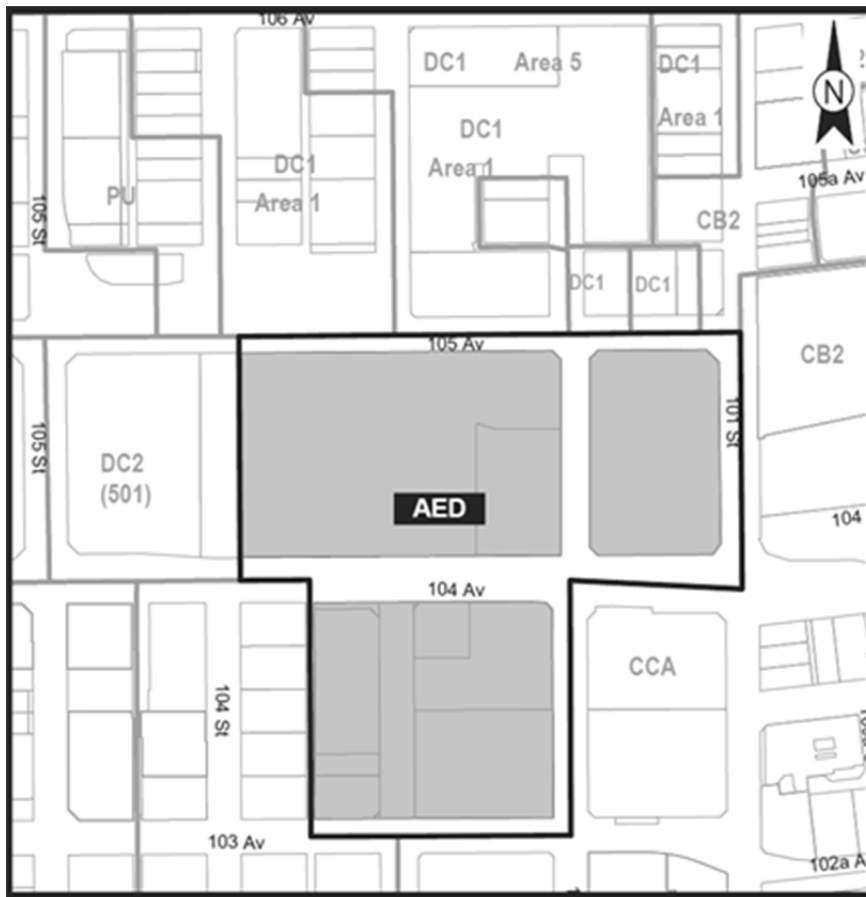
ii. Notwithstanding Section 85(4) of the Bylaw, Major Alcohol Sales or Minor Alcohol Sales may be located within 100 meters of any Site being used for community or recreational activities, as defined in section 85(4)(b) of this Bylaw, and such a location shall not require the Development officer to grant a variance.

SITE AND SURROUNDING AREA

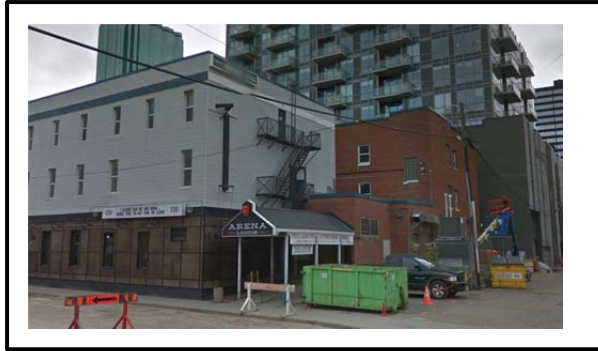
The AED Zone is a special area zone within the downtown that is generally bounded by 105 Avenue to the north, 103 Avenue to the south, 104 Street to the west and 101 Street to the east. The zone encompasses Downtown Arena, the future Marriot Hotel and Stantec Tower, the former Baccarat Casino Site and associated parking lot, and the former downtown Greyhound site.

To the north of the subject area is the Downtown North Edge, situated in the southern portion of the Central McDougall neighborhood. Surrounding the AED zone to the south is the balance of the Commercial Cultural Core and the Urban Warehouse sub neighbourhoods of downtown.

MAP OF THE APPLICATION AREA



	EXISTING ZONING	CURRENT USE
SUBJECT SITE	(AED) Arena and Entertainment District Zone	Rogers Place, Baccarat Casino, Stantec Tower and JW Marriot Hotel
CONTEXT		
North	(DC1) Direct Development Control Provision	Non Accessory Parking Lots and Macdonald Lofts
East	(CCA) Core Commercial Arts Zone	Parking Lot
South	(CCA) Core Commercial Arts Zone	City Centre Mall, Bell Tower, Mixed Use Development
West	(UW) Urban Warehouse Zone, (UI) Urban Institution Zone & (DC2) Site Specific Development Zoning	Apartment Housing, MacEwan University



LOOKING SOUTH ACROSS 103 AVE TO ARENA LIQUOR



LOOKING NORTHEAST FROM 103 AVE NW

PLANNING ANALYSIS

LAND USE COMPATIBILITY

The AED Zone is intended to provide a vibrant mixed-use district complemented by a variety of entertainment, service and retail uses. As such, having alcohol sales as a permitted use supports this intent. However, to reduce concentration of alcohol sale outlets, the use is further regulated by city-wide regulations through section 85 of the Zoning Bylaw which stipulates a 500 meter separation distance between alcohol sales.

There are currently seven other alcohol sales located within 500 meters of the AED Zone, including one located directly across 103 Avenue to the south.

Name of Store	Address	Distance from AED Zone (Approximate)
Arena Liquor	10266 – 103 Street	20 Meters
Unwined	148, 1 Edmonton City Centre	170 Meters
Sunterra Wines	10155 – 102 Street NW	320 Meters
deVines Wine and Spirits	10111 - 104 St NW	360 Meters
Oasis Liquor	10531 – 107 Avenue	420 Meters
Liquor Merchants	10406 – 107 Avenue	440 Meters
Downtown Liquor	10020 – Jasper Avenue	450 Meters

There is no existing planning policy or best practices that can be relied upon that would support the specific exemption of this area from the 500 meter buffer regulation. By exempting this one area from the regulation, it would create an advantage that would not be shared equally across downtown. There is also the possibility of disadvantaging surrounding property owners which would be required to respect the 500 meter buffer from any new alcohol sales within the AED zone. Further, it would set a precedent of individual land owners creating/using custom zones/amendments in order to erode the 500 meter proximity buffer on a case by case basis.

However, it is recognized that the current 500 meter regulation may not be appropriate for the Downtown as it does not recognize its unique aspects as a place of concentrated density, employment, entertainment, and activity.

There are approximately 13,000 current residents with a targeted population increase to 24,000 by 2030 and over 60,000 people working within the Downtown. With its large population, larger trade area than other neighbourhoods, and increasing popularity for residents and visitors alike, it is important to continue to provide options and convenience to meet the service demands of everyone that enjoys Downtown.

Due to the 500 meter buffer, Downtown has effectively hit its maximum number of alcohol sales outlets, limiting the ability to respond to additional population and visitor growth. Service is additionally constrained due to the location and operating hours of some of the existing outlets without street front access (eg. Sunterra Wines and Unwined which have limited hours of operation and are located in pedway and office buildings).

With the constraints posed by the existing regulation and the need to respond to changing markets, administration recommends that the Downtown, as whole, be re-evaluated and amendments brought forth to section 85 after consultation and engagement with respect to the 500 meter separation rule. These amendments are to recognize the existing and future planned density of population in the Downtown and the role it plays as a large employment, service, and entertainment center while balancing the possible negative effects of an increase in alcohol sales concentration.

PLANS IN EFFECT

The AED Zone is within the Capital City Downtown Plan which provides planning policy for the Downtown Core.

One of four pillars of the Downtown Plan is the need to create a vibrant Downtown, and describes vibrancy as being “livable, dynamic and diverse.” The plan recommends accomplishing this by strengthening its “live, work, and play focus.” Beyond these statements, the plan provides no further guidance on concentration of alcohol sales or if it can be considered in playing a role in increasing vibrancy.

PREVIOUS TEXT AMENDMENTS REGARDING ALCOHOL SALES

In December of 2016, City Council approved amendments to the Zoning Bylaw to relax the 500 meter proximity restriction on alcohol sales within suburban shopping mall centres that were over 2.5 hectares in size.

TECHNICAL REVIEW

The Edmonton Police Service was notified of the proposed text amendment and provided City Planning with the same report provided for the December 2016 amendments, indicating the

correlation between crime and the proximity of alcohol sales. This report did not show that correlation equaled causation.

City Planning also notified the Local and Emerging Economy group with the City of Edmonton which provided no official comment.

PUBLIC ENGAGEMENT

Advance notices were sent out to surrounding property owners. This included any property within 120 meters of the AED Zone.

Notices were also sent to a small number of properties (under five) who could potentially lose the ability to operate an alcohol sale store if this application were to be approved. These properties potentially could be directly affected because they are currently not within an existing 500 meter buffer, but would be if an application were to be permitted and approved within the AED Zone.

Notices were sent out to the three community leagues that fall within a 500 meter radius of the AED Zone. This included Central McDougall, Boyle Street and Downtown Community Leagues. No responses were received from any of the Community Leagues.

Further, the three surrounding Business Revitalization Zones were notified. The Chinatown Business Revitalization Zone provided no response; the Downtown Business Association provided an email in support of the amendment; and the North Edge Business Association provided a letter in opposition to the proposed amendment.

ADVANCE NOTICE

August 3, 2017

- Number of recipients: 761
 - 1 citizen is opposed
 - Reasons for opposition include: increase in concentration could lead to further Public Drunkenness
-

CONCLUSION

City Planning recommends that City Council REFUSE this application.

APPENDICES

- 1 Application Summary

APPLICATION SUMMARY

INFORMATION

Application Type:	Text Amendment
Bylaw:	18224
Location:	Generally bounded by 105 Avenue on the north, 101 Street to the east, 103 Avenue to the south, and 104 Street to the west
Addresses:	Multiple addresses
Legal Descriptions:	Multiple legal addresses
Site Area:	
Neighbourhood:	Downtown
Ward - Councillor:	6 – Scott McKeen
Notified Community Organization:	Central McDougall Community League, North Edge Business Association, Downtown Edmonton Community League, Downtown Business Association, Boyle Street Community League, Chinatown Business Association
Applicant:	Stantec Consulting

PLANNING FRAMEWORK

Current Zone and Overlay:	(AED) Arena and Entertainment District Zone
Plan in Effect:	Capital City Downtown Plan
Historic Status:	None

Written By:	Mark Harrison
Approved By:	Tim Ford
Branch:	City Planning
Section:	Planning Coordination