

Charter Bylaw 18882

A Bylaw to amend Bylaw 12800, as amended,
The Edmonton Zoning Bylaw
Amendment No. 2817

WHEREAS City Council at its meeting of February 22, 2001, gave third reading to Bylaw 12800, as amended; and

WHEREAS Council considers it desirable to amend the text of the Edmonton Zoning Bylaw;

NOW THEREFORE after due compliance with the relevant provisions of the Municipal Government Act RSA 2000, ch. M-26, as amended, the Municipal Council of the City of Edmonton duly assembled enacts as follows:

1. Bylaw 12800, as amended, The Edmonton Zoning Bylaw is hereby further amended by :

a) Adding the following after Section 3.2(1)(k):

“1. Major Alcohol Sales is deemed to be Liquor Stores

m. Minor Alcohol Sales is deemed to be Liquor Stores, limited to 275 m².”;

b) Deleting Section 7.4(24) entirely, and replacing it as follows:

“**24. General Retail Stores** means development used for the retail or consignment sale of new goods or merchandise within an enclosed building, not including the sale of gasoline, heavy agricultural and industrial equipment, alcoholic beverages, or goods sold wholesale. Accessory Uses may include the assembly or repair of products sold on Site, or minor public services such as postal services or pharmacies. This Use does not include Aircraft Sales/Rentals, Automotive and Minor Recreation Vehicle Sales/Rentals, Cannabis Retail Sales, Flea Market, Gas Bars, Greenhouses, Plant Nurseries and Garden Centres, Pawn Stores, Liquor Stores, Major Service Stations, Minor Service Stations, Secondhand Stores, and Warehouse Sales.”;

c) Deleting Section 7.4(30) entirely, and replacing it as follows:

“30. Liquor Stores, means development used for the retail sale of any and all types of alcoholic beverages to the public for off-site consumption. This Use may include retail sales of related products such as soft drinks and snack foods.”;

- d) Deleting Section 7.4(34) entirely, and renumbering the remainder of the Section accordingly;
- e) Deleting subsection (19) ‘Major Alcohol Sales’ from Section 54.2 Schedule 1(A) and renumbering the remainder of the Section accordingly;
- f) Deleting subsection (20) ‘Minor Alcohol Sales’ from Section 54.2 Schedule 1(A) and renumbering the remainder of the Section accordingly;
- g) Deleting Section 85 entirely, and replacing as follows:

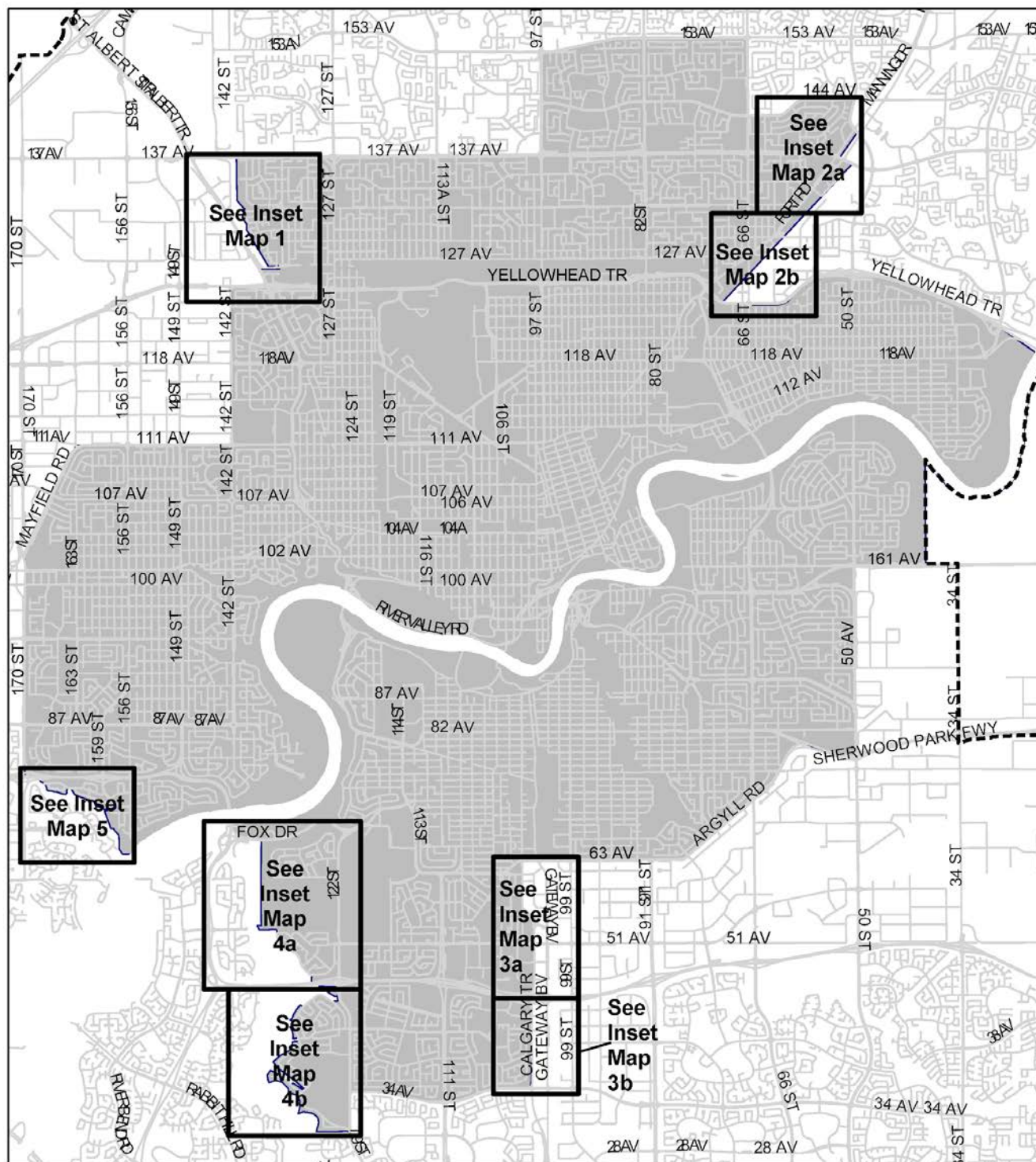
“85. Liquor Stores

- 1. Any Liquor Store shall not be located less than 500 m from any other Liquor Store.
- 2. Notwithstanding subsection 85(1), a Liquor Store may be located less than 500 m from any other Liquor Store if located:
 - a. outside the boundary shown in Appendix 1 to Section 85, provided:
 - i. the Liquor Stores are located on separate Sites, and
 - ii. at least one Liquor Store is located on a Site greater than 2.5 ha in size that is zoned CSCa, UVCa, GVC, TC-C, DC1, DC2, CSC, CB1, CB2, CHY, CO or CB3.
- 3. For the purposes of Section 85, the 500 m separation distance shall be measured from the closest point of the Liquor Store to the closest point of any other approved Liquor Store.
- 4. Any Site containing a Liquor Store shall not be located less than 100 m from any Site being used for community or recreation activities, public or private education, or public lands at the time of the application for the Development Permit for the Liquor Store. Sites that are greater than 2.0 ha in size and zoned either CSC or DC2, are exempt from this restriction. For the purposes of this subsection only:
 - a. the 100 m separation distance shall be measured from the closest point of the subject Site boundary to the closest point of another Site boundary, and shall not be measured from Zone boundaries or from the edges of structures;
 - b. the term "community or recreation activities" is limited to Community Recreation Services, as defined in subsection 7.8(1) of this Bylaw, which includes community league buildings and facilities, and children’s playgrounds and play areas. This term

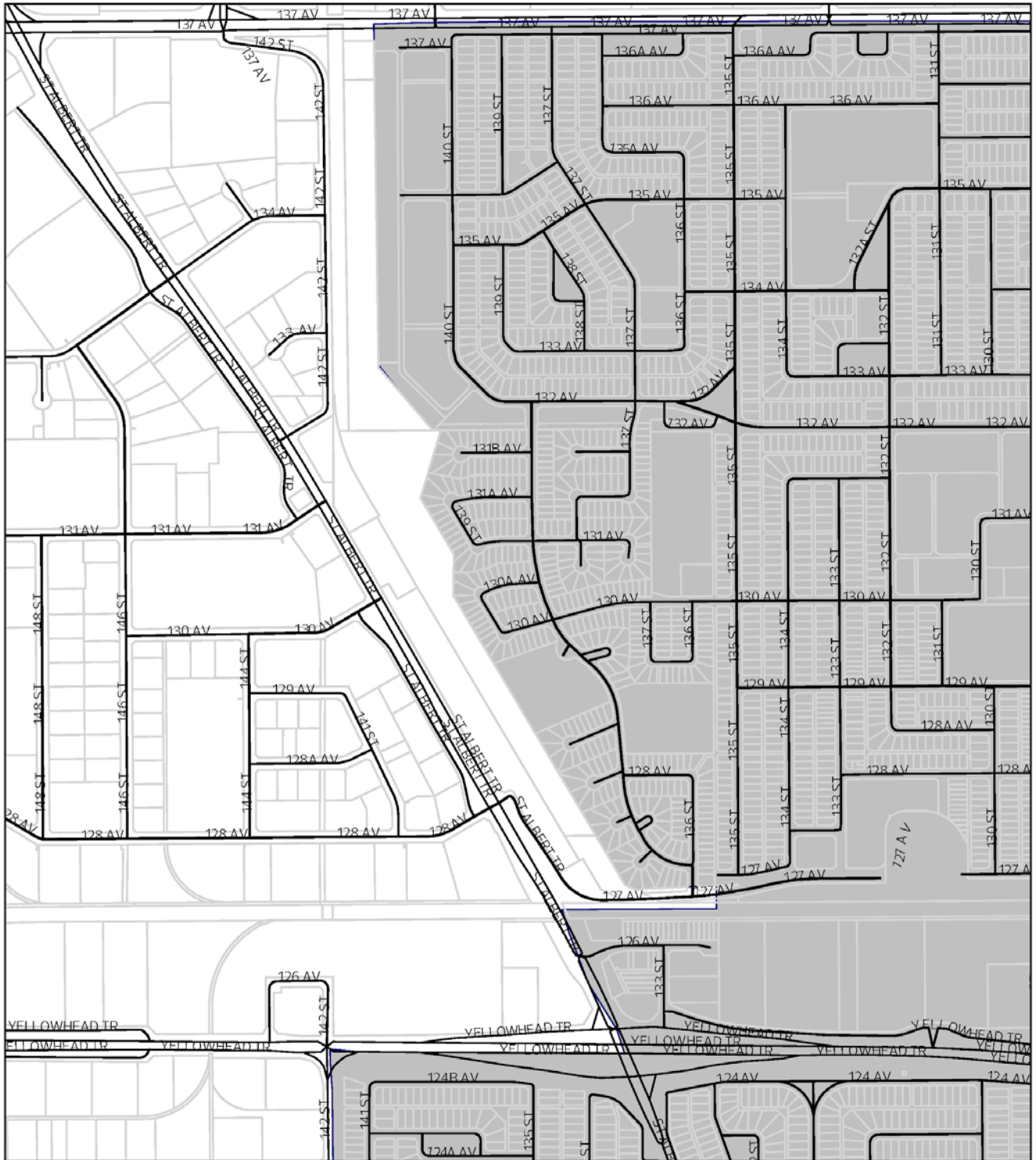
- does not include arenas or other public assembly Uses, Child Care Services, Public Libraries and Cultural Exhibits, or Religious Assembly;
- c. the term "public or private education facilities" is limited to elementary through to high schools inclusive only, and does not include dance schools, driving schools or other Commercial Schools; and
 - d. the term "public lands" is limited to Sites zoned AP, and Sites zoned A.
5. Notwithstanding Section 11 of this Bylaw, a Development Officer shall not grant a variance to subsection 85(4).
 6. Notwithstanding Section 11 of this Bylaw, a Development Officer shall only grant a variance to subsection 85(1) or subsection 85(2) as outlined in subsections 85(7), 85(8) and 85(9).
 7. When the Development Officer receives an application for a Development Permit that is for the purpose of accommodating the temporary relocation of an approved Liquor Store within 500 m of its original location, a variance to subsection 85(1) or subsection 85(2) may be granted where:
 - a. the application for the Development Permit is for a Temporary Development, in order to limit the introduction of an additional Liquor Store within 500 m of the original approved Development Permit;
 - b. the temporary location for any Liquor Store is not within 500 m of any legally conforming Liquor Store; and
 - c. the application for a Development Permit will not result in a total Floor Area for a Liquor Store that is 10.0% greater than the Floor Area of the existing approved Liquor Store, to a maximum increase of 50 m².
 8. When a Development Officer receives an application for a Development Permit that is for the purpose of accommodating the reversion of an existing approved Liquor Store back to its original location on a Site, a variance of subsection 85(1) or subsection 85(2) may only be granted where the application for the reversion is submitted to the Development Officer within 5 years of the date of vacating the original location and the application will not result in a total Floor Area that is greater than the original approved Liquor Store.
 9. The issuance of a Development Permit which contains a variance pursuant to subsection 85(7) shall be issued as a Temporary Development for a duration of up to 5 years or less, to be determined by the Development Officer.

10. The Development Officer may require lighting, signage or screening measures that ensure the proposed development is compatible with adjacent or nearby Residential Uses or Commercial Uses.
11. Liquor Stores shall include the following to allow for natural surveillance to promote safe surroundings:
 - a. Customer access is oriented to:
 - i. a public or internal roadway, other than a Lane;
 - ii. a shopping centre parking lot in front of the store; or
 - iii. a mall access that allows visibility from the interior of the mall into the store.
 - b. Premises located at ground level shall include:
 - i. Ample transparency to maintain sight lines into and out of the premises. To ensure transparency and sight lines are maintained:
 1. Not more than 10% of the windows may be covered by Signs, the remainder shall be clear, untinted, and free from obstruction.
 - ii. Outdoor lighting is required to provide a well-lit environment for pedestrians entering and exiting the premises and to illuminate the property. The Development Officer shall require the applicant to provide a plan showing the location and details of perimeter lighting to ensure adequate lighting.
 - iii. Landscaping shall be located such that it does not obstruct sight lines into the premises.

Appendix 1: Liquor Stores Non-exemption Area to 500 m Separation Distance



Inset Map 1: Liquor Stores Non-exemption Area to 500m Separation Distance



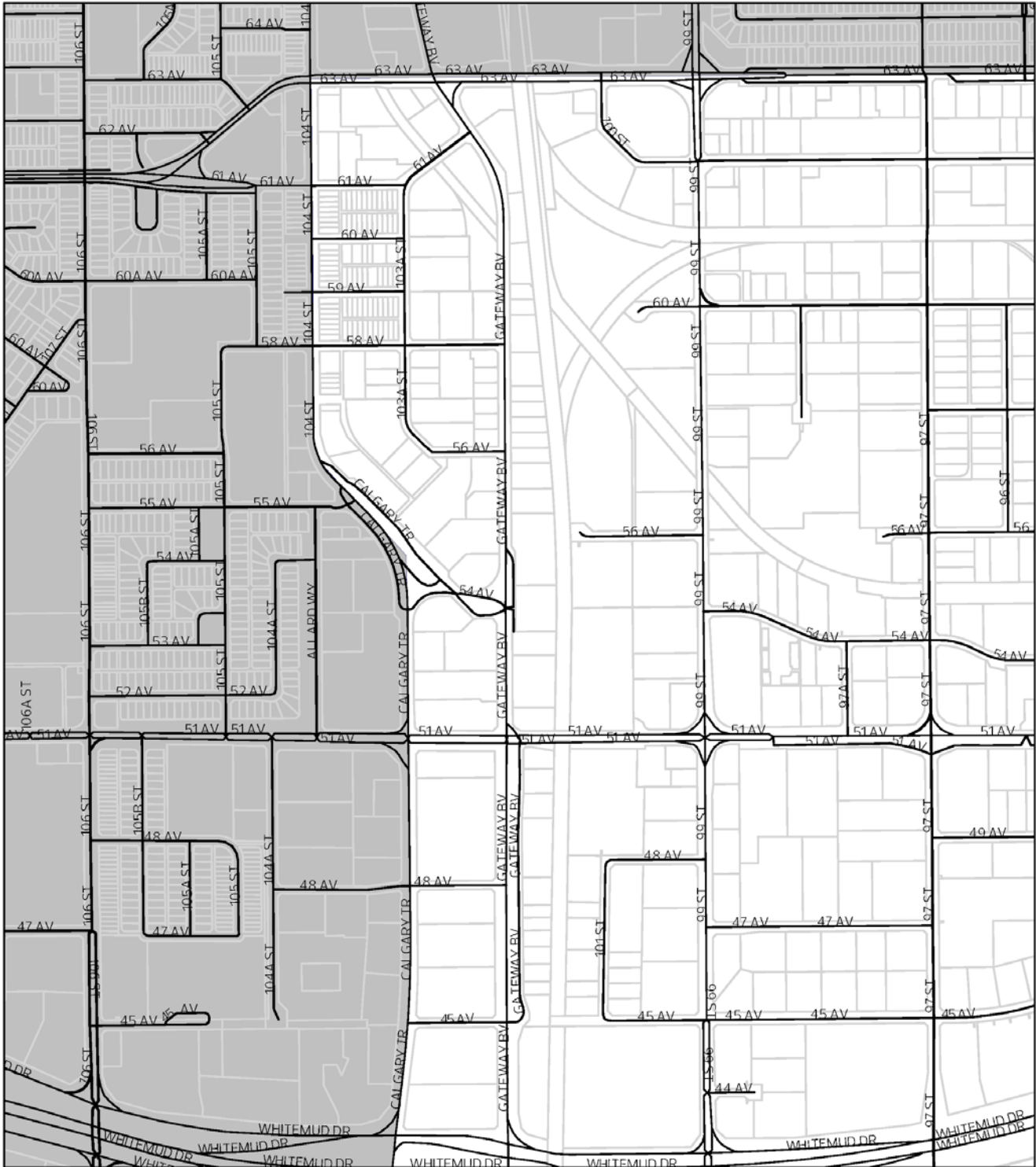
Inset Map 2a: Liquor Stores
Non-exemption Area to 500m Separation Distance



Inset Map 2b: Liquor Stores Non-exemption Area to 500m Separation Distance



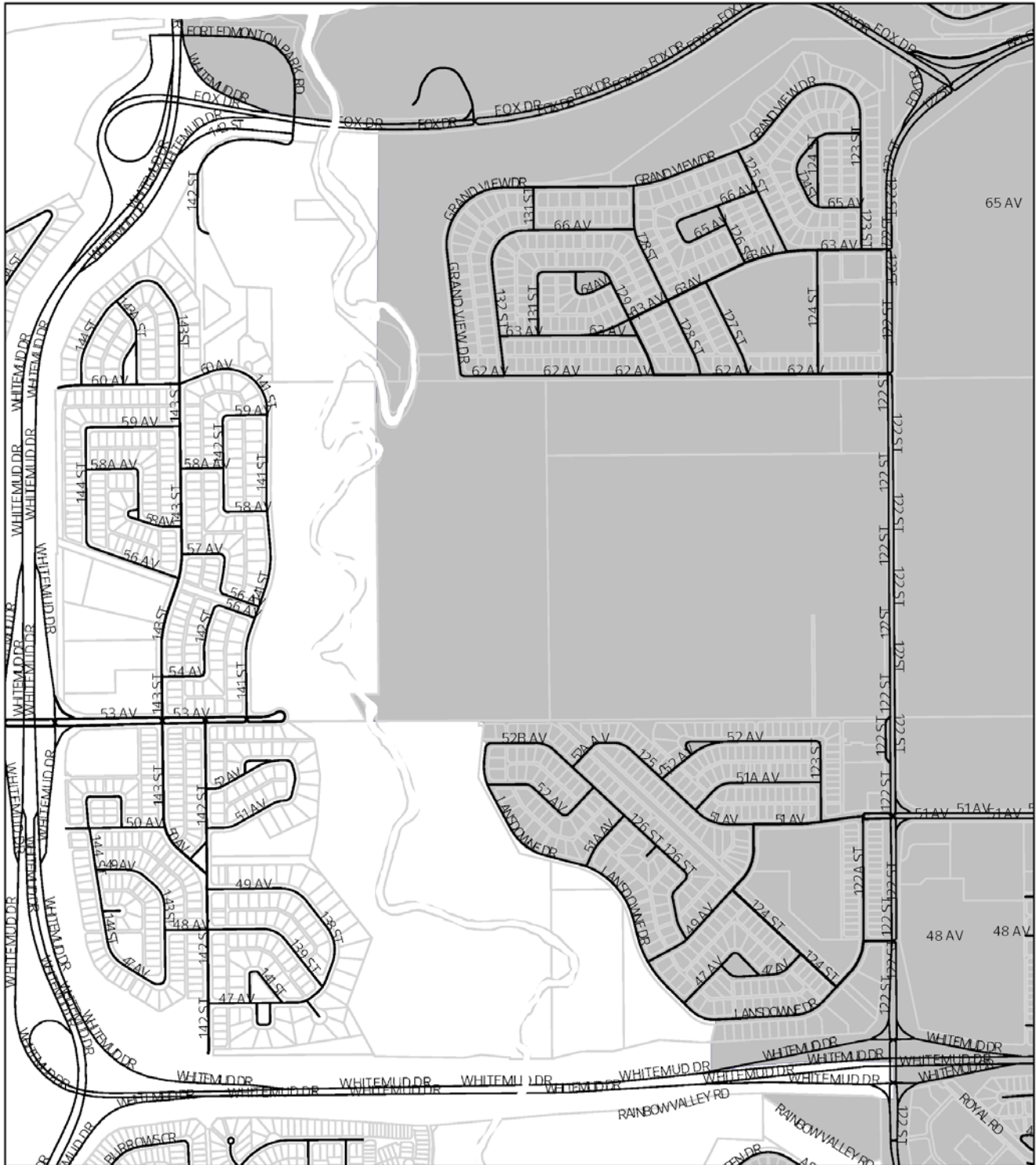
Inset Map 3a: Liquor Stores
Non-exemption Area to 500m Separation Distance



Inset Map 3b: Liquor Stores
Non-exemption Area to 500m Separation Distance



Inset Map 4a: Liquor Stores
Non-exemption Area to 500m Separation Distance





Inset Map 5: Liquor Stores Non-exemption Area to 500m Separation Distance



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h) Deleting Section 230.7(3) entirely, and replacing as follows:

“3. Business Support Services, Convenience Retail Stores, General Retail Stores, Liquor Stores, Non-accessory Parking, Personal Service Shops, Restaurants, and Specialty Food Services shall:

- a. not be in any freestanding structure separate from a structure containing a Residential Use or Residential-Related Use, and shall not be developed above the second Storey;
- b. only be allowed when the development contains a Tower taller than 35.0 m in Height; and
- c. incorporate design techniques to mitigate the effects of Nuisance to the satisfaction of the Development Officer.”;

i) Deleting Section 230.7(6) entirely, and replacing as follows:

“6. General Retail Stores and Liquor Stores shall be limited to 240 m² of Floor Area.”;

j) Deleting Section 816.3(1) entirely, and replacing as follows:

“1. In addition to the Development Regulations for Permitted and Discretionary Uses in the underlying zone, Business Support Services, Convenience Retail Stores, General Retail Stores, Liquor Stores, Non-accessory Parking, Personal Service Shops, Professional, Financial and Office Support Services, Restaurants, and Specialty Food Services shall:

- a. not be in any freestanding structure separate from a structure containing a Residential Use or Residential-Related Use, and shall not be developed above the second Storey;
- b. only be allowed when the development contains a Tower taller than 35.0 m in Height and abuts an arterial roadway; and
- c. Incorporate design techniques to mitigate the effects of Nuisance.”;

k) Deleting Section 910.12.6(d) entirely, and replacing as follows:

“d. The following regulations shall apply to Liquor Stores:

- i. Subsections 85(1), (2), (3), (5), (6), (7), (8) and (9) of this Bylaw shall not apply to Liquor Stores.
- ii. Notwithstanding Section 85(4) of the Bylaw, Liquor Stores 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.”;

l) Deleting Section 997.9.4(l) entirely, and replacing as follows:

“1. The following Uses shall be limited to Sites fronting onto Active Streets, shall not be in any free standing structure separate from a structure containing Residential Uses, and shall not be developed above the ground floor: Bars and Neighbourhood Pubs, Convenience Retail Stores, Creation and Production Establishments, General Retail Stores, Health Services, Indoor Participant Recreation Services, Liquor Stores, Personal Service Shops, Private Clubs, Professional, Financial and Office Support Services, Religious Assembly, Restaurants, Second Hand Stores, and Specialty Food Services.”;

- m) Deleting “Major Alcohol Sales” from the following Sections, and renumbering the remainder of the Sections alphabetically accordingly:

340(3); 350(3); 360(3); 370(3); 400(2); 553(3); 910.5(2); 910.6(2); 910.9(2); 910.11(2); 910.12(2); 940.6(4); 960.5(2); 960.6(2); 990.4(2); 999.4(2); 999.6(2); 999.7(2);

- n) Deleting “Major Alcohol Sales, on a Site of 2 ha or larger” from 320(2) and renumbering the remainder of the Sections alphabetically accordingly;

- o) Deleting “Major Alcohol Sales, on a Site of less than 2 ha” from 320(3) and renumbering the remainder of the Sections alphabetically accordingly;

- p) Deleting “Minor Alcohol Sales” from the following Sections, and renumbering the remainder of the Sections alphabetically accordingly:

230(3); 330(3); 340(3); 350(2); 360(2); 370(2); 400(2); 553(3); 910.5(2); 910.6(2); 910.7(2); 910.9(2); 910.11(2); 910.12(2); 920.10(2); 940.6(4); 960.5(2); 960.6(2); 990.4(2); 997.9(2); 997.10(2); 999.4(2); 999.5(2); 999.6(2); 999.7(2);

- q) Deleting “Minor Alcohol Sales, on a Site of 2 ha or larger” from 320(2) and renumbering the remainder of the Sections alphabetically accordingly;

- r) Deleting “Minor Alcohol Sales, on a Site of less than 2 ha” from 320(3) and renumbering the remainder of the Sections alphabetically accordingly;

- s) Adding “Liquor Stores” alphabetically to the following Sections and renumbering the remainder of the Sections accordingly:

230(3); 330(3); 340(3); 350(2); 360(2); 370(2); 400(2); 553(3); 910.5(2); 910.6(2); 910.7(2);
910.9(2); 910.11(2); 910.12(2); 920.10(2); 940.6(4); 960.5(2); 960.6(2); 990.4(2); 997.9(2);
997.10(2); 999.4(2); 999.5(2); 999.6(2); 999.7(2);

- t) Adding “Liquor Stores, on a Site 2 ha or larger” alphabetically to Section 320(2) and renumbering the remainder of the Sections accordingly;
- u) Adding “Liquor Stores, on a Site less than 2 ha” alphabetically to Section 320(3) and renumbering the remainder of the Sections accordingly.

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| READ a first time this | day of | , A. D. 2019; |
| READ a second time this | day of | , A. D. 2019; |
| READ a third time this | day of | , A. D. 2019; |
| SIGNED and PASSED this | day of | , A. D. 2019; |

THE CITY OF EDMONTON

MAYOR

CITY CLERK