

Amendments to Zoning Bylaw 12800 - Major and Minor Alcohol Sales in the Downtown Core

Exemptions to Separation Distance Requirements

Recommendation

That Administration prepare amendments to Zoning Bylaw 12800, as generally outlined in Attachment 2 of the March 5, 2019, Urban Form and Corporate Strategic Development report CR_6497, and return to a future City Council Public Hearing.

Previous Council/Committee Action

At the October 2, 2018, Urban Planning Committee meeting, the following motion was passed:

That Administration prepare zoning bylaw amendments to:

1. Reduce or eliminate the separation distance for Major and Minor Alcohol Sales in the downtown core, and include information about the implications of creating flexibility in high density residential and employment areas for alcohol sales; and
2. Draft regulations to improve the design and safety of Major and Minor Alcohol Sales across the municipality.

Executive Summary

Administration recommends amending Zoning Bylaw 12800 to create a Liquor Store Opportunity Area (identified in Attachment 1) where the current 500 metre separation distance between Major and Minor Alcohol Sales (Liquor Stores) is eliminated. These amendments contain updated design regulations for new liquor stores (detailed in Attachment 2). Administration also recommends removing the distinction between Major and Minor Alcohol Sales by consolidating them into one use classification, Liquor Store, and to apply the General Retail Store parking rate to this use.

Report

Background

Zoning Bylaw 12800 requires a 500 metre separation distance between liquor stores in the downtown and mature areas in the city. Under this restriction, there is no capacity for new liquor stores in the Downtown and Oliver neighbourhoods (identified in Attachment 3 - Downtown Liquor Store Capacity Map).

On October 2, 2018, Administration presented report CR_5604 - Options for Managing Impacts of Major and Minor Alcohol Sales. The report recommended the city-wide elimination of separation distances for Alcohol Sales. Urban Planning Committee requested a report back on reducing or eliminating the separation distance for liquor stores in the downtown area.

At the December 10, 2018, City Council Public Hearing, an applicant-initiated amendment to Zoning Bylaw 12800 was approved. This change exempted the Arena Entertainment District (AED) Zone from the 500 metre separation distance required between liquor stores, and the 100 metre separation distance required between liquor stores and community or recreation activities.

Downtown Liquor Store Opportunity Area

Downtown and Oliver are two of the highest density residential, employment, and tourist areas in Edmonton. These two neighbourhoods support over 30,000 residents, 65,000 jobs, and provide over 2,900 hotel rooms. This density and economic activity supports a higher demand for liquor stores. To provide greater opportunity and certainty for liquor stores in the downtown core, Administration recommends creating a Liquor Store Opportunity Area centered on the Downtown and Oliver.

Within the proposed Liquor Store Opportunity Area there is no separation distance requirement between liquor stores, however, the 100-metre separation from schools and community recreation services is maintained. To address the constrained opportunities associated with small parks located through Downtown and Oliver, the amendments also propose to allow Development Officer discretion to vary the 100 metre separation distance to a park.

To inform the specific boundary of the Liquor Store Opportunity Area, Administration considered the following factors:

- high density residential and employment areas, and hotel locations;
- pedestrian and transit-oriented areas including commercial main streets and tourist destinations;
- the locations of existing social support services, agencies and facilities;
- input from Business Improvement Areas, Community Leagues and residents;
- the location of hospitality and entertainment venues

Stakeholder engagement undertaken for CR_5604 identified a desire to limit the proliferation of liquor stores near social service providers. Administration proposes to use the Liquor Store Opportunity Area boundary to achieve this outcome.

Administration is recommending the use of a geographic area of opportunity because is a more effective tool to manage the precise area of opportunity and separation distance regulations are not practical because social service providers are permitted in broad use-class categories.

This approach simplifies the regulations and provides greater certainty to existing social service providers and prospective liquor stores locating downtown. As part of implementing the opportunity area into the Zoning Bylaw, Administration proposes minor amendments to the Arena and Entertainment District zone to align the zone with the proposed opportunity area boundary. This would remove the opportunity for a liquor store in the Arena and Entertainment District zone north of 104 Avenue.

Flexibility for Liquor stores in High Density Residential and Employment Areas

There are a number of implications associated with providing flexibility for liquor stores in high density and employment areas:

- providing more choices for consumers
- allows stores to relocate instead of being locked in place
- allows businesses to locate closer to their consumers
- reducing travel distances promotes pedestrian activity and walkability
- contributing to the livability of the Downtown and Oliver area

Design Regulations to Enhance Safety

Currently, Zoning Bylaw 12800 includes Crime Prevention Through Environmental Design regulations for liquor stores. Some of these regulations are unclear, creating uncertainty in the outcomes to be achieved. To promote natural surveillance for a safe urban environment, Administration proposes design regulations that focus on enhancing safety for people entering and exiting liquor stores, and ensuring sufficient exterior lighting and window transparency to allow for unobstructed sight lines into and outside of a liquor store. Additional information can be found in Attachment 2 - Mark-up of Proposed Changes for Liquor Stores. These changes would be applied across the City.

Simplifying Regulations

As a result of discussions with stakeholders, including liquor store operators, Administration also proposes to remove the distinction between Major and Minor Alcohol Sales and consolidate the uses into one category, Liquor Stores, and apply the General Retail Store parking rate to this use. Additional information can be found in Attachment 2 - Mark-up of Proposed Changes for Liquor Stores. This change will be applied across the City and not limited to the Liquor Store Opportunity Area.

The recommendations will allow diversity in the liquor market in the Downtown and Oliver and will support a safe urban environment at new liquor stores across the city.

Public Engagement

Administration gathered feedback on the proposed changes through two surveys, an Engage Edmonton event, and through the circulation of a draft version of this report as

reviewed in Attachment 4. A list of recipients of the draft report and a summary of the feedback received can be found at the end of the same attachment.

Corporate Outcomes and Performance Management

Corporate Outcome(s): Edmonton is a safe city			
Outcome(s)	Measure(s)	Result(s)	Target(s)
Regulations and services enhance public safety and design	Edmontonians' Assessment: Well-designed Attractive City (% of survey respondents who agree/strongly agree)	53% (2017)	55% (2018)
Corporate Outcome(s): Edmonton has a globally competitive and entrepreneurial business climate			
Effective and efficient service delivery: City of Edmonton Services do not increase barriers to economic growth	Number of development permit applications for alcohol sales refused by the City that is approved by the Subdivision and Development Appeal Board	5 of 6 (2017)	2019: Reduce to zero in the Liquor Store Opportunity Area (Elimination of separation distance requirement will reduce refusals appealed to Subdivision and Development Appeal Board)
Business-friendly services and regulations support a strong economy	Number of licences for liquor stores - Alcohol Sales [Consumption Off-Premises]	2018: 249	n/a
City of Edmonton services, regulations, and land use plans are business-friendly and support a strong economy	Completion of proposed amendments	n/a	2019

Attachments

1. Proposed Liquor Store Opportunity Area Boundary
2. Mark-up of Proposed Changes for Liquor Stores
3. Downtown Liquor Store Capacity Map
4. Public Engagement and Insight Survey Results

Others Reviewing this Report

- T. Burge, Chief Financial Officer and Deputy City Manager, Financial and Corporate Services
- C. Owen, Deputy City Manager, Communications and Engagement