

Mark-up of Proposed Changes for Liquor Stores

Mark-up of Proposed Text Amendment to Zoning Bylaw 12800	Rationale / Notes
<p>Black Font Existing Text in Zoning Bylaw 12800</p> <p><i>Strikethrough:</i> Proposed deletion from Zoning Bylaw 12800</p> <p><u>Underline:</u> Proposed addition to Zoning Bylaw 12800</p>	
<p>3.2 Provisions for existing Development Permits and Direct Control Provisions</p> <ol style="list-style-type: none"> 1. For the purpose of any Development Permit or Direct Control Provisions: <p><u>I. Major Alcohol Sales is deemed to be Liquor Stores.</u></p>	<p>Administration recommends removing the distinction between Major and Minor Alcohol sales, and replacing these uses with a single use, Liquor Stores. This interpretative clause will only apply to Major Alcohol Sales and will not apply to Minor Alcohol Sales listed in Direct Control zones. This will ensure development rights for Direct Control Provisions are maintained and do not inadvertently alter Council's intent for site specific development. When the Development Officer receives an application for a Minor Alcohol Sales liquor store in a Direct Control zone, they will have to refer to the historic definition for Minor Alcohol Sales, which limits the Floor Area to 275 m².</p>

<p>7.4(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, <u>Liquor Stores, Major Alcohol Sales, Minor Alcohol Sales</u>, Major Service Stations, Minor Service Stations, Secondhand Stores, and Warehouse Sales.</p>	<p>Administration recommends removing the distinction between Major and Minor Alcohol sales, and replacing these uses with a single Liquor Stores use.</p>				
<p>7.4(30) Major Alcohol Sales, means development used for the retail sales of any and all types of alcoholic beverages to the public where the Floor Area for the individual business premises is greater than 275 m². This Use may include retail sales of related products such as soft drinks and snack foods.</p> <p>7.4(34) Minor Alcohol Sales, means development used for the retail sale of any and all types of alcoholic beverages to the public. This Use may include retail sales of related products such as soft drinks and snack foods. The maximum Floor Area for this Use shall be no more than 275 m² per individual business premises.</p> <p>7.4 (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.</p>	<p>Administration recommends removing the distinction between Major and Minor Alcohol sales, and replacing these uses with a single Liquor Stores use.</p> <p>Additional clarification is added to the definition to identify that the retail sale of alcoholic beverages to the public is for off-site consumption.</p>				
<p>54. Schedule 1</p> <p>Schedule 1 - Vehicular Parking Requirement</p> <table border="1" data-bbox="242 1158 1531 1369"> <tr> <td colspan="2" data-bbox="242 1158 1531 1248"> <p>Schedule 1(A) All Areas Outside of the Downtown Special Area, Main Streets Corridors, and Transit Nodes</p> </td> </tr> <tr> <td data-bbox="242 1248 897 1369"> <p>Use of Building or Site</p> </td><td data-bbox="897 1248 1531 1369"> <p>Minimum Number of Parking Spaces Required</p> </td></tr> </table>	<p>Schedule 1(A) All Areas Outside of the Downtown Special Area, Main Streets Corridors, and Transit Nodes</p>		<p>Use of Building or Site</p>	<p>Minimum Number of Parking Spaces Required</p>	<p>The high parking requirements for alcohol sales predate the privatization of liquor stores. As such, Administration recommends aligning the parking rate for liquor stores with General Retail Stores, where development less than 4,500m² of Floor area are required to provide 1 parking space per 40.0 m² of Floor Area.</p>
<p>Schedule 1(A) All Areas Outside of the Downtown Special Area, Main Streets Corridors, and Transit Nodes</p>					
<p>Use of Building or Site</p>	<p>Minimum Number of Parking Spaces Required</p>				

Commercial Uses		
12. Any development within a Commercial Use not listed separately in this table, with a Floor Area of:		
a. less than 4500 m ² b. 4500 m ² - 9000 m ² c. 9000 m ² - 28000 m ² d. greater than 28000 m ²	1 parking space per 40.0 m ² of Floor Area 1 parking space per 33.3 m ² of Floor Area 1 parking space per 28.5 m ² of Floor Area 1 parking space per 25.0 m ² of Floor Area	
19. Major Alcohol Sales	1 parking space per 23.3 m² of Floor Area	
20. Minor Alcohol Sales	1 parking space per 31.3 m² of Floor Area	
Remainder of Schedule to be renumbered accordingly.		
85. Liquor Stores Major Alcohol Sales and Minor Alcohol Sales		
1. Any Liquor Store Major Alcohol Sales or Minor Alcohol Sales shall not be located less than 500 m from any other Liquor Store. Major Alcohol Sales or Minor Alcohol Sales		Throughout Section 85 - References to Major Alcohol Sales and Minor Alcohol Sales is replaced with Liquor Stores. Administration has determined that there is no planning rationale to distinguish a Major Alcohol Sales and Minor Alcohol Sales.
2. Notwithstanding subsection 85(1), a Liquor Store Major Alcohol Sales or Minor Alcohol Sales may be located less than 500 m from any other Liquor Store if located: Major Alcohol Sales or Minor Alcohol Sales if all the following regulations are met:		
a. the Major Alcohol Sales or Minor Alcohol Sales are located on separate Sites;		Section 85(2) - simplifying the provisions to aid in interpretation.
b. the Major Alcohol Sales or Minor Alcohol Sales are located outside the boundary shown in Appendix 1 to Section 85; and		These amendments will not result in changed outcomes, and no changes are being made to the non-exemption area boundary.
c. at least one of the Major Alcohol Sales or Minor Alcohol Sales 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.		
a. <u>outside the boundary shown in Appendix 1 to Section 85, provided:</u>		
i. <u>the Liquor Stores are located on separate Sites, and</u>		

<ul style="list-style-type: none"> ii. <u>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.</u> <p>3. For the purposes of Section 85, the 500 m separation distance shall be measured from the closest point of the <u>Liquor Store Major Alcohol Sales or Minor Alcohol Sales Use</u> to the closest point of any other approved <u>Liquor Store. Major Alcohol Sales or Minor Alcohol Sales Use</u>.</p> <p>4. Any Site containing a <u>Liquor Store Major Alcohol Sales or Minor Alcohol Sales</u> 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 <u>Liquor Store. Major Alcohol Sales or Minor Alcohol Sales</u>. 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:</p> <ul style="list-style-type: none"> 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, <u>and Sites zoned A, and active recreation areas in the North Saskatchewan River Valley and Ravine System, as shown in Appendix I of Section 811 of this Bylaw, that are zoned A; it does not include passive areas in the North Saskatchewan River Valley and Ravine System, as shown in Appendix I of Section 811 of this Bylaw and other areas zoned A.</u> <p>5. Notwithstanding Section 11 of this Bylaw, a Development Officer shall not grant a variance to subsection 85(4).</p>	<p>Section 85(4)(d) - deleted reference to Appendix I of Section 811 as this appendix does not contain information that relates to passive versus active recreation areas, creating uncertainty for applicants and Development Officers reviewing application. The proposed change aligns this provision with the separation distance requirement between Cannabis Retail Sales and public lands, providing certainty and clarity to the provision.</p>
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<ol style="list-style-type: none"> 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 <u>Liquor Store</u> Major Alcohol Sales or Minor Alcohol Sales within 500 m of its original location, a variance to subsection 85(1) or subsection 85(2) may be granted where: <ol style="list-style-type: none"> a. the application for the Development Permit is for a Temporary Development, in order to limit the introduction of an additional <u>Liquor Store</u> Major Alcohol Sales or Minor Alcohol Sales within 500 m of the original approved Development Permit; b. the temporary location for any <u>Liquor Store</u> Major Alcohol Sales or Minor Alcohol Sales is not within 500 m of any legally conforming <u>Liquor Store</u> Major Alcohol Sales or Minor Alcohol Sales; and c. the application for a Development Permit will not result in a total Floor Area for a <u>Liquor Store</u> Major Alcohol Sales or Minor Alcohol Sales that is 10.0% greater than the Floor Area of the existing approved <u>Liquor Store</u> Major Alcohol Sales or Minor Alcohol Sales, to a maximum increase of 50 m², and d. the application for a Development Permit will not result in a change of Use from Minor Alcohol Sales to Major Alcohol Sales. 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 <u>Liquor Store</u> Major Alcohol Sales or Minor Alcohol Sales 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 <u>Liquor Store</u>, Major Alcohol Sales or Minor Alcohol Sales, and 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. 	<p>85(7)(d) - this provision will be deleted as the Major Alcohol Sales and Minor Alcohol Sales uses will be consolidated into one use Liquor Store, therefore a change of Use will no longer be applicable. However, the intensity of the use will continue to be restricted by 85(7)(c) that limits the increase in floor area to 50 m² for the temporary relocation of a liquor store</p>
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<p>11. The Development Officer may require that a Traffic Impact Study be conducted for a <u>Liquor Store Major Alcohol Sales</u> prior to the issuance of a Development Permit, if it appears that traffic volumes or vehicular turnover may create a significant negative impact on surrounding development. The Traffic Impact Study shall be prepared to the satisfaction of the Development Officer, in consultation with Transportation Services.</p> <p><u>12. The Development Officer shall consider Crime Prevention Through Environmental Design criteria by ensuring:</u></p> <ul style="list-style-type: none"> <u>a. the exterior of all stores have ample transparency from the street to allow natural surveillance;</u> <u>b. exterior lighting should be in accordance with the minimum safety standards prescribed by the Illuminating Engineers Society of North America;</u> <u>c. Landscaping be low-growing shrubs or deciduous trees with a high canopy at maturity and that all foliage be kept trimmed back to prevent loss of natural surveillance;</u> <u>d. no customer parking is located behind a building and that all Parking Areas in front of the building be well lit; and</u> <u>e. customer access to the store is limited to a store front that is visible from the street, other than a Lane, shopping centre parking lot or a mall access that allows visibility from the interior.</u> <p><u>12. Liquor Stores shall include the following to allow for natural surveillance to promote safe surroundings:</u></p> <ul style="list-style-type: none"> a. <u>Customer access is oriented to:</u> <ul style="list-style-type: none"> i. <u>a public or internal roadway, other than a Lane;</u> ii. <u>a shopping centre parking lot in front of the store; or</u> iii. <u>a mall access that allows visibility from the interior of the mall into the store.</u> b. <u>Premises located at ground level shall include:</u> <ul style="list-style-type: none"> i. <u>Ample transparency to maintain sight lines into and out of the premises. To ensure transparency and sight lines are maintained:</u> <ul style="list-style-type: none"> 1. <u>Not more than 10% of the windows may be covered by Signs, the remainder shall be clear, untinted, and free from obstruction.</u> 	<p>85(12) - reference to Crime Prevention Through Environmental Design (CPTED) is removed, as the proposed design regulations focus on outcomes of CPTED principles. Where necessary, the Development Officer still can require a CPTED assessment through Section 58 of the Bylaw.</p> <p>85(12)(a) - for patron and pedestrian safety, customer access must be located in an area visible from a public or internal street other than a Lane, or in the case of shopping centre sites, customer access must be visible from a parking lot in front of the store.</p> <p>85(12)(b)(i) - to ensure sight lines into and out of a liquor store are maintained, a maximum of 10% of the windows may be covered in signs, and the remainder must be clear, untinted and free from obstruction. This would also mean that interior furnishings cannot be</p>
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<ul style="list-style-type: none"> ii. <u>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.</u> iii. <u>Landscaping shall be located such that it does not obstruct sight lines into the premises.</u> <p>Appendix 1: Major Alcohol Sales and Minor Alcohol Sales Liquor Stores Non-exemption Area to 500 m Separation Distance</p>	<p>placed against the windows that would obstruct views. This would be added as a condition of the Development Permit to facilitate effective enforcement of this requirement.</p> <p>85(12)(b)(ii) - to ensure pedestrian areas are well lit, this provision will require a lighting plan to be submitted to the Development Officer for their review to ensure adequate lighting is provided. This will also allow the Development Officer to ensure light is not directed at any adjoining properties in accordance with Section 51. The lighting plan requirement will also facilitate effective enforcement of this requirement to ensure compliance with an approved development permit.</p> <p>85(12)(b)(iii) - this requirement allows the development officer flexibility in considering other factors related to landscaping that may obstruct sight lines into and out of a liquor store, rather than requiring high canopy trees and low growing shrubs.</p>
<p>230 (RA9) High Rise Apartment Zone</p> <p>230.7 Development Regulations for Permitted and Discretionary Uses</p> <p>3. Business Support Services, Convenience Retail Stores, General Retail Stores, <u>Liquor Stores, Minor Alcohol Sales</u>, Non-accessory Parking, Personal Service Shops, Restaurants, and Specialty Food Services shall:</p>	<p>Administration recommends removing the distinction between Major and Minor Alcohol sales, and replacing these uses with a single Liquor Stores use.</p>

<ul style="list-style-type: none"> 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. 	
<p>230 (RA9) High Rise Apartment Zone</p> <p>230.7 Development Regulations for Permitted and Discretionary Uses</p> <p>6. General Retail Stores <u>and Liquor Stores</u> shall be limited to 240 m² of Floor Area.</p>	<p>To maintain consistency with other retail uses in the RA9 Zone, Liquor Stores will be limited to 240 m².</p>
<p>816 High Rise Residential Overlay</p> <p>816.3 Development Regulations for areas shown in Appendix 1 and Appendix 2</p> <p>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, <u>Liquor Stores, Minor Alcohol Sales</u>, Non-accessory Parking, Personal Service Shops, Professional, Financial and Office Support Services, Restaurants, and Specialty Food Services shall:</p> <ul style="list-style-type: none"> 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. 	<p>Administration recommends removing the distinction between Major and Minor Alcohol sales, and replacing these uses with a single Liquor Stores use.</p>
<p>910.12 (AED) Arena & Entertainment District Zone</p> <p>6. Additional Development Regulations for Specific Uses and Streets</p> <p>d. The following regulations shall apply to <u>Liquor Stores: Major Alcohol Sales and Minor Alcohol Sales:</u></p> <p>i. Subsections 85(1), (2), (3), (5), (6), (7), (8) and (9) of this Bylaw shall not apply to <u>Liquor Stores. Major Alcohol Sales or Minor Alcohol Sales.</u></p>	<p>Administration recommends removing the distinction between Major and Minor Alcohol sales, and replacing these uses with a single Liquor Stores use.</p>

<p>ii. Notwithstanding Section 85(4) of the Bylaw, <u>Liquor Stores Major Alcohol Sales</u> <u>or Minor Alcohol Sales</u> 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.</p>	
<p>997.9 (BLMR) Blatchford Low to Medium Rise Residential Zone</p> <p>4. Development Regulations</p> <p>I. 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, <u>Liquor Stores, Minor Alcohol Sales</u>, Personal Service Shops, Private Clubs, Professional, Financial and Office Support Services, Religious Assembly, Restaurants, Second Hand Stores, and Specialty Food Services.</p>	<p>Administration recommends removing the distinction between Major and Minor Alcohol sales, and replacing these uses with a single Liquor Stores use.</p>

Zone	Existing Zoning		Proposed Zoning
	Major Alcohol Sales	Minor Alcohol Sales	Liquor Stores
Residential Zones			
230 RA9 High Rise Apartment Zone	Not Listed	Discretionary	Discretionary* <i>Limited to 240m2 as per other commercial uses in this zone</i>
Commercial Zones			
310 CNC Neighbourhood Convenience Commercial	Not Listed	Not Listed	Not Listed
320 CSC Shopping Centre - site area less than 2 ha	Discretionary		Discretionary

320 CSC Shopping Centre - site area greater than 2 ha	Permitted		Permitted
330 CB1 Low Intensity Business	Not Listed	Discretionary	Discretionary
340 CB2 General Business	Discretionary	Discretionary	Discretionary
350 CHY Highway Corridor	Discretionary	Permitted	Permitted
360 CO Commercial Office	Discretionary	Permitted	Permitted
370 CB3 Commercial Mixed Business	Discretionary	Permitted	Permitted
Industrial and Urban Service Zones			
400 IB Industrial Business	Permitted	Permitted	Permitted
553 MA3 Municipal Airport General Business	Discretionary	Discretionary	Discretionary
Downtown Special Area Zones			
910.5 CCA Core Commercial Arts Zone	Permitted	Permitted	Permitted
910.6 CMU Commercial Mixed Use	Permitted	Permitted	Permitted
910.7 HA Heritage Area	Not Listed	Permitted	Permitted
910.9 JAMSC Jasper Avenue Main Street Commercial	Permitted	Permitted	Permitted
910.11 UW Urban Warehouse	Permitted	Permitted	Permitted
910.12 AED Arena & Entertainment District	Permitted	Permitted	Permitted
Special Area Zones outside of Downtown			
920.10 TMU Terwillegar Mixed Use	Not Listed	Discretionary	Discretionary
940.6 GVC Griesbach Village Centre	Discretionary	Discretionary	Discretionary
960.5 CSCa Ambleside Shopping Centre	Permitted	Permitted	Permitted
960.6 UVCa Ambleside Urban Village Commercial	Permitted	Permitted	Permitted
990.4 TC-C Heritage Valley Town Centre Commercial	Permitted	Permitted	Permitted

Attachment 2

997.9 BLMR Blatchford Low to Medium Rise Residential	Not Listed	Permitted* <i>Limited to 275 m² as per other commercial uses in this Zone</i>	Permitted* <i>Limited to 275 m² as per other commercial uses in this Zone</i>
997.10 BMR Blatchford Medium Rise Residential	Not Listed	Permitted* <i>Limited to 275 m² as per other commercial uses in this Zone</i>	Permitted* <i>Limited to 275 m² as per other commercial uses in this Zone</i>
999.4 MRC Marquis Retail Centre Zone	Permitted	Permitted	Permitted
999.5 MMUT Marquis Mixed Use Transition Zone	Not Listed	Permitted	Permitted
999.6 MMS Marquis Main Street Zone	Permitted	Permitted	Permitted
999.7 MED Marquis Entertainment District	Permitted	Permitted	Permitted