



## REQUEST FOR DECISION

**MEETING DATE:** March 28, 2022

**TITLE:** C-1195-22 – Land Use Bylaw Text Amendment – Alcohol Sales, Major, Plan 142 2641, Block 1, Lot 1 – First Reading

**DIVISION:** Planning & Infrastructure

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### **SUMMARY:**

First reading of Bylaw C-1195-22 is being brought forward for consideration by Council. This bylaw is a site specific Land Use Bylaw text amendment to Section 125 C3 - Neighbourhood Retail and Service District, to add Alcohol Sales, Major as a discretionary use to the district for the parcel legally described as Plan 142 2641, Block 1, Lot 1.

Administration supports this Bylaw.

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### **PROPOSED MOTION:**

THAT first reading be given to Bylaw C-1195-22 - Land Land Use Bylaw Text Amendment – Alcohol Sales, Major, Plan 142 2641, Block 1, Lot 1.

### **BACKGROUND / ANALYSIS:**

The developer of 1 Dalton Link, a commercial site located at Plan 142 2641, Block 1, Lot 1, has made an application for a site specific text amendment to Land Use Bylaw Section 125 C3 – Neighbourhood Retail and Service District. The amendment proposes the addition of Alcohol Sales, Major as a site specific discretionary use and the addition of new development regulation limiting this use's maximum floor area to 425m<sup>2</sup>.

The application responds to the commercial developer having a potential tenant for the site that requires a floor area of 420 m<sup>2</sup> for Alcohol Sales, and this site specific text amendment to a maximum floor area of 425 m<sup>2</sup> is being proposed to accommodate the development.

### *Land Use Bylaw*

The subject site is currently districted C3 – Neighbourhood Retail and Service District, which has as its general purpose the provision of commercial and personal service uses to serve the day-to-day needs of residents within a residential neighbourhood. Alcohol Sales, Minor is an existing discretionary use within the C3 District with a Floor Area to a maximum of 275.0 m<sup>2</sup>.

The proposed Alcohol Sales, Major use is only different from the existing Alcohol Sales, Minor use in that it does not have a maximum floor area limitation. This limitation on maximum floor area for Alcohol Sales, Minor in neighbourhood commercial areas is designed to accomplish smaller spaces serving the day-to-day local resident needs while not creating conditions that could draw non-local traffic to the neighbourhood to a larger shop with more variety and volume.

Numerous land use bylaws for other urban Alberta municipalities have been reviewed and most do not separately define alcohol sales into minor and major classes. It was also found that most do allow, as either a permitted or discretionary use, alcohol sales within neighbourhood commercial type districts, and that only a few municipalities put any limits on floor area.

Administration supports this proposal for a larger retail space for alcohol sales, up 425m<sup>2</sup>, as the Site is at the periphery of the residential neighbourhood and that its corner location has ample access from both an arterial road (Jennifer Heil Way) and collector road (Dalton Link) to allow customer visits without increasing traffic through the neighbourhood's interior.

If approved, this amendment would only apply to the subject site at 1 Dalton Link.

### **OPTIONS / ALTERNATIVES:**

This bylaw is being brought forward for consideration of first reading. Discussion and consideration of changes to the bylaw may be made at future readings. Alternatively, Council may defeat the motion for first reading and choose to defeat this bylaw.

### **CONSULTATION / ENGAGEMENT:**

This application was circulated to relevant City departments for their comments. A statutory public hearing, advertised per the requirements of the *Municipal Government Act*, will be held prior to consideration of second reading.

### **IMPLEMENTATION / COMMUNICATION:**

If approved, the Land Use Bylaw will be updated per Bylaw C-1195-22 and be published on the City's website.

**IMPACTS:**

Approval of this bylaw will enable the development of the seventh stage in the McLaughlin neighbourhood.

**FINANCIAL IMPLICATIONS:**

n/a

**STRATEGIC VISION ELEMENT:**

Where People Choose to Grow a Business - A strong, diversified business centre

**RELATED GOAL:**

High quality leisure, recreational, commercial and social infrastructure and amenities as well as policies that meet the interests and needs of the greater community are in place and conveniently accessible.