

Supplemental Report - 13th Avenue Liquor Store

Date	May 27, 2020
To	City Council
From	City Planning & Community Development
Service Area	Planning & Development Services
Item No.	CM20-12

RECOMMENDATION

That City Council receive and file this report.

ISSUE

On May 6, 2020, the Regina Planning Commission (RPC) considered a report (RPC20-17) for a discretionary use application for a proposed Retail Trade Shop (liquor store) located at 2824 and 2830 13th Avenue and 2067, 2071 and 2075 Retallack Street in the Cathedral Neighbourhood. As part of its deliberation, RPC requested additional information as outlined in the discussion of this report for City Council's consideration at their May 27, 2020 meeting.

IMPACTS

Financial Impacts

None with respect to this report.

Accessibility Impacts

None with respect to this report.

Policy/Strategic Impacts

None with respect to this report.

OTHER OPTIONS

1. Referral of the report back to Administration for additional information. This will delay consideration and decision on the proposal.

COMMUNICATIONS

None with respect to this report.

DISCUSSION

The following is Administration's response to the matters identified by the RPC at its May 6, 2020 meeting relating to Item No: RPC20-17. For each item below, the RPC directive is provided (bold, italic font), followed by Administration's response.

A social impact analysis of what an alcohol outlet like this means for a community, from a harm reduction standpoint. Would this increase social harm and/or alcohol consumption, and would this have a negative effect on the community?

Administration undertook a cursory, high-level scan of online publications relating to the relationship between "alcohol outlets" (e.g. liquor stores) and community crime and alcoholism. This scan identified numerous resources claiming that a link exists between alcohol outlets and some level of increased crime and alcoholism; however, the following should be noted:

- Administration cannot validate the conclusion of these resources nor the methodology behind their data and analysis without further in-depth research.
- Administration cannot, with confidence, draw any link between the resource findings and the subject application context, as the review was cursory and high-level; was from a non-expert perspective and most of the resources are United States based; therefore, the following is not completely clear:
 - Applicability of the resources to the context of the subject application.
 - The difference between effect on immediate community versus city-wide.
 - The distinction between implications associated with "liquor stores" versus bars and night clubs (there is a bar, already, in Cathedral neighbourhood).
 - How the existing social and economic conditions of a community might also factor into occurrences of crime and alcoholism.
 - The relationship between impaired driving and the absence of alcohol outlets within walking distance of a community (that is, driving to an alcohol outlet whilst impaired due to absence of outlet within walking distance).

As previously noted, most of the resources are United States based, where the typical situation is different than the Saskatchewan context, as alcohol sales are generally more deregulated and privatized in the United States. Many of the resources cite "alcohol outlet density" as being the greatest concern. This situation is more likely to occur in a deregulated setting where multiple outlets are in close proximity and compete by lowering prices, resulting in the "discount/cheap liquor" phenomena.

In Saskatchewan, licenses to sell alcohol and the price of alcohol, are regulated by the Government of Saskatchewan under the Saskatchewan Liquor and Gaming Authority (SLGA). In Regina, most alcohol outlets (liquor stores; off-sales) are in commercial clusters or corridors, which are located on the periphery of residential areas.

A map scan reveals that alcohol outlets are scattered throughout the city and most residential areas are in close proximity to a liquor outlet. From the standpoint of exacerbating alcoholism, it is questionable whether there is a significant difference between an alcohol outlet being located within a neighbourhood versus immediately adjacent to it. In terms of the subject application context:

- There is no medium or large-scale alcohol outlet in close proximity.

Note: Administration suggests that, within the Regina context, the proposed Cathedral Sobeys Liquor Store reflects medium-scale and a typical SLGA store reflects a large-scale facility. Regina is possibly distinct amongst Canadian cities by not having a medium-large scale alcohol outlet in the downtown area.

- There is an alcohol outlet on the immediate periphery (small-scale off-sale at Albert Street and 13th Avenue) and a bar that sells a variety of liquor products within the community (close to Robinson Street and 13th Avenue).

No Saskatchewan-based publications were found relating to the issue. Administration did contact SLGA and the Regina Police Services (RPS) and obtained the following comments:

- SLGA
 - SLGA uses a population-based matrix to determine the allocation of retail store permits within a given community.
 - SLGA does not mandate where the physical store can be located within a municipality; this is considered to be a zoning issue regulated under municipal zoning bylaws.
 - The Government of Saskatchewan regulates minimum pricing for retail liquor sales based on category and alcohol percentage.
 - SLGA does not have any publications or literature relating to the issue.
- RPS
 - RPS does not have any publications or literature relating to the issue.
 - See data, below, provided by RPS.

Can the City enforce locally owned and operated ownership of a business and can the City prevent a large corporation from opening a business in a community like this?

The City does not have authority to restrict or regulate the ownership of real property. In addition, property or business ownership status is not considered relevant criteria by which the suitability of a proposed discretionary use is to be evaluated as required by section 56 of *The Planning and Development Act, 2007* and subsection 1E.3.5 of *The Regina Zoning Bylaw, 2019*.

What kind of control does the City have over the facade and over architecture, and to what extent is the developer willing to negotiate with the community to determine what aligns to what the building should look like?

The City cannot stipulate architectural requirements beyond what is permitted by the Zoning Bylaw. In this case, the only architectural requirement that applies to this site is, where a decreased front setback is being sought, the building must meet the “active wall” requirements of the Zoning Bylaw (Mixed Low-Rise Zone – Part 4A, 4.2(1)). Notable requirements for an active wall include:

- At least one entranceway.
- At least 50 per cent of the area be “glazed” (e.g. windows or similar material).

It is the position of Administration that the proposed design sufficiently meets the requirements of Part 4A, 4.2(1). Further, it is the understanding of Administration that the Applicant intends to go beyond minimum requirements by including wall/mural art along the west wall, which is consistent with other buildings in the Cathedral neighbourhood but is not mandatory.

Consult with organizations cited in the report, such as Street Culture, YWCA, Narcotics Anonymous and Alcoholics Anonymous, to clarify their concerns about the development.

Administration reached out to organizations operating in the Cathedral area that work with people with potential alcohol issues and received the following responses:

- Street Culture: No response
- YWCA: No comment
- Alcoholics Anonymous: “AA has no opinion on outside issues”

Provide feedback on behalf of local businesses who are cited as having concerns with the development.

In accordance with the statutory public notice requirements and the City’s standard procedures, the City notified adjacent landowners within 75 metres of the proposed development (via mail service). This notification area included all businesses on 13th Avenue between Robinson Street and Rae Street.

Administration cannot speak on behalf of these businesses/landowners, as they would be responsible for submitting comments to RPC and City Council, should they have any concerns.

Information on the development soliciting more crime in the neighbourhood, including:

- ***Data from RPS on how many unwanted guest tickets are issued at Safeway and other liquor stores;***
- ***Is there any kind of evidence that a liquor store like this, in the community, would lead to any kind of criminal behavior?***

Administration submitted a data request to the RPS; however, RPS was unable to supply the information within the intervening timeframe between May 6, 2020 RPC meeting and May 27, 2020 City Council meeting.

DECISION HISTORY

At its May 6, 2020 meeting, Regina Planning Commission considered report RPC20-17 regarding a Discretionary Use Application for 2824 and 2830 13th Avenue and 2067, 2071 & 2075 Retallack Street and requested a supplementary report that included information related to:

1. Social impacts of an alcohol outlet on the neighbourhood.
2. Enforcement of local business ownership.
3. Architectural controls for neighbourhood developments.
4. Consultation with neighbourhood organizations.
5. Local business feedback.
6. Information related to crime-related activity associated with alcohol outlets in neighbourhoods.

Respectfully Submitted,



Fred Scarpis, Director, Planning & Development Services

Respectfully Submitted,



Diana Hawryluk, Executive Director, City Planning & Community Dev.

5/21/2020

Prepared by: Jeremy Fenton, Senior City Planner