

PROPOSED

PUD2021-0649
ATTACHMENT 2

BYLAW NUMBER 27P2021

BEING A BYLAW OF THE CITY OF CALGARY TO AMEND THE LAND USE BYLAW 1P2007 (PUD2021-0651)

WHEREAS it is desirable to amend the Land Use Bylaw 1P2007, as amended;

AND WHEREAS Council has held a public hearing as required by Section 692 of the Municipal Government Act, R.S.A. 2000, c.M-26, as amended:

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

1. The City of Calgary Land Use Bylaw, being Bylaw 1P2007 of the City of Calgary, as amended, is hereby further amended as follows:
 - (a) Delete subsection 13(32)(h) and replace with the following:

“13(32)(h) Restaurant: Food Service Only;”
 - (b) Delete subsection 13(32)(i) and replace with the following:

“13(32)(i) Restaurant: Licensed;”
 - (c) Delete subsection 13(32)(j).
 - (d) Delete subsection 25(1)(j)(iii)(E) and replace with the following:

“25(1)(j)(iii)(E) Restaurant: Licensed; or”
 - (e) Delete subsections 25(1)(j)(iii)(F), (G) and (H).
 - (f) Amend section 32 by inserting “or a **public area**” after “**use area**”.
 - (g) In Section 121.1, under the heading of “Group C”, delete the uses “**Restaurant: Food Service Only – Small**”, “**Restaurant: Food Service Only – Medium**”, and “**Restaurant: Food Service Only – Large**”, and insert the use “**Restaurant: Food Service Only**”.
 - (h) In Section 121.1, under the heading of “Group C”, delete the uses “**Restaurant: Licensed – Small**”, “**Restaurant: Licensed – Medium**”, “**Restaurant: Licensed – Large**”, and “**Restaurant: Neighbourhood**” and insert the use “**Restaurant: Licensed**”.

PROPOSED

BYLAW NUMBER 27P2021

- (i) Insert a new subsection 134.1(11) as follows:
 - “(11) In any **development permit** or Direct Control District approved after the effective date of this Bylaw, the following **uses** are deemed to be the **Restaurant: Food Service Only** use:
 - (a) **Restaurant Food Service – Large;**
 - (b) **Restaurant Food Service – Medium;** and
 - (c) **Restaurant Food Service – Small.”**
- (j) Insert a new subsection 134.1(12) as follows:
 - “(12) In any **development permit** or Direct Control District approved after the effective date of this Bylaw, the following uses are deemed to be the **Restaurant: Licensed** use:
 - (a) **Restaurant: Licensed – Large;**
 - (b) **Restaurant Licensed – Medium;**
 - (c) **Restaurant: Licensed – Small;** and
 - (d) **Restaurant: Neighbourhood.”**
- (k) Delete subsection 134.2(1)(t.1) and replace it with the following:
 - “(t.1) **Restaurant: Food Service Only;**”
- (l) Delete subsections 134.2(1)(t.2) and (t.3).
- (m) Delete subsection 134.2(1)(t.4) and replace it with the following:
 - “(t.4) **Restaurant: Licensed;**”
- (n) Delete subsections 134.2(1)(t.5), (t.6) and (t.7).
- (o) Delete subsection 134.3(1)(d.1) and replace it with the following:
 - “(d.1) **Restaurant: Food Service Only;**”
- (p) Delete subsections 134.3(1)(d.2) and (d.3).
- (q) Delete subsection 134.3(1)(d.4) and replace it with the following:
 - “(d.4) **Restaurant: Licensed;**”
- (r) Delete subsections 134.3(1)(d.5), (d.6) and (d.7)
- (s) Amend subsection 156.1(c) by deleting the uses “**Restaurant: Licensed – Large, Restaurant: Licensed – Medium or Restaurant: Licensed – Small**” and replace with “or **Restaurant: Licensed**”

PROPOSED

BYLAW NUMBER 27P2021

- (t) Delete section 278 and replace with:

“278 Restaurant: Food Service Only

- (a) means a **use**:
 - (i) where food is prepared and sold for consumption on the premises and may include the sale of prepared food for consumption off the premises;
 - (ii) that is not licensed for the sale of liquor by the Alberta Gaming and Liquor Commission; and
 - (iii) that may have a maximum of 10.0 square metres of **public area** used for the purpose of providing entertainment;
- (b) is a **use** within the Eating and Drinking Group in Schedule A to this Bylaw;
- (c) must not have any openings, except emergency exits, loading bay doors or non-opening windows, on a façade that faces a **residential district** or abuts a **lane** separating the **parcel** from a **residential district**;
- (d) must not have an exterior entrance located on a façade that faces a **residential district**, unless that façade is separated by an intervening **street**;
- (e) if the **public area** is greater than 150.0 square metres it must not be within 45.0 metres of a **residential district** when the **use** is located within the C-C1, C-C2, C-COR1, C-COR2, CC-COR, CC-X, MU-1, MU-2 and S-R Districts, which must be measured from the building containing the use to the nearest **property line** of a **parcel** designated as a **residential district**;
- (f) does not require **bicycle parking stalls – class 1**; and
- (g) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 250.0 square metres of the **public area**.”

- (u) Delete sections 279 and 280.

- (v) Delete section 281 and replace with:

“281 Restaurant: Licensed

- (a) means a **use**:

PROPOSED

BYLAW NUMBER 27P2021

- (i) where food is prepared and sold for consumption on the premises and may include the sale of prepared food for consumption off the premises;
 - (ii) where a specific license for the sale of liquor is issued by the Alberta Gaming and Liquor Commission, that allows minors on the premises at any time; and
 - (iii) that may have a maximum of 10.0 square metres of **public area** used for the purpose of providing entertainment;
- (b) is a **use** within the Eating and Drinking Group in Schedule A to this Bylaw;
- (c) must not have any openings, except emergency exits, loading bay doors or non-opening windows, on a façade that faces a **residential district** or abuts a **lane** separating the **parcel** from a **residential district**;
- (d) must not have an exterior entrance located on a façade that faces a **residential district**, unless that façade is separated by an intervening **street**;
- (e) if the **public area** is greater than 150.0 square metres it must not be within 45.0 metres of a **residential district** when the **use** is located within the C-C1, C-C2, C-COR1, C-COR2, CC-COR, CC-X, MU-1, MU-2 and S-R Districts, which must be measured from the building containing the use to the nearest **property line** of a **parcel** designated as a **residential district**;
- (f) does not require **bicycle parking stalls – class 1**; and
- (g) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 250.0 square metres of the **public area**.”
- (w) Delete sections 282, 283 and 283.1.
- (x) Delete subsection 286.1(f)(xii).
- (y) Amend subsection 286.1(f)(xiii) by deleting “**Restaurant: Food Service Only – Medium;**” and replace it with “**Restaurant: Food Service Only;**”.
- (z) Amend subsection 309(a)(v) by deleting the use “**Restaurant: Licensed – Large;**” and replace it with “**Restaurant: Licensed;** or”.
- (aa) Delete subsections 309(a)(vi), (vii) and (viii).
- (ab) Amend subsection 314(c)(xiv) by deleting “**Restaurant: Food Service Only – Medium;**” and replace it with “**Restaurant: Food Service Only;**”.

PROPOSED

BYLAW NUMBER 27P2021

- (ac) Delete subsection 314(c)(xv).
- (ad) Amend subsection 314(d)(iv) by deleting “and” after “.”.
- (ae) Amend subsection 314(d)(v) by adding “and” after “.”.
- (af) Insert new subsection 314(d)(vi) as follows:
 - “(vi) do not exceed a **public area** of 300.0 square metres for **Restaurant: Food Service Only**.”
- (ag) Amend subsection 637(1)(s) by deleting “**Restaurant: Food Service Only – Small**” and replace it with “**Restaurant: Food Service Only**”.
- (ah) Amend subsection 637(1)(s.1) by deleting “**Restaurant: Neighbourhood**” and replace it with “**Restaurant: Licensed**”.
- (ai) Insert new subsection 645(3.1) as follows:
 - “(3.1) The maximum **public area** for a **Restaurant: Food Service Only** or **Restaurant: Licensed** is 150.0 square metres.”
- (aj) Amend subsection 648(1)(t) by deleting “**Restaurant: Food Service Only – Small**” and replace it with “**Restaurant: Food Service Only**”.
- (ak) Amend subsection 648(1)(u) by deleting “**Restaurant: Licensed – Small**” and replace it with “**Restaurant: Licensed**”.
- (al) Delete subsection 648(1)(u.1).
- (am) Insert new subsection 656(3.1) as follows:
 - “(3.1) The maximum **public area** for a **Restaurant: Food Service Only** or **Restaurant: Licensed** is 150.0 square metres.”
- (an) Amend subsection 659(1)(t) by deleting “**Restaurant: Food Service Only – Small**” and replace it with “**Restaurant: Food Service Only**”.
- (ao) Amend subsection 659(1)(u) by deleting “**Restaurant: Licensed – Small**” and replace it with “**Restaurant: Licensed**”.
- (ap) Delete subsection 659(1)(u.1).
- (aq) Insert new subsection 667(3.1) as follows:
 - “(3.1) The maximum **public area** for a **Restaurant: Food Service Only** or **Restaurant: Licensed** is 150.0 square metres.”
- (ar) Amend subsection 670(1)(s) by deleting “**Restaurant: Food Service Only – Small**” and replace it with “**Restaurant: Food Service Only**”.

PROPOSED

BYLAW NUMBER 27P2021

- (as) Amend subsection 670(1)(s.1) but deleting “**Restaurant: Neighbourhood**” and replace it with “**Restaurant: Licensed**”.
- (at) Insert new subsection 677(4.1) as follows:
 - “(4.1) The maximum **public area** for a **Restaurant: Food Service Only** or **Restaurant: Licensed** is 150.0 square metres.”
- (au) Amend subsection 680(1)(s) by deleting “**Restaurant: Food Service Only – Small**” and replace it with “**Restaurant: Food Service Only**”.
- (av) Amend subsection 680(1)(s.1) by deleting “**Restaurant: Neighbourhood**” and replace it with “**Restaurant: Licensed**”.
- (aw) Insert new subsection 688(4.1) as follows:
 - “(4.1) The maximum **public area** for a **Restaurant: Food Service Only** or **Restaurant: Licensed** is 150.0 square metres.”
- (ax) Amend subsection 702(2)(p) by deleting “**Restaurant: Food Service Only – Small**” and replace it with “**Restaurant: Food Service Only**”.
- (ay) Delete subsection 703(3)(n).
- (az) Amend subsection 703(3)(n.1) by deleting “**Restaurant: Neighbourhood**” and replace it with “**Restaurant: Licensed**”.
- (ba) Insert new subsection 711(2.1) as follows:
 - “(2.1) The maximum **public area** for a **Restaurant: Food Service Only** or **Restaurant: Licensed** is 150.0 square metres.”
- (bb) Amend subsection 722(2)(r) by deleting “**Restaurant: Food Service Only – Small**” and replace it with “**Restaurant: Food Service Only**”.
- (bc) Delete subsection 723(3)(s).
- (bd) Amend subsection 723(3)(s.1) by deleting “**Restaurant: Neighbourhood**” and replace it with “**Restaurant: Licensed**”.
- (be) Insert new subsection 728(2.1) as follows:
 - “(2.1) The maximum **public area** for a **Restaurant: Food Service Only** or **Restaurant: Licensed** is 150.0 square metres.”
- (bf) Delete subsections 739(2)(t) and (u.1).
- (bg) Amend subsection 739(2)(u) by deleting “**Restaurant: Food Service Only – Medium**” and replace with “**Restaurant: Food Service Only**”.

PROPOSED

BYLAW NUMBER 27P2021

(bh) Insert new subsection 739(3) as follows:

“(3) Unless otherwise stated in subsection 740(2.1), the following **uses** are **permitted uses** in the Commercial – Community 1 District if they are located within existing approved **buildings** and if the **public area** is 150.0 square metres or less:

(a) **Restaurant: Licensed.**”

(bi) Insert new subsection 740(1.1) as follows:

“(1.1) **Uses** listed in subsection 739(3) are **discretionary uses** in the Commercial – Community 1 District if they are located within existing approved **buildings** and if the **public area** is greater than 150.0 square metres.”

(bj) Insert new subsection 740(1.2) as follows:

“(1.2) The following uses are **discretionary uses** in the Commercial – Community 1 District if they are located in proposed **buildings** or proposed additions to existing **buildings**:

(a) **Restaurant: Licensed.**”

(bk) Insert new subsection 740(2.1) as follows:

“(2.1) The following uses are **discretionary uses** if they are proposed in an existing **building** that does not have at least one commercial **use** that has been approved after the **parcel** was designated as a commercial land use district;

(a) **Restaurant: Licensed.**”

(bl) Amend subsection 740(3)(x) by deleting “**Restaurant: Licensed – Medium**” and replace it with “**Restaurant: Licensed**”.

(bm) Delete subsection 740(3)(y).

(bn) Insert new subsection 746(3.1) as follows:

“(3.1) The maximum **public area** for a **Restaurant: Food Service Only** or **Restaurant: Licensed** is 300.0 square metres.”

(bo) Delete subsections 758(2)(w), (x) and (x.1).

PROPOSED

BYLAW NUMBER 27P2021

(bp) Insert new subsection 758(3) as follows:

“(3) Unless otherwise stated in subsection 759(2.1), the following **uses** are **permitted uses** in the Commercial – Community 2 District if they are located within existing approved **buildings** and if the **public area** is less than 300.0 square metres:

(a) **Restaurant: Food Service Only.**”

(bq) Insert new subsection 758(4) as follows:

“(4) Unless otherwise stated in subsection 759(2.1), the following **uses** are **permitted uses** in the Commercial – Community 2 District if they are located within existing approved **buildings** and if the **public area** is 150.0 square metres or less:

(a) **Restaurant: Licensed.**”

(br) Insert a new subsection 759(1.1) as follows:

“(1.1) **Uses** listed in subsections 758(3) are **discretionary uses** in the Commercial – Community 2 District if they are located within existing approved **buildings** and if the **public area** is 300.0 square metres or greater.”

(bs) Insert a new subsection 759(1.2) as follows:

“(1.2) **Uses** listed in subsections 758(4) are **discretionary uses** in the Commercial – Community 2 District if they are located within existing approved **buildings** and if the **public area** is greater than 150.0 square metres.”

(bt) Insert a new subsection 759(1.3) as follows:

“(1.3) The following uses are **discretionary uses** in the Commercial – Community 2 District if they are located in proposed **buildings** or proposed additions to existing **buildings**:

- (a) **Restaurant: Food Service Only; and**
- (b) **Restaurant: Licensed.**”

(bu) Insert a new subsection 759(2.1) as follows:

“(2.1) The following uses are **discretionary uses** if they are proposed in an existing **building** that does not have at least one commercial **use** that has been approved after the **parcel** was designated as a commercial land use district;

- (a) **Restaurant: Food Service Only; and**
- (b) **Restaurant: Licensed.**”

PROPOSED

BYLAW NUMBER 27P2021

- (bv) Delete subsections 759(3)(cc), (dd), (ee) and (ff).
- (bw) Delete subsections 777(2)(t) and (t.1).
- (bx) Insert new subsection 777(3) as follows:
 - “(3) Unless otherwise stated in subsection 778(2.1), the following **uses** are **permitted uses** in the Commercial – Corridor 1 District if they are located within existing approved **buildings** and if the **public area** is 150.0 square metres or less:
 - (a) **Restaurant: Food Service Only**; and
 - (b) **Restaurant: Licensed.**”
- (by) Insert new subsection 778(1.1) as follows:
 - “(1.1) **Uses** listed in subsections 777(3) are **discretionary uses** in the Commercial – Corridor 1 District if they are located within existing approved **buildings** and if the **public area** is greater than 150.0 square metres.”
- (bz) Insert a new subsection 778(1.2) as follows:
 - “(1.2) The following uses are **discretionary uses** in the Commercial – Corridor 1 District if they are located in proposed **buildings** or proposed additions to existing **buildings**:
 - (a) **Restaurant: Food Service Only**; and
 - (b) **Restaurant: Licensed.**”
- (ca) Insert a new subsection 778(2.1) as follows:
 - “(2.1) The following uses are **discretionary uses** if they are proposed in an existing **building** that does not have at least one commercial **use** that has been approved after the **parcel** was designated as a commercial land use district;
 - (a) **Restaurant: Food Service Only**; and
 - (b) **Restaurant: Licensed.**”
- (cb) Delete subsections 778(3)(y), (z), (aa).
- (cc) Insert new subsection 785(3.1) as follows:
 - “(3.1) The maximum **public area** for a **Restaurant: Food Service Only** or **Restaurant: Licensed** is 300.0 square metres.”
- (cd) Amend subsection 797(2)(u) by deleting “**Restaurant: Food Service Only – Medium**,” and replacing it with “**Restaurant: Food Service Only**,”

PROPOSED

BYLAW NUMBER 27P2021

- (ce) Delete subsections 797(2)(v), (w) and (w.1).
- (cf) Insert new subsection 797(3) as follows:
 - “(3) Unless otherwise stated in 798(2.1), the following **uses** are **permitted uses** in the Commercial – Corridor 2 District if they are located within existing approved **buildings** and if the **public area** is 150.0 square metres or less:
 - (a) **Restaurant: Licensed.**”
- (cg) Insert new subsection 798(1.1) as follows:
 - “(1.1) The following **uses** are **discretionary uses** in the Commercial – Corridor 2 District if they are located within existing approved **buildings** and if the **public area** is greater than 150.0 square metres:
 - (a) **Restaurant: Licensed.**”
- (ch) Insert a new subsection 798(1.2) as follows:
 - “(1.2) The following uses are **discretionary uses** if they are located in proposed **buildings** or proposed additions to existing **buildings**:
 - (a) **Restaurant: Licensed.**”
- (ci) Insert a new subsection 798(2.1) as follows:
 - “(2.1) The following uses are **discretionary uses** in the Commercial – Corridor 2 District if they are proposed in an existing **building** that does not have at least one commercial **use** that has been approved after the **parcel** was designated as a commercial land use district;
 - (a) **Restaurant: Licensed.**”
- (cj) Delete subsection 798(3)(jj).
- (ck) Insert new subsection 803(3.1) as follows:
 - “(3.1) The maximum **public area** for a **Restaurant: Food Service Only** or **Restaurant: Licensed** is 300.0 square metres.”
- (cl) Delete subsections 814(2)(v), (w), (x), (y) and (y.1).

PROPOSED

BYLAW NUMBER 27P2021

(cm) Insert new subsection 814(3) as follows:

“(3) Unless otherwise stated in subsection 815(2.1), the following **uses** are **permitted uses** in the Commercial – Corridor 3 District if they are located within existing approved **buildings** and if the **public area** is less than 300.0 square metres:

- (a) **Restaurant: Food Service Only;** and
- (b) **Restaurant: Licensed.”**

(cn) Insert new subsection 815(1.1) as follows:

“(1.1) The following **uses** are **discretionary uses** in the Commercial – Corridor 3 District if they are located within existing approved **buildings** and if the **public area** is 300.0 square metres or greater:

- (a) **Restaurant: Food Service Only;** and
- (b) **Restaurant: Licensed.”**

(co) Insert a new subsection 815(1.2) as follows:

“(1.2) The following uses are **discretionary uses** in the Commercial – Corridor 3 District if they are located in proposed **buildings** or proposed additions to existing **buildings**:

- (a) **Restaurant: Food Service Only;** and
- (b) **Restaurant: Licensed.”**

(cp) Insert a new subsection 815(2.1) as follows:

“(2.1) The following uses are **discretionary uses** if they are proposed in an existing **building** that does not have at least one commercial **use** that has been approved after the **parcel** was designated as a commercial land use district;

- (a) **Restaurant: Food Service Only;** and
- (b) **Restaurant: Licensed.”**

(cq) Delete subsections 815(3)(ii) and (jj).

(cr) Delete subsections 829(3)(xiv) and (xv).

(cs) Insert new 829(4) as follows:

“(4) The following **uses** are **permitted uses** in existing approved **buildings** in the Commercial – Office District if:

- (a) a minimum of 90.0 per cent of the **buildings gross floor area** contains those **uses** listed in subsection (2)(a) through (f) inclusive;

PROPOSED

BYLAW NUMBER 27P2021

- (b) they are located on or below the ground floor of the **building**; and
 - (c) the **public area** is 150.0 square metres or less:
 - (i) **Restaurant: Food Service Only**; and
 - (ii) **Restaurant: Licensed.**
- (ct) Insert new subsection 830(1.1) as follows:

“(1.1) The following **uses** are **discretionary uses** in the Commercial – Office District if they are located within existing approved **buildings** and if the public area is greater than 150.0 square metres:

 - (a) **Restaurant: Food Service Only**; and
 - (b) **Restaurant: Licensed.**
- (cu) Insert a new subsection 830(3.1) as follows:

“(3.1) The following uses are **discretionary uses** in the Commercial – Office District if:

 - (a) they are proposed for a new **building** or new addition to a **building**;
 - (b) they are located in a **building** where less than 90.0 per cent of the **building’s** gross floor area is used for **uses** listed in subsection 829(2)(a) through (f) inclusive; or
 - (c) they are located above the ground floor of the building:
 - (i) **Restaurant: Food Service Only**; and
 - (ii) **Restaurant: Licensed.**
- (cv) Delete subsections 830(4)(f), (g) and (g.1).
- (cw) Insert new subsection 834(3) as follows:

“(3) The maximum **public area** for a **Restaurant: Food Service Only** or **Restaurant: Licensed** is 300.0 square metres.”
- (cx) Amend subsection 845(r) by deleting “**Restaurant: Food Service Only – Medium**” and replace it with “**Restaurant: Food Service Only**”.
- (cy) Delete subsections 845(s), (u) and (u.1).
- (cz) Amend subsection 845(t) by deleting “**Restaurant: Licensed – Medium**” and replace it with “**Restaurant: Licensed**”.

PROPOSED

BYLAW NUMBER 27P2021

- (da) Insert new subsection 851(3) as follows:
- “(3) The maximum **public area** for a **Restaurant: Food Service Only** or **Restaurant: Licensed** is 300.0 square metres.”
- (db) Amend subsection 862(2)(dd) by deleting “**Restaurant: Food Service Only – Large**” and replace it with “**Restaurant: Food Service Only**”.
- (dc) Delete subsections 862(2)(ee), (ff), (gg), (hh) and (hh.1).
- (dd) Insert new subsection 862(3) as follows:
- “(3) Unless otherwise stated in subsection 863(2.1), the following **uses** are **permitted uses** in the Commercial – Regional 2 District if they are located within existing approved **buildings** and if the **public area** is less than 300.0 square metres:
- (a) **Restaurant: Licensed.**”
- (de) Insert new subsection 863(1.1) as follows:
- “(1.1) The following **uses** are **discretionary uses** in the Commercial – Regional 2 District if they are located within existing approved **buildings** and if the **public area** is 300.0 square metres or greater:
- (a) **Restaurant: Licensed.**”
- (df) Insert a new subsection 863(1.2) as follows:
- “(1.2) The following uses are **discretionary uses** in the Commercial – Regional 2 District if they are located in proposed **buildings** or proposed additions to existing **buildings**:
- (a) **Restaurant: Licensed.**”
- (dg) Insert a new subsection 863(2.1) as follows:
- “(2.1) The following uses are **discretionary uses** if they are proposed in an existing **building** that does not have at least one commercial **use** that has been approved after the **parcel** was designated as a commercial land use district;
- (a) **Restaurant: Licensed.**”
- (dh) Delete subsection 863(3)(aa).
- (di) Delete subsections 881(2)(aa), (bb), (cc), (dd) and (dd.1).

PROPOSED

BYLAW NUMBER 27P2021

(dj) Insert new subsection 881(3) as follows:

“(3) Unless otherwise stated in subsection 882(2.1), the following **uses** are **permitted uses** in the Commercial – Regional 3 District if they are located within existing approved **buildings** and if the **public area** is less than 300.0 square metres:

- (a) **Restaurant: Food Service Only;** and
- (b) **Restaurant: Licensed.”**

(dk) Insert new subsection 882(1.1) as follows:

“(1.1) The following **uses** are **discretionary uses** in the Commercial – Regional 3 District if they are located within existing approved **buildings** and if the **public area** is 300.0 square metres or greater:

- (a) **Restaurant: Food Service Only;** and
- (b) **Restaurant: Licensed.”**

(dl) Insert a new subsection 882(1.2) as follows:

“(1.2) The following uses are **discretionary uses** in the Commercial – Regional 3 District if they are located in proposed **buildings** or proposed additions to existing **buildings**:

- (a) **Restaurant: Food Service Only;** and
- (b) **Restaurant: Licensed.”**

(dm) Insert a new subsection 882(2.1) as follows:

“(2.1) The following uses are **discretionary uses** if they are proposed in an existing **building** that does not have at least one commercial **use** that has been approved after the **parcel** was designated as a commercial land use district;

- (a) **Restaurant: Food Service Only;** and
- (b) **Restaurant: Licensed.”**

(dn) Delete subsections 882(3)(y) and (z).

(do) Amend subsection 908(2)(r) by deleting “**Restaurant: Food Service Only – Medium**” and replace it with “**Restaurant: Food Service Only**”.

(dp) Delete subsections 908(2)(s) and (u).

(dq) Amend subsection 908(2)(t) by deleting “**Restaurant: Licensed – Medium**” and replace it with “**Restaurant: Licensed**”.

PROPOSED

BYLAW NUMBER 27P2021

- (dr) Insert new section 910.1 as follows:
- “Use Area
910.1 (1)** The maximum **public area** for a **Restaurant: Food Service Only** or **Restaurant: Licensed** is 300.0 square metres.”
- (ds) Delete subsections 924(2)(r) and (s).
- (dt) Insert new subsection 924(2.1) as follows:
- “(2.1)** The following **uses** are **discretionary uses** in the Industrial – Business District if the **public area** is 150.0 square metres or less:
- (a) **Restaurant: Food Service Only; and**
 - (b) **Restaurant: Licensed.”**
- (du) Amend subsection 924(a) by adding “and” after “;”.
- (dv) Amend subsection 924(a.1) by deleting “;” and replace it with “.”.
- (dw) Delete subsections 924(3)(b) and (c).
- (dx) Insert new subsection 924(3.1) as follows:
- “(3.1)** The following **uses** are **discretionary uses** in the Industrial – Business District if they are located within a building containing at least one use listed in subsection 923(2), and the **public area** is greater than 150.0 square metres:
- (a) **Restaurant: Food Service Only; and**
 - (b) **Restaurant: Licensed.”**
- (dy) Insert new subsection 928(3) as follows:
- “(3)** The maximum **public area** for a **Restaurant: Food Service Only** or **Restaurant: Licensed** is 300.0 square metres.”
- (dz) Amend subsection 938(2)(o) by deleting “**Restaurant: Licensed – Small**” and replace it with “**Restaurant: Food Service Only**”.
- (ea) Amend subsection 939(2)(m) by deleting “**Restaurant: Licensed – Small**” and replace it with “**Restaurant: Licensed**”.
- (eb) Insert new subsection 944(3) as follows:
- “(3)** The maximum **public area** for a **Restaurant: Food Service Only** or **Restaurant: Licensed** is 150.0 square metres.”
- (ec) Amend subsection 954(2)(s) by deleting “**Restaurant: Food Service Only – Medium**” and replace with “**Restaurant: Food Service Only**”.

PROPOSED

BYLAW NUMBER 27P2021

- (ed) Delete subsection 954(2)(t).
- (ee) Amend subsection 955(2)(u) by deleting “**Restaurant: Licensed – Medium**” and replace with “**Restaurant: Licensed**”.
- (ef) Delete subsection 955(2)(v).
- (eg) Insert new subsection 960(3) as follows:
 - “(3) The maximum **public area** for a **Restaurant: Food Service Only** or **Restaurant: Licensed** is 300.0 square metres.”
- (eh) Amend subsection 969(t) by deleting “**Restaurant: Food Service Only – Small**” and replace it with “**Restaurant: Food Service**”.
- (ei) Amend subsection 969(u) by deleting “**Restaurant: Licensed – Small**” and replace it with “**Restaurant: Licensed**”.
- (ej) Insert new section 973.1 as follows:
 - “**Use Area**
973.1 The maximum **public area** for a **Restaurant: Food Service Only** or **Restaurant: Licensed** is 150.0 square metres.”
- (ek) Amend subsection 1043(2)(e) by deleting “**Restaurant: Food Service Only – Medium**” and replace it with “**Restaurant: Food Service Only**,”
- (el) Delete subsection 1043(2)(f).
- (em) Amend subsection 1043(2)(g) by deleting “**Restaurant: Licensed – Medium**,” and replace it with “**Restaurant: Licensed**; and”.
- (en) Delete subsection 1043(2)(h).
- (eo) Amend subsection 1043(3)(a) by deleting “**Restaurant: Food Service Only – Small**” and replace it with “**Restaurant: Food Service Only**”.
- (ep) Amend subsection 1043(3)(b) by deleting “**Restaurant: Licensed – Small**” and replace it with “**Restaurant: Licensed**”.
- (eq) Amend subsection 1043(5)(f) by deleting “**Restaurant: Food Service Only – Large**,” and replace it with “**Restaurant: Food Service Only**,”.
- (er) Delete subsections 1043(5)(g) and (h).
- (es) Amend subsection 1043(5)(i) by deleting “**Restaurant: Licensed – Large**,” and replace it with “**Restaurant: Licensed**; and”.
- (et) Delete subsections 1043(5)(j) and (k).

PROPOSED

BYLAW NUMBER 27P2021

- (eu) Insert new subsections 1045(3) and (4) as follows:
- “(3) The maximum **public area** for a **Restaurant: Food Service Only** or **Restaurant: Licensed** when they occur within a **building** used for an **Indoor Recreation Facility, Library, Museum, Performing Arts Centre** or **Spectator Sports Facility** is 300.0 square metres.
- (4) The maximum **public area** for a **Restaurant: Food Service Only** or **Restaurant: Licensed** when they occur on a **parcel** used for a **Park** is 150.0 square metres.”
- (ev) Amend subsection 1076(2)(m) by deleting “**Restaurant: Food Service Only – Small**,” and replace it with “**Restaurant: Food Service Only**,”.
- (ew) Amend subsection 1076(2)(n) by deleting “**Restaurant: Licensed – Small**,” and replace it with “**Restaurant: Licensed**,”.
- (ex) Insert new section 1078.1 as follows:
- “Use Area**
1078.1 The maximum **public area** for a **Restaurant: Food Service Only** or **Restaurant: Licensed** is 150.0 square metres.”
- (ey) Amend subsection 1134(3)(q) by deleting “**Restaurant: Food Service Only – Small**” and replace it with “**Restaurant: Food Service Only**”.
- (ez) Amend subsection 1134(3)(r) by deleting “**Restaurant: Licensed – Small**” and replace it with “**Restaurant: Licensed**”.
- (fa) Insert new subsection 1142(3.1) as follows:
- “(3.1) The maximum **public area** for a **Restaurant: Food Service Only** or **Restaurant: Licensed** is 150.0 square metres.”
- (fb) Delete subsection 1163(2)(r).
- (fc) Insert new subsection 1163(3) as follows:
- “(3) Unless otherwise stated in subsection 1164(2.1), the following **uses** are **permitted uses** in the Centre City Mixed Use District if they are located within existing approved **buildings** and if the **public area** is 150.0 square metres or less:
- (a) **Restaurant: Food Service Only.**”

PROPOSED

BYLAW NUMBER 27P2021

- (fd) Insert new subsection 1164(1.1) as follows:
- “(1.1) The following **uses** are **discretionary uses** in the Centre City Mixed Use District if they are located within existing approved **buildings** and if the **public area** is greater than 150.0 square metres:
- (a) **Restaurant: Food Service Only.**”
- (fe) Insert a new subsection 1164(1.2) as follows:
- “(1.2) The following uses are **discretionary uses** in the Centre City Mixed Use District if they are located in proposed **buildings** or proposed additions to existing **buildings**:
- (a) **Restaurant: Food Service Only.**”
- (ff) Insert a new subsection 1164(2.1) as follows:
- “(2.1) The following uses are **discretionary uses** if they are proposed in an existing **building** that does not have at least one **use** listed in this District that has been approved after the **parcel** was designated as a commercial land use district;
- (a) **Restaurant: Food Service Only.**”
- (fg) Amend subsection 1164(3)(gg) by deleting “**Restaurant: Licensed – Medium**” and replace it with “**Restaurant: Licensed**”
- (fh) Delete subsections 1164(3)(ff), (hh) and (hh.1).
- (fi) Insert new subsection 1176(3.1) as follows:
- “(3.1) The maximum **public area** for a **Restaurant: Food Service Only** or **Restaurant: Licensed** is 300.0 square metres.”
- (fj) Amend subsection 1177(2)(a) by deleting “**Restaurant: Food Service Only – Small, Restaurant: Food Service Only – Medium, Restaurant: Licensed – Small, and Restaurant: Licensed – Medium**” and replace it with “**Restaurant: Food Service Only, and Restaurant: Licensed**”.
- (fk) Delete subsection 1180(2)(t).
- (fl) Insert new subsection 1180(3) as follows:
- “(3) Unless otherwise stated in subsection 1181(2.1), the following **uses** are **permitted uses** in the Centre City Commercial Corridor District if they are located within existing approved **buildings** and if the **public area** is 150.0 square metres or less:
- (a) **Restaurant: Food Service Only.**”

PROPOSED

BYLAW NUMBER 27P2021

- (fm) Insert new subsection 1181(1.1) as follows:
- “(1.1) The following **uses** are **discretionary uses** in the Centre City Commercial Corridor District if they are located within existing approved **buildings** and if the **public area** is greater than 150.0 square metres:
- (a) **Restaurant: Food Service Only.**”
- (fn) Insert a new subsection 1181(1.2) as follows:
- “(1.2) The following uses are **discretionary uses** in the Centre City Commercial Corridor District if they are located in proposed **buildings** or proposed additions to existing **buildings**:
- (a) **Restaurant: Food Service Only.**”
- (fo) Insert a new subsection 1181(2.1) as follows:
- “(2.1) The following uses are **discretionary uses** if they are proposed in an existing **building** that does not have at least one **use** listed in this District that has been approved after the **parcel** was designated as a commercial land use district;
- (a) **Restaurant: Food Service Only.**”
- (fp) Amend subsection 1181(3)(z) by deleting “**Restaurant: Licensed – Medium**” and replace it with “**Restaurant: Licensed**”.
- (fq) Delete subsections 1181(3)(y) and (aa).
- (fr) Insert new subsection 1188(3.1) as follows:
- “(3.1) The maximum **public area** for a **Restaurant: Food Service Only** or **Restaurant: Licensed** is 300.0 square metres.”
- (fs) Amend subsection 1233(2)(b) by deleting “**Restaurant: Food Service Only – Medium, Restaurant: Food Service Only – Small, Restaurant: Licensed – Medium, Restaurant: Licensed – Small**” and replace it with “**Restaurant: Food Service Only, Restaurant: Licensed**”.
- (ft) Amend subsection 1233(3)(c) by deleting “**Restaurant: Food Service Only – Medium, Restaurant: Food Service Only – Small, Restaurant: Licensed – Medium, Restaurant: Licensed – Small**” and replace it with “**Restaurant: Food Service Only, Restaurant: Licensed**”.
- (fu) Delete subsection 1244(2)(n).

PROPOSED

BYLAW NUMBER 27P2021

- (fv) Insert new subsection 1244(3) as follows:
- “(3) The following **uses** are **permitted uses** in the Centre City East Village Transition District if they are located within existing approved **buildings** and if the **public area** is 150.0 square metres or less:
- (a) **Restaurant: Food Service Only.**”
- (fw) Insert new subsection 1245(2.1) as follows:
- “(2.1) The following **uses** are **discretionary uses** in the Centre City East Village Transition District if they are located within existing approved **buildings** and if the **public area** is greater than 150.0 square metres:
- (a) **Restaurant: Food Service Only.**”
- (fx) Insert a new subsection 1245(2.2) as follows:
- “(2.2) The following uses are **discretionary uses** in the Centre City East Village Transition District if they are located in proposed **buildings** or proposed additions to existing **buildings**:
- (a) **Restaurant: Food Service Only.**”
- (fy) Amend subsection 1245(3)(nn) by deleting “**Restaurant: Licensed – Large**” and replace it with “**Restaurant: Licensed;**”
- (fz) Delete subsections 1245(3)(ll), (mm), (oo), (pp) and (pp.1).
- (ga) Delete subsections 1248(2)(b) and (c) and replace with the following:
- “(b) **Restaurant: Food Service Only;** and
(c) **Restaurant: Licensed.**”
- (gb) Amend subsection 1249(1)(e) by deleting “**Restaurant: Food Service Only – Large**” and replace it with “**Restaurant: Food Service Only;**”
- (gc) Delete subsections 1249(1)(f) and (g).
- (gd) Amend subsection 1249(1)(h) by deleting “**Restaurant: Licensed – Large**” and replace it with “**Restaurant: Licensed;**”
- (ge) Delete subsections 1249(1)(i), (j) and (k).
- (gf) Delete subsection 1254(2)(m).

PROPOSED

BYLAW NUMBER 27P2021

(gg) Insert new subsection 1254(3) as follows:

“(3) The following **uses** are **permitted uses** in the Centre City East Village Integrated Residential District if they are located within existing approved **buildings** and if the **public area** is 150.0 square metres or less:

(a) **Restaurant: Food Service Only.”**

(gh) Insert new subsection 1255(2.1) as follows:

“(2.1) The following **uses** are **discretionary uses** in the Centre City East Village Integrated Residential District if they are located within existing approved **buildings** and if the **public area** is greater than 150.0 square metres:

(a) **Restaurant: Food Service Only.”**

(gi) Insert a new subsection 1255(2.2) as follows:

“(2.2) The following uses are **discretionary uses** in the Centre City East Village Integrated Residential District if they are located in proposed **buildings** or proposed additions to existing **buildings**:

(a) **Restaurant: Food Service Only.”**

(gj) Amend subsection 1255(3)(mm) by deleting “**Restaurant: Licensed – Large**” and replace it with “**Restaurant: Licensed;**”

(gk) Delete subsections 1255(3)(kk), (ll), (nn), (oo), and (pp).

(gl) Delete subsection 1260(2)(l).

(gm) Insert new subsection 1260(3) as follows:

“(3) The following **uses** are **permitted uses** in the Centre City East Village Mixed Use District if they are located within existing approved **buildings** and if the **public area** is 150.0 square metres or less:

(a) **Restaurant: Food Service Only.”**

(gn) Insert new subsection 1261(2.1) as follows:

“(2.1) The following **uses** are **discretionary uses** in the Centre City East Village Mixed Use District if they are located within existing approved **buildings** and if the **public area** is greater than 150.0 square metres:

(a) **Restaurant: Food Service Only.”**

PROPOSED

BYLAW NUMBER 27P2021

- (go) Insert a new subsection 1261(2.2) as follows:
- “(2.2) The following uses are **discretionary uses** in the Centre City East Village Mixed Use District if they are located in proposed **buildings** or proposed additions to existing **buildings**:
- (a) **Restaurant: Food Service Only.**”
- (gp) Amend subsection 1261(3)(y) by deleting “**Restaurant: Licensed – Medium**” and replace it with “**Restaurant: Licensed;**”
- (gq) Delete subsections 1261(3)(x), (z), and (aa).
- (gr) Delete subsections 1261(4)(a) and (b) and replace with:
- “(a) **Restaurant: Food Service Only;** and
(b) **Restaurant: Licensed.**”
- (gs) Insert new subsection 1264(3) as follows:
- “(3) The maximum **public area** for a **Restaurant: Food Service Only** or **Restaurant: Licensed** is less than 300.0 square metres.”
- (gt) Amend subsection 1266(2)(i) by deleting “**Restaurant: Food Service Only – Small**” and replace it with “**Restaurant: Food Service Only**”.
- (gu) Amend subsection 1267(3)(y) by deleting “**Restaurant: Licensed – Small**” and replace it with “**Restaurant: Licensed**”.
- (gv) Delete subsection 1267(3)(z).
- (gw) Insert new subsection 1270(3) as follows:
- “(3) The maximum **public area** for a **Restaurant: Food Service Only** or **Restaurant: Licensed** is 150.0 square metres.”
- (gx) Amend subsection 1273(k) by deleting “**Restaurant: Food Service Only – Medium**” and replace it with “**Restaurant: Food Service Only**”.
- (gy) Delete subsections 1273(l), (n) and (o).
- (gz) Amend subsection 1273(m) by deleting “**Restaurant: Licensed – Medium**” and replace it with “**Restaurant: Licensed**”.

PROPOSED

BYLAW NUMBER 27P2021

- (ha) Delete section 1276 and replace with the following:

“Use Area

1276 (1)

The maximum ***use area*** for ***uses*** on the ground floor of a ***building*** is 465.0 square metres.

(2)

The maximum ***public area*** for a **Restaurant: Food Service Only** or **Restaurant: Licensed** is 300.0 square metres.”

- (hb) Amend subsection 1279(f) by deleting “**Restaurant: Food Service Only – Small**” and replace it with “**Restaurant: Food Service Only**”.
- (hc) Amend subsection 1279(g) by deleting “**Restaurant: Licensed – Small**” and replace it with “**Restaurant: Licensed**”.
- (hd) Insert new section 1281.1 as follows:

“Use Area

1281.1

The maximum ***public area*** for a **Restaurant: Food Service Only** or **Restaurant: Licensed** is 150.0 square metres.”

- (he) Delete subsections 1306(2)(q), (r) and (s).

- (hf) Insert new subsection 1306(2.1) as follows:

“(2.1) The following ***uses*** are ***permitted uses*** in the CR20-C20/R20 District if they are located within existing approved ***buildings*** and if the ***public area*** is less than 300.0 square metres:

- (a) **Restaurant: Food Service Only.**”

- (hg) Insert new subsection 1306(2.2) as follows:

“(2.2) The following ***uses*** are ***permitted uses*** in the CR20-C20/R20 District if they are located within existing approved ***buildings*** and if the ***public area*** is 150.0 square metres or less:

- (a) **Restaurant: Licensed.**”

- (hh) Insert new subsection 1307(1.1) as follows:

“(1.1) The following ***uses*** are ***discretionary uses*** in the CR20-C20/R20 District if they are located within existing approved ***buildings*** and if the ***public area*** is 300.0 square metres or greater:

- (a) **Restaurant: Food Service Only.**”

PROPOSED

BYLAW NUMBER 27P2021

- (hi) Insert new subsection 1307(1.2) as follows:
- “(1.2) The following **uses** are **discretionary uses** in the CR20-C20/R20 District if they are located within existing approved **buildings** and if the **public area** is greater than 150.0 square metres:
- (a) **Restaurant: Licensed.**”
- (hj) Insert a new subsection 1307(1.3) as follows:
- “(1.3) The following uses are **discretionary uses** in the CR20-C20/R20 District if they are located in proposed **buildings** or proposed additions to existing **buildings**:
- (a) **Restaurant: Food Service Only; and**
(b) **Restaurant: Licensed.**”
- (hk) Amend subsection 1307(3)(ff) by deleting “**Restaurant: Licensed – Large**” and replace it with “**Restaurant: Licensed**”.
- (hl) Delete subsection 1307(3)(gg).
- (hm) Delete subsections 1366(2)(k) and (l). ”.
- (hn) Insert new subsection 1366(2.1) as follows:
- “(2.1) The following **uses** are **permitted uses** in the Mixed Use – General District if they are located within existing approved **buildings** and if the **public area** is 150.0 square metres or less:
- (a) **Restaurant: Food Service Only; and**
(b) **Restaurant: Licensed.**”
- (ho) Insert new subsection 1367(1.1) as follows:
- “(1.1) The following **uses** are **discretionary uses** in the Mixed Use – General District if they are located within existing approved **buildings** and if the **public area** is greater than 150.0 square metres:
- (a) **Restaurant: Food Service Only; and**
(b) **Restaurant: Licensed.**”
- (hp) Insert a new subsection 1367(1.2) as follows:
- “(1.2) The following uses are **discretionary uses** in the Mixed Use – General District if they are located in proposed **buildings** or proposed additions to existing **buildings**:
- (a) **Restaurant: Food Service Only; and**
(b) **Restaurant: Licensed.**”

PROPOSED

BYLAW NUMBER 27P2021

- (hq) Delete subsections 1367(3)(x), (y) and (z).
- (hr) Delete section 1372 and replace it with the following:
- “Use Area**
1372 (1) The maximum ***use area*** of a **Catering Service – Minor**, or a Catering Service – Minor combined with any other ***use***, is 300.0 square metres.
- (2)** The maximum ***public area*** for a **Restaurant: Food Service Only** and **Restaurant: Licensed** is 300.0 square metres.”
- (hs) Amend subsection 1373(2) by deleting “**Restaurant: Food Service Only – Medium, Restaurant: Food Service Only – Small, Restaurant: Neighbourhood, Restaurant: Licensed – Medium, Restaurant: Licensed – Small**” and replacing them with “**Restaurant: Food Service Only, Restaurant: Licensed**”.
- (ht) Delete subsections 1376(2)(k) and (l). ”.
- (hu) Insert new subsection 1376(2.1) as follows:
- “(2.1)** The following ***uses*** are ***permitted uses*** in the Mixed Use – Active Frontage District if they are located within existing approved ***buildings*** and if the ***public area*** is 150.0 square metres or less:
- (a) Restaurant: Food Service Only; and**
(b) Restaurant: Licensed.”
- (hv) Insert new subsection 1377(1.1) as follows:
- “(1.1)** The following ***uses*** are ***discretionary uses*** in the Mixed Use – Active Frontage District if they are located within existing approved ***buildings*** and if the ***public area*** is greater than 150.0 square metres:
- (a) Restaurant: Food Service Only; and**
(b) Restaurant: Licensed.”
- (hw) Insert a new subsection 1377(1.2) as follows:
- “(1.2)** The following ***uses*** are ***discretionary uses*** in the Mixed Use – Active Frontage District if they are located in proposed ***buildings*** or proposed additions to existing ***buildings***:
- (a) Restaurant: Food Service Only; and**
(b) Restaurant: Licensed.”
- (hx) Delete subsections 1377(3)(hh), (ii) and (jj).

PROPOSED

BYLAW NUMBER 27P2021

- (hy) Delete section 1382 and replace it with the following:

“Use Area

1382 (1) The maximum **use area** of a **Catering Service – Minor**, or a **Catering Service – Minor** combined with any other **use**, is 300.0 square metres.

(2) The maximum **public area** for a **Restaurant: Food Service Only** and **Restaurant: Licensed** is 300.0 square metres.”

- (hz) Amend subsection 1384(2) by deleting the words “**Restaurant: Food Service Only – Medium, Restaurant: Food Service Only – Small, Restaurant: Neighbourhood, Restaurant: Licensed – Medium, Restaurant: Licensed – Small**” and replacing them with “**Restaurant: Food Service Only, Restaurant: Licensed**”.
- (ia) Amend Schedule A, Eating and Drinking Group by deleting “**Restaurant: Food Service Only – Large, Restaurant: Food Service Only – Medium, Restaurant: Food Service Only – Small**” and replace it with “**Restaurant: Food Service Only**” and delete, “**Restaurant: Licensed – Large, Restaurant: Licensed – Medium, Restaurant: Licensed – Small, Restaurant: Neighbourhood**” and replace it with “**Restaurant: Licensed**”.
- (ib) Insert subsection 13(32)(c.1):
- “(c.1) **Health Care Service;**”
- (ic) Delete subsections 13(32)(b), 24.2(4)(a), 25.3(4)(b), 25.3(5)(d), 25.3(5)(f), 134.1(8)(a), 134.2(1)(h), 134.2(1)(n), 134.2(1)(o), 134.2(1)(t.3), 134.2(1)(t.4), 134.2(1)(t.5), 134.2(1)(t.6), 134.2(1)(t.7), 286.1(f)(iii), 286.1(f)(vii), 286.1(f)(xiii), 134.3(1)(b.1), 134.3(1)(d.3), 134.3(1)(d.4), 134.3(1)(d.5), 134.3(1)(d.6), 134.3(1)(d.7), 314(c)(iii), 314(c)(vii), 702(2)(c), 702(2)(k), 703(3)(b.3), 703(3)(j.2), 722(2)(d), 722(2)(m), 723(3)(d.1), 723(3)(n.2), 739(2)(d), 739(2)(m), 740(3)(e.2), 740(3)(r.1), 758(2)(f), 758(2)(o), 759(3)(d.2), 759(3)(t.1), 777(2)(d), 777(2)(l), 778(3)(d.2), 778(3)(q.1), 786(1)(c), 786(1)(h), 797(2)(e), 797(2)(m), 798(3)(f.2), 798(3)(z.1), 814(2)(f), 814(2)(n), 815(3)(f.2), 815(3)(w), 829(2)(a), 829(2)(d), 830(4)(a), 845(p), 862(2)(i), 862(2)(u), 863(3)(c.2), 863(3)(q.1), 881(2)(g), 881(2)(q), 882(3)(d.2), 882(3)(p.1), 923(2)(d), 924(2)(a.1), 924(2)(g), 924(2)(j), 938(2)(d), 939(2)(a.4), 939(2)(g), 939(2)(j), 954(2)(d), 954(2)(i), 954(2)(m), 955(2)(e.2), 1043(2)(d), 1133(2)(c), 1133(2)(g), 1134(3)(b.1), 1163(2)(d), 1163(2)(k), 1164(3)(d.2), 1164(3)(t.1), 1175(1)(c), 1175(1)(h), 1180(2)(d), 1180(2)(l), 1181(3)(d.2), 1181(3)(q.1), 1189(1)(d), 1189(1)(i), 1245(3)(bb), 1245(3)(e.1), 1245(3)(l), 1245(3)(z), 1248(3)(b), 1255(3)(e.1), 1255(3)(k), 1255(3)(y), 1255(3)(z), 1258(2)(b), 1261(3)(c.1), 1261(3)(g), 1261(3)(p), 1261(3)(q), 1267(3)(c.1), 1267(3)(g), 1267(3)(r), 1267(3)(q), 1273(h), 1279(c), 1306(3)(b), 1306(3)(e), 1307(3)(d.2), 1307(3)(u), 1318(3)(c), 1366(3)(c), 1366(3)(g), 1367(3)(d.1), 1367(3)(p), 1376(3)(c), 1376(3)(g), 1377(3)(f.1), 1377(3)(v), and 1383(d).

PROPOSED

BYLAW NUMBER 27P2021

- (id) In Section 121.1, under the heading of “Group B”, delete the uses “**Cannabis Counselling**”, “**Counselling Service**”, “**Heath Services Laboratory – With Clients**”, and “**Medical Clinic**”, and insert the use “**Health Care Service**”.
- (ie) Insert a new subsection 134.1(9) as follows:
 - “(9) In any **development permit** or Direct Control District approved after the effective date of this Bylaw, the following **uses** are deemed to be the **Health Care Service use**:
 - (a) **Cannabis Counselling;**
 - (b) **Counselling Service;**
 - (c) **Health Care Services Laboratory – With Clients;** and
 - (d) **Medical Clinic.**”
- (if) Insert new subsection 134.2(1)(i.2):
 - “(i.2) **Health Care Service;**”
- (ig) Delete Sections 176, 232, 233, and 160.1.
- (ih) Delete Section 204 and replace with the following:
 - “**204 “Health Care Service”**
 - (a) means a use that provides physical and mental health services on an out-patient basis. Services may be of a preventive, diagnostic, treatment, therapeutic, rehabilitative, or counseling nature;
 - (b) may only involve the following activities when located in the M-H1, M-H2, M-H3, M-X1, M-X2, I-R, S-URP Districts:
 - (i) counselling;
 - (c) is a **use** within the Care and Health Group in Schedule A to this Bylaw;
 - (d) does not require **bicycle parking stalls – class 1**; and
 - (e) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 250.0 square metres of **gross usable floor area.**”
- (ii) Delete subsection 226(ii)(B) and 226(iii)(B) and replace with the following:
 - “(B) **Health Care Service;**”

PROPOSED

BYLAW NUMBER 27P2021

- (ij) Insert subsection 226(a)(v):
 - “(v) where the **Health Care Service** use is limited to the following activities:
 - (A) counseling;”
- (ik) Delete subsection 286.1(f)(vi) and replace with the following:
 - “(vii) **Health Care Service**;”
- (il) Delete subsection 298(a)(ii) and replace with the following:
 - “(ii) that includes **Health Care Service**, where the use is limited to the following activities:
 - (A) counseling;”
- (im) Delete the use “**Health Services Laboratory – with Clients**” in subsections 314(c)(vi), 702(2)(f), 722(2)(g), 739(2)(g), 758(2)(i), 777(2)(g), 786(1)(e), 797(2)(h), 814(2)(i), 829(3)(b)(vi), 862(2)(n), 881(2)(l), 954(2)(i), 1163(2)(f), 1175(1)(d), 1180(2)(g), 1189(1)(f), 1245(3)(s), 1248(3)(a), 1255(3)(r), 1258(2)(a), 1306(3)(d), 1366(3)(e), and 1376(3)(e) and replace with “**Health Care Service**”.
- (in) Delete subsections 656(2) and 667(2) and replace with the following:
 - “(2) A **Health Care Service, Information and Service Provider, Office or Service Organization** may be located on the second **storey** of the **main residential building** provided they:
 - (a) are contained completely within the **building**; and
 - (b) do not share a hallway with **Dwelling Units**.”
- (io) Delete subsections 786(1) and 1189(1) and replace with:
 - “(1) The following **uses** must not be located on the ground floor of **buildings** where the **use** fronts a commercial street:
 - (a) **Assisted Living**;
 - (b) **Catering Service – Minor**;
 - (c) **Child Care Service**;
 - (d) **Dwelling Unit**;
 - (e) **Health Care Service**;
 - (f) **Instructional Facility**;
 - (g) **Live Work Unit**;
 - (h) **Office**;
 - (i) **Place of Worship – Small**;
 - (j) **Post-secondary Learning Institution**;
 - (j) **Residential Care**;
 - (l) **Social Organization**; and

PROPOSED

BYLAW NUMBER 27P2021

- (m) **Veterinary Clinic.”**
- (ip) Delete subsection 923(2)(f) and replace with the following:
 - “(f) **Health Care Service;**”
- (iq) Insert new subsection 938(2)(e.1):
 - “(e.1) **Health Care Service;**”
- (ir) Delete subsection 1045(2)(a) and replace with the following:
 - “(a) **Health Care Services** is 1000.0 square metres;”
- (is) Delete subsection 1075(2)(a) and replace with the following:
 - “(a) **Health Care Service;** and”
- (it) Delete the use “**Information and Service Provider**” in subsection 1133(2)(d.1) and replace with “**Health Care Service**”.
- (iu) Insert new subsection 1133(2)(d.2):
 - “(d.2) **Information and Service Provider;**”
- (iv) Delete subsection 1142(3) and replace with the following:
 - “(3) The total of all **use areas** for **Health Care Service** within a **building** must not exceed 600.0 square metres.”
- (iw) Delete subsection 1143(1) and replace with:
 - “(1) **Health Care Service, Instructional Facility – Inside, Office, and Service Organization uses** must not be located on the ground floor of **buildings.**”
- (ix) Delete subsection 1175(1) and replace with:
 - “(1) The following **uses** must not be located on the ground floor of **buildings** where the **use** fronts a commercial street:
 - (a) **Catering Service – Minor;**
 - (b) **Community Recreation Facility;**
 - (c) **Health Care Service;**
 - (d) **Indoor Recreation Facility**
 - (e) **Instructional Facility;**
 - (f) **Place of Worship – Small;**
 - (g) **Radio and Television Studio; and**
 - (h) **Service Organization.**”

PROPOSED

BYLAW NUMBER 27P2021

- (iy) Delete subsection 1264(2), 1270(2) and 1279(2) and replace with the following:
 - “(2) The maximum **use area** for a **Health Care Service** located on the ground floor of a **building** is 200.0 square metres, unless the **use** activities are limited to counselling, in which case the maximum **use** area is 465.0 square metres.”
- (iz) Insert new subsection 1267(3)(j.2):
 - “(j.2) **Heath Care Service;**”
- (ja) Insert new subsection 1281.1:
 - “**Use Activities**
1281.1 Retail and Consumer Service uses in this District are limited to the following activities:
 - (a) market for the sale of new or used goods and food products, not including live animals, by multiple vendors renting tables or space either in an enclosed building or outdoors.
- (jb) Delete subsection 1384(3) and replace with:
 - “(3) The length of the **building** façade that faces a **street** containing an individual **Financial Institution, Health Care Service, Office** or **Payday Loan use** on the floor closest to **grade** is a maximum of 9.0 metres.”
- (jc) Delete subsection 1318(1) and replace with the following:
 - “(1) The following **uses** must not be located on the ground floor of a **building**:
 - (a) **Custodial Care;** and
 - (b) **Dwelling Unit.**”
- (jd) Delete subsection 1318(3)(f) and replace with the following:
 - “(f) **Health Care Service;**”
- (je) Delete subsection 1373(3) and replace with the following:
 - “(3) The length of the **building** façade that faces a **street** containing an individual **Office** or **Payday Loan use** on the floor closest to **grade** is a maximum of 9.0 metres.”
- (jf) Insert new subsection 1383(f.1):
 - “(f.1) **Health Care Service;**”

PROPOSED

BYLAW NUMBER 27P2021

- (jg) Delete subsection 1384(3) and replace with the following:
- “(3) The length of the **building** façade that faces a **street** containing an individual **Health Care Service, Financial Institution, Office or Payday Loan use** on the floor closest to **grade** is a maximum of 9.0 metres.”
- (jh) Amend Schedule A, Care and Health Group, to delete the uses “**Cannabis Counselling**”, “**Counselling Service**”, “**Heath Services Laboratory – With Clients**”, and “**Medical Clinic**”, and insert the use “**Health Care Service**”.
- (ji) In Section 121.1, under the heading of “Group B”, delete the use “**Market**”.
- (jj) Insert a new subsection 134.1(10) as follows:
- “(10) In any **development permit** or Direct Control District approved after the effective date of this Bylaw, **Market** is deemed to be **Retail and Consumer Service**.”
- (jk) Delete subsection 286.1(a) and replace with the following:
- “(a) means a **use** where any of the following activities occur:
- (i) the general retail sale or rental of goods, materials products or supplies including merchandise that may also be sold at a **Building Supply Centre**;
 - (ii) services related to the care and appearance of the human body or hair;
 - (iii) services intended for relaxation and rejuvenation through massage, aromatherapy and similar nonmedical therapies;
 - (iv) the care, cleaning, alteration or repair of clothing, jewelry, or shoes;
 - (v) portrait and professional photography services;
 - (vi) the repair, service or refurbishment of furniture, electronic equipment and appliances that are used in the home; or
 - (vii) a market for the sale of new or used goods and food products, not including live animals, by multiple vendors renting tables or space either in an enclosed building or outdoors.”
- (jl) Insert new subsection 286.1(c.1):
- “(c.1) may provide seating for the purpose of food consumption for the activities identified in (a)(vii).”

PROPOSED

BYLAW NUMBER 27P2021

- (jm) Insert new subsection 1279(g.1):
- “(g.1) **Retail and Consumer Service;**”
- (jn) Amend Schedule A, Sales Group, to delete the use “**Market**”.
- (jo) Insert new subsection 13(115.1):
- “(115.1) “**public space**” means any publicly accessible amenity space, park, sidewalk or walkway.”
- (jp) Delete Sections 568, 696, 1018, 1117, 1153, 1239, 1301, and 1360 and replace with the following:
- “Mechanical systems or equipment located outside of a **building** shall be positioned, camouflaged or screened from view of a **public space**, or from view of a **parcel** designated as a **residential district**, located within 30.0 metres of the equipment, using a line of sight of 1.7 metres above **grade**.”
- (jq) Delete Section 902 and replace with the following:
- “Unless otherwise referenced in a District, mechanical systems or equipment located outside of a **building** shall be positioned, camouflaged or screened from view of a **public space**, or from view of a **parcel** designated as a **residential district**, located within 30.0 metres of the equipment, using a line of sight of 1.7 metres above **grade**.”
- (jr) Delete subsection 25.2(7) and replace with the following:
- “(7) Subsections (1), (3), (4), (5) and (6) remain in effect until July 1, 2023.”
- (js) Delete subsection 13(32)(a.1) and replace with the following:
- “(a.1) **Child Care Service;**”
- (jt) Insert a new subsection 13(32)(a.2) as follows:
- “(a.2) **Convenience Food Store;**”
- (ju) Delete subsections 645(3), 656(3), and 667(3) and replace with the following:
- “(3) The maximum **use area** for each **commercial multi-residential use** is 325.0 square metres.”
- (jv) Delete subsections 677(4) and 688(4) and replace with the following:
- “(4) The maximum **use area** for each **commercial multi-residential use** is 325.0 square metres.”

PROPOSED

BYLAW NUMBER 27P2021

- (jw) Delete subsection 344(1) and replace with the following:
- “(1) A **recreational vehicle** must not remain in an **actual front setback area** for longer than 36 hours.”
- (jx) Delete subsection 7(14) in its entirety.
- (jy) Insert subsection 13(7.1):
- “(7.1) “**Appeal Body**” means the board hearing a subdivision or **development permit** appeal in accordance with the *Municipal Government Act*.”
- (jz) Delete subsection 34(1)(b)(ii) and 39(1)(b)(ii) and replace with:
- “(ii) in the case of an appeal to the **Appeal Body**, until such time as the appeal has been fully dealt with by the **Appeal Body**, or the Alberta Court of Appeal in the case of an appeal or leave to appeal of a decision of the **Appeal Body**, or the appeal has been withdrawn or abandoned.”
- (ka) Delete subsection 44(7)(b) and replace with:
- “(b) in the case of an appeal to the **Appeal Body**, the date upon which the **Appeal Body** renders a written decision approving the **development permit** application; or”
- (kb) Delete Section 48 and replace with:
- “(1) Appeals in respect of decisions on **development permit** applications are governed by the *Municipal Government Act*.
- (2) The **Appeal Body** must ensure that notice of a hearing of an appeal to the **Appeal Body** is published at least five days prior to the date of the hearing.
- (3) If the decision of the **Development Authority** to refuse a **development permit** is reversed by the **Appeal Body**, the **Development Authority** must endorse the **development permit** in accordance with the decision of the **Appeal Body**.
- (4) If the decision of the **Development Authority** to approve a **development permit** application is reversed by the **Appeal Body**, the **development permit** is null and void.
- (5) If a decision of the **Development Authority** to approve a **development permit** is upheld by the **Appeal Body**, the **Development Authority** must release the **development permit** upon completion of any outstanding prior to release conditions.

PROPOSED

BYLAW NUMBER 27P2021

- (6) If any decision of the **Development Authority** is varied by the **Appeal Body**, the **Development Authority** must endorse a **development permit** reflecting the decision of the **Appeal Body** and act in accordance therewith.”
- (kc) In Part 3, delete the heading “Division 1: Road Rights-of-Way” and replace with the following:
- “Division 1: Public Realm Setbacks”**
- (kd) Insert a new Section 53(0.1):
- “Purpose**
53 (0.1) To maintain and improve the quality of the physical environment for the overall public interest, the public realm setbacks are intended to accommodate public realm improvements, pedestrian environment improvements, and context specific mobility improvements.”
- (ke) Delete the heading for Section 53, “Rights-of-Way Property Line Setbacks”, and replace with the following:
- “Required Setbacks”**
- (kf) In subsection 53(1):
- (i) delete the words "basic right-of-way requirements" and replace them with the words "Required Setbacks"; and
- (ii) replace the title of Table 1, "Road Rights-of-Way", with the following:
- “Table 1: Required Setbacks”**
- (kg) Delete subsection 73(9) and replace with the following:
- “(9) Signs**, sign supports and structures for **signs** must not be located in the Required Setbacks referenced in section 53 and Table 1.
- (kh) Delete Table 7, Item 8.0.4(b) and replace with the following:
- “(b) at **grade** pedestrian circulation provided within a triangular area formed on a corner **parcel** by the two **property lines**, as determined by Table 1, Required Setbacks, and a straight line which intersects them 7.5 metres from where they meet which:
- (i) must not contain any **buildings** within 3.0 metres from where they meet;
- (ii) may only contain pillars and structural supports in areas which are greater than 3.0 metres of where they meet; and

PROPOSED

BYLAW NUMBER 27P2021

- (iii) must be a minimum height of 4.6 metres measured vertically from ***grade;***"

2. This bylaw comes into force on 05 July 2021, with the exception of subsection (jr) (expiry date for the Centre City Enterprise Area) which comes into effect the date this bylaw is passed.

READ A FIRST TIME ON _____

READ A SECOND TIME ON _____

READ A THIRD TIME ON _____

MAYOR

SIGNED ON _____

CITY CLERK

SIGNED ON _____