

BYLAW NUMBER 22P2016

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE LAND USE BYLAW 1P2007**

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) Amend subsection 5(1)(d) by adding "and Street Bylaw" after "Calgary Traffic Bylaw".
 - (b) Add a new subsection (13.1) to section 7:

(13.1) "Street Bylaw" means the *Street Bylaw, 20M88*.
 - (c) Delete subsection 13(68) and insert the following:

"(68) "**General Manager**" means the **City Manager** or the **City Manager's** designate."
 - (d) Amend subsection 27(5)(d) by deleting the word "and".
 - (e) Add a new subsection (d.1) to subsection 27(5):

"(d.1) **Rowhouse Building** when listed as a **discretionary use** in the **Developed Area**; and"
 - (f) Add a new section 156.1

"156.1 "Brewery, Winery and Distillery"

 - (a) means a **use**:
 - (i) where beer, wine, spirits and other alcoholic beverages are manufactured;
 - (ii) that may have areas and facilities for the storage, packaging, bottling, canning and shipping of the products made;

- (iii) that may have a private hospitality area where products made on the premises are provided to private groups for tasting and consumption as a special event;
 - (iv) that may include the retail sale of products made on the premises for consumption off the premises;
 - (v) that may include a **public area** of 75.0 square metres or less where beer, wine, spirits and other alcoholic beverages manufactured on the premises are sold to the general public for consumption on the premises;
 - (vi) where the private hospitality area and the **public area** may be separate floor areas or may occur in the same floor area, but whether these activities are combined or separate the **public area** may not exceed the maximum in subsection (a)(v) unless combined with another **use** as contemplated in subsection (c);
 - (vii) that may include the preparation and sale of food for consumption on the premises to private groups in the private hospitality area and to the general public in the **public area**;
- (b) is a **use** within the General Industrial Group in Schedule A to this Bylaw;
- (c) may be combined with a **Drinking Establishment – Large, Drinking Establishment – Medium, Drinking Establishment – Small, Restaurant: Licensed – Large, Restaurant: Licensed – Medium or Restaurant: Licensed – Small** when one of these **uses** is also a listed **use** in the same district as a **Brewery, Winery and Distillery**, but the maximum total **public area** of the combined **uses** is the largest **public area** allowed in one of the combined **uses**;
- (d) when the **use** includes a **public area**, it must not have any openings, except emergency exits, loading bay doors or non-opening windows, on a facade that faces a **residential district** or abuts a **lane** separating the **parcel** from a **residential district**;
- (e) when the **use** includes a **public area**, it must not have an exterior entrance located on a facade that faces a **residential district**, unless that facade is separated from the **residential district** by an intervening **street**;
- (f) when the **use** is located in an **industrial district**, the maximum floor area of a display and sales area located in a **building** is the greater of:
- (i) 38.0 square metres; or

- (ii) 20.0 per cent of the **gross floor area** of the **use** to a maximum of 465.0 square metres;
 - (g) requires a minimum number of **motor vehicle parking stalls** that is the sum of:
 - (i) the greater of:
 - (A) 1.0 stalls per 100.0 square metres of **gross usable floor area** for the first 2000.0 square metres, and then 1.0 stalls for each subsequent 500.0 square metres, not including any **public area**; or
 - (B) 1.0 stalls per three (3) employees based on the maximum number of employees at the **use** at any given time, not including employees working only in the **public area**; and
 - (ii) 1.70 **motor vehicle parking stalls** per 10.0 square metres of **public area** where beer, wine, spirits and other alcoholic beverages manufactured on the premises are sold to the general public for consumption on the premises;
 - (h) does not require **bicycle parking stalls – class 1**; and
 - (i) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 250.0 square metres of **gross usable floor area**.
- (g) In subsection 247(a)(ii) after “**Convenience Food Store**,” add “**Brewery, Winery and Distillery**,”.
- (h) Add new subsection (b.2) to subsection 703(3):
- “(b.2) **Brewery, Winery and Distillery**,”
- (i) Add new subsection (c.1) to subsections 723(3), 863(3) and 1278(3):
- “(c.1) **Brewery, Winery and Distillery**,”
- (j) Add new subsection (e.1) to subsections 740(3) and 955(2):
- “(e.1) **Brewery, Winery and Distillery**,”
- (k) Add new subsection (d.1) to subsections 759(3), 778(3), 882(3), 1164(3), 1181(3) and 1307(3):
- “(d.1) **Brewery, Winery and Distillery**,”
- (l) Add new subsection (f.1) to subsections 798(3) and 815(3):
- “(f.1) **Brewery, Winery and Distillery**,”

- (m) Add new subsection (b.1) to subsections 908(2) and 969:
“(b.1) **Brewery, Winery and Distillery;**”
- (n) Delete subsection 924(3)(a) and insert the following:
“(a) **Brewery, Winery and Distillery;**
(a.1) **Drinking Establishment – Medium;**”
- (o) Delete subsection 939(2)(a), (a.1), (a.2) and (a.3) and insert the following:
“(a) **Artist’s Studio;**
(a.1) **Auto Service – Minor;**
(a.2) **Beverage Container Quick Drop Facility;**
(a.3) **Brewery, Winery and Distillery;**
(a.4) **Car Wash – Single Vehicle;**”
- (p) Add new subsection (a.2) to subsections 1249(3) and 1259(3):
“(a.2) **Brewery, Winery and Distillery;**”
- (q) Amend subsections 791(3) and 1107(6.1) by deleting “For a **Computer Games Facility,**” and replace with “For a **Brewery, Winery and Distillery, Computer Games Facility,**”.
- (r) Amend Schedule A, General Industrial Group, by adding “**Brewery, Winery and Distillery**” to the list after “**Asphalt, Aggregate and Concrete Plant**”.
- (s) Amend Schedule A, Sales Group, by adding “**Payday Loan**” to the list after “**Pawn Shop**”.
- (t) Add new subsection (4) to sections 386, 426, 578, 588, 597, 723 and 798:
“(4) The following **uses** are additional **discretionary uses** on a **parcel** that has an existing **building** used as a **Place of Worship – Large** or **Place of Worship – Medium** provided any new **development** proposed does not result in the increase of any **assembly area**:
(a) **Place of Worship – Large;** and
(b) **Place of Worship – Medium.**”

(u) Add new subsection (5) to section 1124.

“(5) The following **uses** are additional **discretionary uses** on a ~~parcel~~ that has an existing **building** used as a **Place of Worship – Large** or **Place of Worship – Medium** provided any new **development** proposed does not result in the increase of any **assembly area**:

- (a) **Place of Worship – Large**; and
- (b) **Place of Worship – Medium.**”

2. This Bylaw comes into force on the date it is passed.

READ A FIRST TIME THIS ____ DAY OF _____, 2016.

READ A SECOND TIME THIS ____ DAY OF _____, 2016.

READ A THIRD TIME THIS ____ DAY OF _____, 2016.

MAYOR
SIGNED THIS ____ DAY OF _____, 2016.

CITY CLERK
SIGNED THIS ____ DAY OF _____, 2016.