

BYLAW NUMBER 43P2015

**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) Add new subsections (g.1) and (g.2) to section 27(2):

“(g.1) **Pawn Shop**;

“(g.2) **Payday Loan**,”
 - (b) Add a new subsection (c.1) to section 254:

“(c.1) must not be located within 400.0 metres of any other **Pawn Shop**, measured from the closest point of a **Pawn Shop** to the closest point of another **Pawn Shop**,”
 - (c) Add section 254.1:

“254.1 “Payday Loan”

 - (a) means a **use** where the advancement of money with a principal of \$1,500 or less and term of 62 days or less is made in exchange for a post-dated cheque, a pre-authorized debit or a future payment of a similar nature, but not for any guarantee, suretyship, overdraft protection or security on property, and not through a margin loan, pawnbroking, a line of credit or a credit card;
 - (b) is a **use** within the Sales Group in Schedule A to this Bylaw;
 - (c) must not be located within 400.0 metres of any other **Payday Loan** or any other approved **use** for the activities described in subsection (a), when measured from the closest point of a **Payday Loan** to the closest point of another **Payday Loan** or any other approved **use** for the activities described in subsection (a);
 - (d) requires a minimum of 2.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**;

- (e) requires a minimum of 1.0 **bicycle parking stalls – class 1** per 100.0 square metres of **gross usable floor area**; and
- (f) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 100.0 square metres of **gross usable floor area**.”
- (d) Amend section 40 by deleting “or” at the end of the sentence in subsection (g).
- (e) Amend section 40 by deleting “.” at the end of the sentence in subsection 40(h)(iii) and replacing it with “.”.
- (f) In section 40 add new subsections (i) and (j):
 - “(i) is for a **Pawn Shop**:
 - (i) within 200 metres of another existing approved **Pawn Shop** where the **development permit** is for the expansion or alteration of an existing approved **Pawn Shop** or renewal of a previously approved **development permit** for a **Pawn Shop**;
 - (ii) in all other cases, where a **Pawn Shop** is located within 90 per cent of a minimum separation distance specified in subsection 254(c.1); or
 - (j) is for a **Payday Loan** located within 90 per cent of a minimum separation distance specified in subsection 254.1(c).”
- (g) Delete subsection 193(a) and insert the following:
 - “(a) means a **use** where:
 - (i) banks, credit unions, trust companies, and treasury branches operate, but does not include
 - (A) **Pawn Shops** or businesses that offer financing for products sold at that business; or,
 - (B) businesses that solely offer secured or guaranteed financing;
 - (C) **Payday Loans**; or
 - (ii) three or more automated banking machines are located directly adjacent to each other;”
- (h) Delete subsection 43(1)(d) and (e) and insert the following:

- “(d) the requirements of conditions of the **development permit** have not been complied with;
- (e) the applicant requests, by way of written notice of the **Development Authority**, the cancellation of the **development permit**, provided that commencement of the **use, development** or construction has not occurred; or
- (f) the **Development Authority** cancels a **development permit** for a **use** after it has commenced, to allow the same **use** in a new location that would otherwise not be allowed by a location distance rule when measured from the original location of approval.”
- (i) Add new subsection (o.1) to subsection 723(3):
(o.1) **Payday Loan;**
- (j) Add new subsection (t.1) to subsections 740(3) and 882(3):
(t.1) **Payday Loan;**
- (k) Add new subsection (w.1) to subsection 759(3):
(w.1) **Payday Loan;**
- (l) Add new subsection (u.1) to subsections 778(3), 863(3), 1181(3) and 1278(3):
(u.1) **Payday Loan;**
- (m) Add new subsection (dd.1) to subsection 798(3):
(dd.1) **Payday Loan;**
- (n) Add new subsection (bb.1) to subsection 815(3):
(bb.1) **Payday Loan;**
- (o) Add new subsection (d.1) to subsection 830(4):
(d.1) **Payday Loan;**
- (p) Add new subsection (n.1) to subsections 924(2) and 1269(3):
(n.1) **Payday Loan;**
- (q) Add new subsection (k.01) to subsection 939(2):
(k.01) **Payday Loan;**
- (r) Add new subsection (r.1) to subsection 955(2) and 1259(3):

- (r.1) **Payday Loan;**
- (s) Add new subsection (p.1) to subsection 969:
- (p.1) **Payday Loan;**
- (t) Add new subsection (z.1) to subsection 1164(3):
- (z.1) **Payday Loan;**
- (u) Add new subsection (aa.1) to subsection 1307(3):
- (aa.1) **Payday Loan;**
- (v) Add new subsection (l.1) to subsection 1249(3):
- (l.1) **Payday Loan;**

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

READ A FIRST TIME THIS ____ DAY OF _____, 2015.

READ A SECOND TIME THIS ____ DAY OF _____, 2015.

READ A THIRD TIME THIS ____ DAY OF _____, 2015.

MAYOR
SIGNED THIS ____ DAY OF _____, 2015.

CITY CLERK
SIGNED THIS ____ DAY OF _____, 2015.