

BYLAW NUMBER 5P2015

**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) Delete Sections 13 (32) (j), (k), (l), (m) and replace with the following:

- “(j) **Restaurant: Neighbourhood;**
- “(k) **Retail and Consumer Service;**
- “(l) **Service Organization;**
- “(m) **Specialty Food Store;** and
- “(n) **Take Out Food Service.”**

(b) Delete Section 25 (1) (j) (iii) (H) and replace with the following:

- “(H) **Restaurant: Neighbourhood;** and
- “(I) **Night Club;”**

(c) Insert a new Section 283.1 as follows:

“283.1 “Restaurant: Neighbourhood”

(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 may be licensed for the sale of liquor by the Alberta Gaming and Liquor Commission; and
- (iii) that has a **public area** of 150.0 square metres or less; and

(b) where the following neighbourhood sensitive rules are met:

- (i) that may have a maximum of 10.0 square metres of **public area** used for the purposes of providing entertainment for patrons which is ancillary to the service of food;
- (ii) minors are never prohibited;
- (iii) the kitchen remains open and full meal items are available until one hour before closing time;

- (c) is a **use** within the Eating and Drinking Group in Schedule A to this Bylaw;
- (d) 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**;
- (e) must not have an exterior entrance located on a façade that faces a **residential district**, unless that façade is separated by an intervening **street**;
- (f) requires a minimum of 1.7 **motor vehicle parking stalls** per 10.0 square metres of **public area**;
- (g) does not require **bicycle parking – class 1 or class 2**.”
- (d) Insert a new subsection to Section 637 (1) as follows:
“(s.1) **Restaurant: Neighbourhood**;”
- (e) Insert a new subsection to Section 648 (1) as follows:
“(u.1) **Restaurant: Neighbourhood**;”
- (f) Insert a new subsection to Section 659 (1) as follows:
“(u.1) **Restaurant: Neighbourhood**;”
- (g) Insert a new subsection to Section 670 (1) as follows:
“(s.1) **Restaurant: Neighbourhood**;”
- (h) Insert a new subsection to Section 680 (1) as follows:
“(s.1) **Restaurant: Neighbourhood**;”
- (i) Insert a new subsection to Section 703 (3) as follows:
“(n.1) **Restaurant: Neighbourhood**;”
- (j) Insert a new subsection to Section 723 (3) as follows:
“(s.1) **Restaurant: Neighbourhood**;”
- (k) Insert a new subsection to Section 734 (d) as follows:
“(viii) **Restaurant: Neighborhood**; and”

- (l) Insert a new subsection to Section 739 (2) as follows:
- “(u.1) **Restaurant: Neighbourhood;**”
- (m) Delete and replace the text in Sections 752 (a) (x) and (xi) with:
- “(x) **Restaurant: Licensed – Small;**
(xi) **Restaurant: Licensed – Medium;** and
(xii) **Restaurant: Neighbourhood;**”
- (n) Insert a new subsection to Section 758 (2) as follows:
- “(x.1) **Restaurant: Neighbourhood;**”
- (o) Insert a new subsection to Section 777 (2) as follows:
- “(t.1) **Restaurant: Neighbourhood;**”
- (p) Insert “**Restaurant: Neighbourhood**” into Section 791 (2) (e) after “**Restaurant: Licensed – Medium,**”
- (q) Insert “**Restaurant: Neighbourhood,**” into Section 791 (3) after “**Restaurant: Licensed – Small,**”
- (r) Insert a new subsection to Section 797 (2) as follows:
- “(w.1) **Restaurant: Neighbourhood;**”
- (s) Insert a new subsection to Section 814 (2) as follows:
- “(y.1) **Restaurant: Neighbourhood;**”
- (t) Insert a new subsection to Section 830 (4) as follows:
- “(g.1) **Restaurant: Neighbourhood;**”
- (u) Insert a new subsection to Section 845 as follows:
- “(u.1) **Restaurant: Neighbourhood;**”
- (v) Insert a new subsection to Section 862 (2) as follows:
- “(hh.1) **Restaurant: Neighbourhood;**”
- (w) Insert a new subsection to Section 881 (2) as follows:
- “(dd.1) **Restaurant: Neighbourhood;**”
- (x) Amend Schedule A, Eating and Drinking Group by inserting:
- “**Restaurant: Neighbourhood**” after “**Restaurant: Licensed – Small.**”

2. This Bylaw comes into force on 2015 February 23.

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.