

PROPOSED

IP2022-0503
ATTACHMENT 4

BYLAW NUMBER 37P2022

BEING A BYLAW OF THE CITY OF CALGARY TO AMEND THE LAND USE BYLAW 1P2007 (IP2022-0503)

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 6(2)(a) and replace with:

“6(2)(a) the distance from a **Cannabis Store** to a **building** containing a **School – Private** or **School Authority – School**, or a boundary of a **parcel** of land on which the **building** is located, as described in sections 160.3(i) and 40(k) of this Bylaw;”
 - (b) Amend subsection 6(2)(b) by deleting “.” after the word “Bylaw” and insert “; and”
 - (c) Add a new subsection 6(2)(c) as follows:

“6(2)(c) there is no required separation distance from a **Cannabis Store** or a **Cannabis Facility** to a **building** containing a **Child Care Service**, whether or not such **Child Care Service** includes **early childhood services**.”
 - (d) Add new subsections 7(6.1), (6.2) and (6.3) as follows:

“7(6.1) “Education Act” means the *Education Act*, S.A. 2012.

7(6.2) “Highways Development and Protection Act” means the *Highways Development and Protection Act*, S.A. 2004.

7(6.3) “Historical Resources Act”, means the *Historical Resources Act*, R.S.A. 2000.”
 - (e) Delete subsection 7(13) in its entirety.
 - (f) Amend subsection 7(18) by deleting “20M2001” and replacing with “4M2020”.

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- (g) Add a new subsection 13(57.4) as follows:
- “**13(57.4)** “**early childhood services**” means an early childhood services program as defined in the *Education Act*,”
- (h) Add a new subsection 13(73.1) as follows:
- “**13(73.1)** “**hazardous waste**” means waste that has one or more specific properties considered to be hazardous under the *Alberta Waste Control Regulation*.”
- (i) Renumber subsection 13(119.1) to (119.2) and add a new subsection 13(119.1) as follows:
- “**13(119.1)** “**recyclable**” means a substance or mixture of substances that can be reclaimed using established industry practices to create new materials or objects.”
- (j) Add a new subsection 13(142) as follows:
- “**13(142)** “**waste**” means a solid or liquid material or product or combination of them that is disposed of or stored prior to transportation to the final disposal location. **Waste** that includes any amount of **recyclables** is considered **waste**.”
- (k) Amend subsection 14(2)(c) by adding “and” after “;”.
- (l) Delete subsection 14(2)(d).
- (m) Add new subsections 21(3)(f.1); (j.1); and (u.2) as follows:
- “(f.1) **Hazardous Waste Management Facility**, when not operated by, or on behalf of, the **City**,”
- (j.1) **Landfill**, when not operated by, or on behalf of, the **City**;
- (u.2) **Waste Storage Site**, when not operated by, or on behalf of, the **City**; and”
- (n) Delete subsection 21(3)(u.1).
- (o) Delete subsection 25(1)(p)(ii) and replace with:
- “(ii) **Hazardous Waste Management Facility, Landfill, Sewage Treatment Plant, Utilities, Waste Storage Site, and Water Treatment Plant**,”
- (p) Add a new subsection 25(2)(o) as follows:
- “**25(2)(o)** a change of **use** for a **building** or portion of a **building** does not require a **development permit** if:

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- (i) it is located in the **I-G, I-B** or **I-C** districts;
- (ii) it does not include additions, exterior alterations, or changes to site plans; and
- (iii) unless otherwise referenced in subsection (iv), the proposed **use** is listed as a **permitted use** in the district; and
- (iv) a **development permit** is required for a change of **use** for a **building** or portion of a **building** if the proposed **use** is one of the following **uses**:
 - (A) **Brewery, Winery and Distillery.**
- (q) Delete Section 25.3 in its entirety.
- (r) Delete Maps 2.2, 2.3 and 2.4.
- (s) Add new subsections 27(2)(c.2); (d.1); and (k.1) as follows:
 - “(c.2) **Hazardous Waste Management Facility**;
 - (d.1) **Landfill**;
 - (k.1) **Waste Storage Site**;
- (t) Delete subsection 27(2)(k).
- (u) Amend Table 1.2 by deleting “**Waste Disposal and Treatment Facility** when not operated by, or on behalf of, the **City**,” and adding the following to Group D of table 1.2, in alphabetical order: “**Hazardous Waste Management Facility** when not operated by, or on behalf of, the **City**”; “**Landfill** when not operated by, or on behalf of, the **City**”; and “**Waste Storage Site** when not operated by, or on behalf of, the **City**”.
- (v) Add new subsections 123(6)(m.1); (m.2); and (kk.1) as follows:
 - “(m.1) **Hazardous Waste Management Facility**;
 - (m.2) **Landfill**;
 - (kk.1) **Waste Storage Site**; and;”
- (w) Delete subsection 123(6)(kk).
- (x) Amend subsection 134.1(1)(j) by deleting “and” after “;”.

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- (y) Add a new subsection 134.1(1)(j.1) as follows:
- “(j.1) **Specialized Industrial**; and”
- (z) Amend subsection 134.1(3) by deleting “the I-B and S-URP Districts” and replacing with “the S-URP District”.
- (aa) Amend subsection 134.1(4)(e) by deleting “and” after “;”.
- (bb) Amend subsection 134.1(4)(f) by deleting “.” and replace it with “;”.
- (cc) Add a new subsection 134.1(4)(g) as follows:
- “**134.1(4)(g) Waste Disposal and Treatment Facility** is deemed to be the **Hazardous Waste Management Facility use** when **hazardous waste** that is produced off-site is collected, stored, treated, or disposed of;”
- (dd) Add a new subsection 134.1(4)(h) as follows:
- “**134.1(4)(h) Waste Disposal and Treatment Facility** is deemed to be the **Landfill use** when **waste**, other than **hazardous waste**, is disposed of by placing it on or in land;”
- (ee) Add a new subsection 134.1(4)(i) as follows:
- “**134.1(4)(i) Waste Disposal and Treatment Facility** is deemed to be the **Waste Storage Site use** when **waste**, other than **hazardous waste**, is stored in piles or inside **buildings** before being transported to another **parcel** for treatment or disposal; and”
- (ff) Add a new subsection 134.1(4)(j) as follows:
- “**134.1(4)(j) Equipment Yard** is deemed to be the **Storage Yard use**.”
- (gg) Add a new subsection 134.1(13) as follows:
- “**134.1(13)** In any **development permit** or Direct Control District approved after the effective date of this Bylaw, the following **uses** are deemed to be the **Vehicle Storage use**:
- (a) **Vehicle Storage – Large;**
 - (b) **Vehicle Storage – Passenger;** and
 - (c) **Vehicle Storage – Recreational.**”
- (hh) Add a new subsection 134.1(14) as follows:
- “**134.1(14)** In any **development permit** or Direct Control District approved after the effective date of this Bylaw, the following **uses** are deemed to be the **General Industrial – Light use** when the use is

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located in, or the Direct Control district references the I-B District:

- (a) **Specialized Industrial.**
- (ii) Amend subsections 155.1(c)(ii) and 155.1(d)(ii) by deleting “recyclable material” and replacing it with “**recyclables**”.
- (jj) Delete subsection 165(a)(iii) and replace with:
 - “**165(a)(iii)** that includes day cares, pre-schools, out-of-school care, **early childhood services** and other programs where the primary purpose is the care of children;”
- (kk) Delete section 190 in its entirety.
- (ll) Delete subsection 199(a)(vi) and replace with:
 - “(vi) where goods being stored are not motor vehicles, equipment, **hazardous waste, or waste;**”
- (mm) Delete subsection 203.1(a)(i)(C) and replace with:
 - “**203.1(a)(i)(C)** the crushing, dismantling, sorting or processing of collected materials that include **recyclables**, where activities that involve chemicals or the application of heat are contained within a fully enclosed **building;**”
- (nn) Amend subsection 203.1(a)(iii) by deleting “and” after “;”.
- (oo) Amend subsection 203.1(a)(iv) by adding “and” after “;”.
- (pp) Add a new subsection 203.1(a)(v) as follows:
 - “**203.1(a)(v)** that may not include any of the following **uses:**
 - (A) **Hazardous Waste Management Facility;**
 - (B) **Landfill;** or
 - (C) **Waste Storage Site;**”
- (qq) Delete subsection 203.2(a)(i)(D) and replace with:
 - “**203.2(a)(i)(D)** the crushing, dismantling, sorting or processing of collected materials that include **recyclables**, that may involve chemicals or the application of heat;”
- (rr) Amend subsection 203.2(a)(iii) by deleting “and” after “;”.
- (ss) Amend subsection 203.2(a)(iv) by adding “and” after “;”.

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(tt) Add a new subsection 203.2(a)(v) as follows:

“**203.2(a)(v)** that may not include any of the following **uses**:

- (A) **Hazardous Waste Management Facility;**
- (B) **Landfill; or**
- (C) **Waste Storage Site;”**

(uu) Delete subsection 203.3(a)(i)(D) and replace with:

“**203.3(a)(i)(D)** the crushing, dismantling, sorting or processing of collected materials that include **recyclables**, where activities that involve chemicals or the application of heat are contained within a fully enclosed **building**,”

(vv) Amend subsection 203.3(a)(iii) by deleting “and” after “;”.

(ww) Amend subsection 203.3(a)(iv) by adding “and” after “;”.

(xx) Add a new subsection 203.3(a)(v) as follows:

“**203.3(a)(v)** that may not include any of the following **uses**:

- (A) **Hazardous Waste Management Facility;**
- (B) **Landfill; or**
- (C) **Waste Storage Site;”**

(yy) Add a new section 203.4 as follows:

“**203.4 “Hazardous Waste Management Facility”**

(a) means a **use**:

- (i) where **hazardous waste** that is produced off-site is collected, stored, treated, or disposed of;
- (ii) where there may be a **building** for the administrative functions of the **use**; and
- (iii) that may be subject to specific setback requirements listed in a Provincial regulation;

(b) is a **use** within the Infrastructure Group in Schedule A to this Bylaw;

(c) requires a minimum number of **motor vehicle parking stalls** based on a parking study required at the time of land use redesignation application; and

(d) does not require **bicycle parking stalls – class 1 or class 2.**”

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(zz) Add a new section 220.1 as follows:

“220.1 “Landfill”

(a) means a *use*:

- (i) where **waste**, other than **hazardous waste**, is disposed of by placing it on or in land;
- (ii) where **waste**, other than **hazardous waste**, may be treated in **buildings** and structures or areas open to the air;
- (iii) where there may be a **building** for the administrative functions of the **use**; and
- (iv) that may be subject to specific setback requirements listed in a Provincial regulation;

(b) is a *use* within the Infrastructure Uses Group in Schedule A to this Bylaw;

(c) must be designed, operated and maintained according to Provincial regulations;

(d) does not require **motor vehicle parking stalls**; and

(e) does not require **bicycle parking stalls – class 1 or class 2.**”

(aaa) Delete subsection 274.1(a)(i) and replace with:

“274.1(a)(i) where collected materials that include **recyclables** from the construction of **buildings** on other **parcels** are stored prior to their removal and processing on a different **parcel**;”

(bbb) Delete subsection 274.1(a)(iii) and replace with:

“(iii) that is not a **Hazardous Waste Management Facility, Landfill, or Waste Storage Site**;”

(ccc) Amend subsections 274.2(a)(ii) and (iii); 274.2(d)(i) and (ii); and 274.2(e)(ii) by deleting “recyclable material” and replacing it with **“recyclables”**.

(ddd) Delete subsection 284(a)(iv) and replace with:

“(iv) that is not a **Hazardous Waste Management Facility, Landfill, or Waste Storage Site**; and”

(eee) Amend subsection 288(a)(i) by deleting “salvaged and recycled material” and replacing it with “salvaged materials and **recyclables**”.

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- (fff) Delete subsection 288(a)(ii) and replace with:
- “(ii) that is not a **Hazardous Waste Management Facility, Landfill, or Waste Storage Site;**”
- (ggg) Amend subsection 288.1(a)(i) by deleting the “and” after “.” and replace it with “or”.
- (hhh) Amend subsections 290(a)(i) and (iii) by deleting “*School Act*” and replacing it with “*Education Act*”.
- (iii) Amend subsection 291(a)(i) by deleting “*School Act*” and replacing it with “*Education Act*”.
- (jjj) Amend subsection 291(a)(iv) by deleting “and” after “;”.
- (kkk) Amend subsection 291(a)(v) by adding “and” after “;”.
- (lll) Add a new subsection 291(a)(vi) as follows:
- “**291(a)(vi)** where other educational programs pursuant to the *Education Act* may be offered to students.”
- (mmm) Delete subsection 313(a)(iii) and replace with:
- “**313(a)(iii)** where the goods, materials and supplies stored are not motor vehicles, equipment, **recyclables** or **waste;**”
- (nnn) Delete subsection 313(a)(iv) and replace with:
- “**313(a)(iv)** where goods may be stored in a trailer, shipping container, quonset hut or other moveable, non-permanent structure with a roof;”
- (ooo) Amend subsection 313(a)(v) by deleting “and” after “;”.
- (ppp) Add a new subsection 313(a)(viii) as follows:
- “**313(a)(viii)** where equipment used in road construction, building construction, agricultural operations, oil and gas operations or other similar industries may be stored, serviced, cleaned, tested, repaired or rented when they are not being used;”
- (qqq) Add a new subsection 313(a)(ix) as follows:
- “**313(a)(ix)** that may include the incidental sale of used equipment that were previously stored or rented on the **parcel;**”

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(rrr) Add a new subsection 313(a)(x) as follows:

“**313(a)(x)** that does not involve the storage of *dilapidated vehicles*, derelict equipment or construction material; and”

(sss) Add a new subsection 313(a)(xi) as follows:

“**313(a)(xi)** that may not include or be combined with any of the following **uses:**

- (A) **Hazardous Waste Management Facility;**
- (B) **Landfill; or**
- (C) **Waste Storage Site;”**

(ttt) Delete section 327 in its entirety.

(uuu) Delete section 328 in its entirety.

(vvv) Delete section 329 in its entirety.

(www) Add a new section 329.1 as follows:

“329.1 “Vehicle Storage”

(a) means a **use:**

- (i) where vehicles or *recreational vehicles* are stored when they are not in use;
- (ii) where the vehicles stored are not serviced, cleaned or repaired either in a *building* or outdoors;
- (iii) that does not accommodate the storage of any equipment;
- (iv) that does not accommodate the storage of any *dilapidated vehicles*;
- (v) that may have a *building* for administrative functions associated with the **use**;
- (vi) that does not involve the production, display or sale of vehicles as part of the **use**; and
- (vii) that may not include or be combined with any of the following **uses:**

- (A) **Hazardous Waste Management Facility;**
- (B) **Landfill; or**
- (C) **Waste Storage Site;**

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- (b) is a **use** within the Storage Group in Schedule A to this Bylaw;
 - (c) must provide 1.0 **motor vehicle parking stalls** for every vehicle stored on the **parcel**; and
 - (d) does not require **bicycle parking stalls – class 1 or class 2.**
- (xxx) Add a new section 332.1 as follows:
- “332.1 “Waste Storage Site”**
- (a) means a **use**:
 - (i) where **waste**, other than **hazardous waste**, that is produced off-site, is stored in piles or inside **buildings** before being transported to another **parcel** for treatment or disposal;
 - (ii) where **waste**, other than **hazardous waste**, may be sorted, compacted, shredded, ground or processed;
 - (iii) where there may be a **building** for the administrative functions of the **use**;
 - (iv) that may be subject to specific setback requirements listed in a Provincial regulation;
 - (b) is a **use** within the Infrastructure Uses Group in Schedule A to this Bylaw;
 - (c) does not require **motor vehicle parking stalls**; and
 - (d) does not require **bicycle parking stalls – class 1 or class 2.**
- (yyy) Delete section 333 in its entirety.
- (zzz) Amend subsection 365.1(15) by adding “, prior to collection,” after “stored”.
- (aaaa) Amend subsection 503(1) by adding “, prior to collection,” after “stored”.
- (bbbb) Amend subsection 523(1) by adding “, prior to collection,” after “stored”.
- (cccc) Amend subsection 566(1) by adding “, prior to collection,” after “stored”.
- (dddd) Amend subsection 697(1) by adding “, prior to collection,” after “stored”.
- (eeee) Amend subsection 903(1) by adding “, prior to collection,” after “stored”.
- (ffff) Add a new subsection 903(3) as follows:
- “903(3)No materials shall be allowed to escape the *parcel*.”**

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(gggg) Delete subsection 906(c) in its entirety.

(hhhh) Delete subsection 908(1)(a).

(iiii) Add a new subsection 908(2)(dd.2) as follows:

“908(2) (dd.2) Vehicle Rental – Minor;”

(jjjj) Delete section 912 and replace with:

“912 (1) Unless otherwise referenced in subsection (2), there is no maximum **building height** for a **building** located on a **parcel** in the Industrial – General District.

(2) Where the **parcel** shares a **property line** with a **parcel** in the S-SPR District or a **residential district**, the maximum **building height** is 18.0 metres.”

(kkkk) Add a new subsection 923(2)(e.1) as follows:

“923(2)(e.1) General Industrial – Light;”

(llll) Amend subsection 923(2)(n) by adding “and” after “;”.

(mmmm) Amend subsection 923(o) by deleting “and”.

(nnnn) Delete subsection 923(2)(p).

(oooo) Add a new subsection 969(ff.2) as follows:

“969(ff.2) Vehicle Rental – Minor;”

(pppp) Amend section 996 by adding “, prior to collection,” after “stored”.

(qqqq) Amend section 1009 by adding “, prior to collection,” after “stored”.

(rrrr) Amend subsection 1019(1) by adding “, prior to collection,” after “stored”.

(ssss) Add a new subsection 1019(3) as follows:

“1019(3) No materials shall be allowed to escape the *parcel*.”

(tttt) Add new subsections 1067(1)(d.1), (d.2), and (v.1) as follows:

“(d.1) Hazardous Waste Management Facility;

(d.2) Landfill;

(v.1) Waste Storage Site; and”

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- (uuuu) Delete subsection 1067(1)(v).
- (vvvv) Amend section 1115 by adding “, prior to collection,” after “stored”.
- (wwwv) Amend section 1154 by adding “, prior to collection,” after “stored”.
- (xxxx) Amend section 1240 by adding “, prior to collection,” after “stored”.
- (yyyy) Amend section 1299 by adding “, prior to collection,” after “stored”.
- (zzzz) Amend subsection 1358(1) by adding “, prior to collection,” after “stored”.
- (aaaaa) Amend subsection 1373(3) by deleting “**Office**, or **Payday Loan**” and replacing with “or Office”.
- (bbbbb) Add a new row to the “**Commercial Offences**” section of the Minimum and Specified Penalties table in Schedule B as follows:

903, 1019	Fail to enclose garbage and materials	\$500	\$1000
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- (cccc) Amend Schedule A, Direct Control Uses, to insert the use “**Hazardous Waste Management Facility**”.
- (dddd) Amend Schedule A, General Industrial Group, to delete the use “**Specialized Industrial**”.
- (eeee) Amend Schedule A, Infrastructure Group, to delete the use “**Waste Disposal and Treatment Facility**” and insert the uses “**Landfill**” and “**Waste Storage Site**”.
- (ffff) Amend Schedule A, Storage Group, to delete the uses “**Equipment Yard**”, “**Vehicle Storage – Large**”, “**Vehicle Storage – Passenger**”, and “**Vehicle Storage – Recreational**”, and insert the use “**Vehicle Storage**”.

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

READ A FIRST TIME ON _____

READ A SECOND TIME ON _____

READ A THIRD TIME ON _____

MAYOR

SIGNED ON _____

CITY CLERK

SIGNED ON _____