

Proposed Text Amendments

Current Commercial Use Class Definition	Proposed Commercial Use Class Definition	Reasoning
<p>Bars and Neighbourhood Pubs means development where the primary purpose of the facility is the sale of alcoholic beverages to the public, for consumption within the premises or off the Site. This Use Class typically has a limited menu and minors are prohibited from patronizing the establishment during at least some portion of the hours of operation. Typical Uses include neighbourhood pubs, bars, beverage rooms, and cocktail lounges.</p>	<p>Social Establishments means development used for the sale of alcoholic beverages to the public, for consumption on Site, and which may also include entertainment, dancing, music, or the sale of food for consumption on or off the Site. Minors are prohibited from patronizing the establishment during some or all of the hours of operation. Typical Uses include neighbourhood pubs, bars, wine bars, cabarets, dance clubs, nightclubs, and lounges.</p>	<p>Social Establishment collapses the definitions for “Bars and Neighbourhood Pubs” and “Nightclubs” into one definition. The substantive difference between the two definitions was that a Nightclub contained entertainment facilities that encompassed more than 10% of the facility’s floor area whereas a Bar and Neighbourhood Pub did not. This 10% restriction is removed from the new definition of Social Establishment.</p> <p>The change is proposed because:</p> <ul style="list-style-type: none"> • “entertainment facility” as stated in the definition for Nightclub is an ambiguous term, and the 10% restriction somewhat arbitrary. • The 10% restriction creates difficulty for musical and arts performances to take place in small establishments. • Bars and Neighbourhood Pubs and Nightclubs have the same parking requirements. <p>Noise and other potential off-site impacts will still be regulated via the Business License Bylaw. The Business License Bylaw requires a potential licensee for Alcohol Sales [Consumption on Premises / Minors Prohibited] to provide information regarding noise control and patron management as well as a security plan and medical/safety plan.</p> <p>The proposed definition for Social Establishment aligns with the existing business license definition for Alcohol Sales [Consumption on Premises / Minors Prohibited], which is “selling alcoholic beverages for consumption on the premises in which minors are prohibited from at least some portion of the premises during at least some portion</p>
<p>Nightclubs means development where the primary purpose of the facility is the sale of alcoholic beverages to the public, for consumption within the premises or off the Site, in a facility where entertainment facilities take up more than 10% of the Floor Area. This Use typically has a limited menu from a partially equipped kitchen/preparation area and prohibits minors from lawfully utilizing the facility. Typical Uses include dance clubs, cabarets, nightclubs, lounges, neighbourhood pubs and bars, beverage rooms, and cocktail lounges.</p>		

		<p>of the hours of operation.”</p> <p>Land use regulations for Social Establishments, such as restrictions on floor area, will be maintained within individual zones.</p>
<p>Restaurants mean development where the primary purpose of the facility is the sale of prepared foods and beverages to the public, for consumption within the premises or off the Site. Minors are never prohibited from any portion of the establishment at any time during the hours of operation. This Use Class typically has a varied menu, with a fully equipped kitchen and preparation area, and includes fast food and family restaurants.</p>	<p>Eating Establishments means development used for the preparation and sale of foods and non-alcoholic beverages to the public, for consumption on or off the Site and which may include entertainment, dancing, music, or the sale of alcoholic beverages incidental to a meal. Minors are never prohibited from any portion of the establishment at any time during the hours of operation. Typical Uses include fast food and family restaurants, coffee, donut, or sandwich shops, ice cream parlours, and dessert shops.</p>	<p>Eating Establishment collapses the definitions for “Restaurants” and “Specialty Food Services” into one definition. The substantive difference between the two definitions was that a Specialty Food Service had a more limited menu than a Restaurant.</p> <p>The change is proposed because Restaurants and Specialty Food Services have the same parking requirements, and do not have significantly different land use impacts. The new use class broadens the former definitions to recognize performance and arts related activities.</p>
<p>Specialty Food Services means development where limited types of prepared foods and beverages, excluding alcoholic beverages, are offered for sale to the public, for consumption within the premises or off the Site. This Use Class typically relies primarily on walk-in clientele, and includes coffee, donut, bagel or sandwich shops, ice cream parlours, and dessert shops.</p>		<p>A Restaurant may choose whether or not to serve alcohol. Regardless, minors would always be allowed within the establishment. If the restaurant does not serve alcohol, it would be required to obtain a business license for Restaurant or Food Service, and if it did serve alcohol, it would be required to obtain a license for Restaurant or Food Service as well as Alcohol Sales [Consumption on Premises / Minors Allowed]. Business License definitions:</p> <ul style="list-style-type: none"> • Alcohol Sales [Consumption on Premises / Minors Allowed]: Selling alcoholic beverages for consumption on the premises in which minors are allowed in all areas of the premises during all hours of operation • Restaurant or Food Service: Selling prepared food or non-alcoholic beverages for consumption on or off the premises. <p>Land use regulations for Eating Establishments, such</p>

		as restrictions on floor area, will be maintained within individual zones.
Broadcasting and Motion Picture Studios means development used for the production or broadcasting of audio and visual programming typically associated with radio, television and motion picture studios.	Media Studios means development used for the creation, rehearsal, production, or broadcasting of audio or visual programming, in either analog or digital format. Typical Uses include radio, television, and motion picture studios.	The proposed amendment updates the terminology of the former definition.
Commercial Schools means development used for training and instruction in a specific trade, skill or service for the financial gain of the individual or company owning the school. This Use Class does not include schools defined as Public Education or Private Education. Typical Uses include secretarial, business, hairdressing, beauty culture, dancing or music schools.	Commercial Schools means development used for training and instruction in a specific trade, skill, service, or artistic endeavour. This Use Class does not include schools defined as Public Education or Private Education. Typical Uses include secretarial, business, hairdressing, beauty culture, dancing or music schools.	The proposed amendment updates the definition to include arts related activities. It also removes the clause regarding financial gain, as a Commercial School could be run by a non-profit agency.
Custom Manufacturing Establishments means development used for small scale on-site production of goods by hand manufacturing, primarily involving the use of hand tools and provided such developments have fewer than five production employees. Typical Uses include jewelry, toy and musical instrument manufacturing, gunsmiths, and pottery and sculpture studios.	Creation and Production Studio means a development used for the on-Site creation or fabrication of arts related or small-scale goods, and for the creation, training and rehearsal of performance arts. Accessory Uses may include the retail sale of goods produced on Site. No Nuisance occurs outside of the unit containing the development. Typical uses include literary, visual, craft, design, and interdisciplinary and performance arts studios.	The proposed amendment removes the reference to the number of employees, and adds a phrase to prevent nuisance effects from occurring outside of the unit in which the activity is occurring.
General Retail Stores means development used for the retail sale of groceries, beverages, household goods, furniture and appliances, hardware, printed matter, confectionery, tobacco, pharmaceutical and personal care items, automotive parts and accessories, video sales and rentals, office equipment, stationery and similar goods from within an enclosed building.	General Retail Stores means development used for the retail sale of goods or merchandise, not including the sale of gasoline, heavy agricultural and industrial equipment, alcoholic beverages, or goods sold in pawn. Accessory Uses may include the assembly or repair of products sold on Site, or minor public services such as postal services or pharmacies. This Use Class does	The proposed amendment inverts the list of typical uses within the General Retail Stores definition so that it lists what General Retail Stores <i>does not</i> include rather than what it <i>does</i> include. This avoids inadvertently excluding many uses, including arts related uses.

<p>Minor public services, such as postal services and film processing depots, are permitted within General Retail Stores. This Use Class includes Convenience Retail Stores, and excludes Warehouse Sales. General Retail Stores does not include developments used for the sale of gasoline, heavy agricultural and industrial equipment, alcoholic beverages, or secondhand goods.</p>	<p>not include Aircraft Sales / Rentals, Automotive and Minor Recreation Vehicle Sales / Rentals, Flea Market, Gas Bars, Greenhouses, Plant Nurseries and Market Gardens, Major Alcohol Sales, Secondhand Stores, Minor Alcohol Sales, and Warehouse Sales.</p>	
<p>Major Secondhand Stores means development used for the retail sale of secondhand or used major and minor household goods, including the refurbishing and repair of the goods being sold. Such establishments generally require a larger display, storage and loading space. This Use Class includes Minor Secondhand Stores. Typical Uses include the resale of relatively bulky items such as antique or used furniture and major appliances. This Use Class does not include the sale of used vehicles, recreation craft or construction and industrial equipment. This Use Class does not include Flea Markets or any Use Class involving the sale of used vehicles, recreation craft or construction and industrial equipment.</p>	<p>Secondhand Stores means development used for the retail sale of secondhand or used personal and minor household goods, in pawn, including the minor repair of such goods. Typical Uses include the resale of clothing, jewelry, stereos and musical instruments. This Use Class does not include the sale of used vehicles, recreation craft or construction, industrial equipment or goods sold by consignment, and does not include Flea Markets.</p>	<p>The proposed definition refers to goods sold in pawn. The Secondhand Stores use class would no longer apply to used clothing, book, and antique stores.</p>
<p>Minor Secondhand Stores means development used for the retail sale of secondhand or used personal and minor household goods, including the minor repair of such goods. Goods sold in such establishments are characterized by their relatively small demand for storage, display and loading space. Typical Uses include the resale of clothing, jewelry,</p>		

<p>stereos and musical instruments. This Use Class does not include Flea Markets.</p>		
<p>Current Industrial Use Class Definition</p>	<p>Proposed Industrial Use Class Definition</p>	<p>Reasoning</p>
<p>General Industrial Uses means development used principally for one or more of the following activities:</p> <ul style="list-style-type: none"> a. the processing of raw materials; b. the manufacturing or assembling of semi-finished or finished goods, products or equipment; c. the cleaning, servicing, repairing or testing of materials, goods and equipment normally associated with industrial or commercial businesses or cleaning, servicing and repair operations to goods and equipment associated with personal or household use, where such operations have impacts that would make them incompatible in Non-industrial Zones; d. the storage or transshipping of materials, goods and equipment; e. the distribution and sale of materials, goods and equipment to institutions or industrial and commercial businesses for their direct use or to General Retail Stores or other sales Use Classes defined in this Bylaw for resale to individual customers; or f. the training of personnel in general industrial operations. <p>Any indoor display, office, technical or administrative support areas or any retail sale operations shall be Accessory to the</p>	<p>General Industrial Uses means development used principally for one or more of the following activities:</p> <ul style="list-style-type: none"> a. the processing of raw materials; b. the making, manufacturing or assembling of semi-finished or finished goods, products or equipment; c. the cleaning, servicing, repairing or testing of materials, goods and equipment normally associated with industrial or commercial businesses or cleaning, servicing and repair operations to goods and equipment associated with personal or household use, where such operations create a Nuisance; d. the storage or transshipping of materials, goods and equipment; e. the distribution and sale of materials, goods and equipment to institutions or industrial and commercial businesses for their direct use or to General Retail Stores or other Use Classes defined in this Bylaw for resale to individual customers; or f. the training of personnel in general 	<p>Regulations have all been moved to a new General Industrial Uses Special Land Use Provision.</p> <p>The word “making” has been added to “b,” and “c” has been rephrased to refer to the defined term “Nuisance” which, according to Section 6.1(62) of the Zoning Bylaw, means “anything that is obnoxious, offensive or interferes with the use or enjoyment of property, endangers personal health or safety, or is offensive to the senses. This could include that which creates or is liable to create a nuisance through emission of noise, smoke, dust, odour, heat, light, fumes, fire or explosive hazard; results in the unsightly or unsafe storage of goods, salvage, junk, waste or other materials; poses a hazard to health and safety; or adversely affects the amenities of the neighbourhood or interferes with the rights of neighbours to the normal enjoyment of any land or building.”</p>

<p>General Industrial Use activities identified above. The Floor Area devoted to such Accessory activities shall not exceed 33 percent of the total Floor Area of the building(s) devoted to the General Industrial Use, except that this restriction shall not apply where a significant portion of the industrial activity naturally and normally takes place out of doors.</p> <p>The Development Officer may approve as an Accessory Use in this Zone, a facility that is intended to provide temporary sleeping accommodation for employees and if so the following shall apply:</p> <ul style="list-style-type: none"> i. the Applicant shall, in all cases, conduct a Phase 1 Environmental Site Assessment in accordance with the Canadian Standards Association Guide Z-768-94, as amended from time to time (ESA) and submit those results as part of the application; ii. if the Phase 1 ESA indicates potential contamination, further consideration of the application shall be suspended and the applicant shall conduct a Phase 2 ESA and the Development Officer shall share the results of the Phase 2 ESA with Alberta Environment (or its successor) and the Capital Health Authority (or its successor); iii. taking into account the advice of Alberta Environment and the Capital Health Authority and all other relevant factors, the Development Officer shall determine whether a Phase 3 ESA is required; and iv. the Development Officer shall not 	<p>industrial operations.</p> <p>This Use Class includes vehicle body repair and paint shops. This Use Class does not include Major Impact Utility Services and Minor Impact Utility Services or the preparation of food and beverages for direct sale to the public.</p>	
---	---	--

<p>issue a Development Permit for this Accessory Use until the Applicant has demonstrated that the required Phase 3 ESA has been completed.</p> <p>The Applicant must demonstrate that the proposed Accessory Use is not larger than is necessary to support industrial activities on the Site and that the design and layout are not suitable for use as permanent accommodation. The Development Officer shall not approve as an Accessory Use in a facility that is suitable for use as a permanent residence.</p> <p>This Use Class includes vehicle body repair and paint shops. This Use Class does not include Major Impact Utility Services and Minor Impact Utility Services or the preparation of food and beverages for direct sale to the public.</p>		
Current Residential Related Use Class Definition	Proposed Commercial Use Class Definition	Reasoning
<p>Live Work Unit means a business operated from a Dwelling by the principal resident of the Dwelling, where:</p> <ul style="list-style-type: none"> a. the business does not exceed 50 per cent of the gross floor area of the Dwelling; b. the business is limited to: <ul style="list-style-type: none"> i. Personal Service Shops ii. Professional, Financial and Office Support Services iii. Custom Manufacturing Establishments iv. Health Services v. Private Education Services; and c. the associated Dwelling does not contain a Minor Home Based 	<p>Live Work Unit means a unit that contains a Dwelling and a distinct and separate business Use. This Use Class does not include a Minor Home Based Business or a Major Home Based Business.</p>	<p>The proposed amendment clarifies the definition for Live Work Unit and differentiates it from the definitions for Home Based Businesses.</p> <p>Regulations are all moved to the Live Work Unit Special Land Use Provision.</p>

Business or a Major Home Based Business.		
Current Community, Educational, Recreational and Cultural Service Use Class Definition	Proposed Community, Educational, Recreational and Cultural Service Use Class Definition	Reasoning
Community Recreation Services means development for recreational, social or multi- purpose Use without fixed seats and an occupancy capacity of less than 500 persons, primarily intended for local community purposes. Typical Uses include community halls, community centres, and community league buildings operated by a local residents' organization.	Community Recreation Services means development for recreational, social, arts or multi-purpose Use in a building without fixed seats and an occupancy capacity of fewer than 500 persons, primarily intended for local community purposes. Typical Uses include community halls, community centres, and community league buildings operated by a local residents' organization or similar non-profit organization.	The proposed amendment expands the definition to include arts-related uses.
Public Libraries and Cultural Exhibits means development for the collection of literary, artistic, musical and similar reference materials in the form of books, manuscripts, recordings and films for public use; or a development for the collection, preservation and public exhibition of works or objects of historical, scientific or artistic value. Typical Uses include libraries, museums and art galleries.	Public Libraries and Cultural Exhibits means development for the collection of literary, artistic, musical and similar reference materials in the form of books, manuscripts, recordings and films for public use; or a development for the collection, preservation and public exhibition of works or objects of historical, scientific or artistic value. Typical Uses include libraries, museums and public, not-for-profit art galleries.	The proposed amendment clarifies that the art galleries included under this use class are for the purpose of public exhibition rather than sales.
Existing Land Use Regulation	Proposed Land Use Regulations	Reasoning
Live Work Units shall comply with the following regulations: a. each unit shall have individual access at grade; b. there shall be no exterior display or advertisement other than an identification plaque or Sign a maximum of 20 cm x 30.5 cm in size located on the Dwelling; c. the number of non-resident employees or business partners	Live Work Units shall comply with the following regulations: a. neither the Dwelling nor the business components of the Live Work Unit may be rented or sold separately; b. the number of non-resident employees or business partners working on Site shall not exceed two per unit at any one time; c. the number of parking stalls shall be	The proposed amendment changes the following: • Explicit reference to parking is made, • A floor area restriction on the business component is added; • A requirement that there is internal access between the Dwelling and business components of the Live Work Unit is added, • The requirement that each unit must have access to grade is removed, in order to allow for development such as Live Work Units in warehouse conversions,

<p>working on-site shall not exceed two per unit at any one time;</p> <p>d. there shall be no outdoor business activity, or outdoor storage of material or equipment associated with the Business. Indoor storage related to the business activity shall be allowed in either the Dwelling or Accessory buildings;</p> <p>e. there shall be no nuisance created by the business by way of electronic interference, dust, noise, odor, smoke, bright light or anything of an offensive or objectionable nature which is detectable to normal sensory perception outside the Live Work unit; and</p> <p>f. each application for a Development Permit for the Use Class Live Work Unit shall include a description of the business to be undertaken at the premises, an indication of the number of business visits per week, provision for vehicular and bicycle parking for visitors and employees, and where any materials or equipment associated with the business use are to be stored</p>	<p>provided based upon the Use or Uses to be conducted within the Live Work Unit, and according to the regulations outlined in Schedule 1 of Section 54.2 this Bylaw;</p> <p>d. the business component of the Live Work Unit shall not exceed 50 per cent of the gross Floor Area of the unit;</p> <p>e. there shall be internal access between the Dwelling and the business components of the Live Work Unit;</p> <p>f. the Dwelling associated with a Live Work Unit shall not contain a Minor Home Based Business or a Major Home Based Business; and</p> <p>g. the business component of the Live Work Unit shall be limited to:</p> <ul style="list-style-type: none"> i. Personal Service Shops, ii. Professional, Financial and Office Support Services, iii. Creation and Production Studio, and iv. Health Services. 	<ul style="list-style-type: none"> • Sign regulations are removed, as signage would have to conform with the sign regulations of the zone in which the Live Work Unit is located.
<p>N/A</p>	<p>General Industrial Uses shall comply with the following regulations:</p> <p>a. Any indoor display, office, technical or administrative support areas or any retail sale operations shall be Accessory to the General Industrial Use. The Floor Area devoted to such Accessory activities shall not exceed 33 percent of the total Floor Area of the building(s) devoted to the General Industrial</p>	<p>There are no existing land use regulations for General Industrial Uses. A new special land use provision is proposed in order to contain the regulations found in the current definition for General Industrial Uses.</p>

	<p>Use, except that this restriction shall not apply where a significant portion of the industrial activity naturally and normally takes place out of doors.</p> <p>b. The Development Officer may approve a facility that is intended to provide temporary sleeping accommodation for employees as an Accessory Use to a General Industrial Use. The proposed Accessory Use shall not be larger than necessary to support industrial activities on the Site, and the design and layout of the accommodation shall not be suitable for use as permanent residence. The following regulations shall apply:</p> <p>i. the Applicant shall, in all cases, conduct a Phase 1 Environmental Site Assessment in accordance with the Canadian Standards Association Guide Z-768-94, as amended from time to time (ESA) and submit those results as part of the application;</p> <p>ii. if the Phase 1 ESA indicates potential contamination, further consideration of the application shall be suspended and the applicant shall conduct a Phase 2 ESA and the Development Officer shall share the results of the Phase 2 ESA with Alberta Environment (or its successor) and the Capital Health Authority (or its successor);</p>	
--	---	--

	<p>iii. taking into account the advice of Alberta Environment and Water and Alberta Health Services and all other relevant factors, the Development Officer shall determine whether a Phase 3 ESA is required; and</p> <p>iv. the Development Officer shall not issue a Development Permit for this Accessory Use until the Applicant has demonstrated that the required Phase 3 ESA has been completed.</p>	
--	--	--

Zones	Proposed Use Class Additions
Neighbourhood Convenience Commercial Zone (CNC)	<ul style="list-style-type: none"> • Add Media Studio, Live Work Units, Major Home Based Businesses, and Minor Home Based Businesses, as Discretionary Uses
Shopping Centre Zone (CSC)	<ul style="list-style-type: none"> • Add Live Work Units, Major Home Based Businesses, Minor Home Based Businesses, and Media Studio as Discretionary Uses
Low Intensity Business Zone (CB1) General Business Zone (CB2)	<ul style="list-style-type: none"> • Add Public Libraries and Cultural Exhibits as Permitted Uses • Add Live Work Units, Major Home Based Businesses, and Minor Home Based Businesses, as Discretionary Uses
Commercial Office Zone (CO)	<ul style="list-style-type: none"> • Add Public Libraries and Cultural Exhibits as Permitted Uses • Add Live Work Units, Major Home Based Businesses, Minor Home Based Businesses, Creation and Production Studio, Spectator Entertainment Establishments as Discretionary Uses
Commercial Mixed Business Zone (CB3)	<ul style="list-style-type: none"> • Add Media Studio as Permitted Use
Light Industrial Zone (IL)	<ul style="list-style-type: none"> • Add Creation and Production Studio and Media Studio as Permitted Uses • Add Flea Market as Discretionary Use
Industrial Business Zone (IB)	<ul style="list-style-type: none"> • Add Creation and Production Studio as Permitted Use • Add Media Studio as Discretionary Use
Medium Industrial Zone (IM)	<ul style="list-style-type: none"> • Add Creation and Production Studio as Discretionary Use
Highway Corridor Zone (CHY)	<ul style="list-style-type: none"> • Add Creation and Production Studio, Spectator Entertainment Establishments as Discretionary Uses