

Mark-up of Proposed Text Amendment to Zoning Bylaw 12800

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| Black Font | Existing Text in Zoning Bylaw 12800 |
| Strikethrough: | Proposed deletion from Zoning Bylaw 12800 |
| <u>Underline:</u> | Proposed addition to Zoning Bylaw 12800 |

Part I. Text Amendments

~~**7.5(X) Breweries, Wineries and Distilleries** means the manufacturing of beer, wine, spirits or other alcoholic beverages. This Use may include the sale of alcoholic beverages to the public for consumption within the premises. Retail sales of alcoholic beverages for consumption off site shall only be manufactured within the premises. Accessory activities may include the preparation and sale of food, and storage, packaging, bottling, canning and shipping of products manufactured within the premises. This Use may have a private non-sale hospitality area where products manufactured within the premises are provided to private groups for tasting and sampling.~~

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 typically has a varied menu, with a fully equipped kitchen and preparation area, and includes fast food and family restaurants.

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 typically has a limited menu and minors are prohibited from patronizing the

Rationale

The Breweries, Wineries and Distilleries Use eliminates the need for applicants to obtain permits for multiple combinations of uses.

Limiting alcohol sales to products only produced on site makes this Use distinct from Major Alcohol Sales and Minor Alcohol Sales and would not be subject to the 500 meter separation distance for Major Alcohol Sales and Minor Alcohol Sales. Inclusion of the term 'private non-sale hospitality area' aligns with provincial legislation (AGLC) and provides clarity for licensing.

establishment during at least some portion of the hours of operation. Typical Uses include neighbourhood pubs, bars, ~~beverage rooms~~, and cocktail lounges.

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.

Minor Alcohol Sales means development used for the retail sale of any and all types of alcoholic beverages to the public. This Use may include retail sales of related products such as soft drinks and snack foods. The maximum Floor Area for this Use shall be no more than 275 m² per individual business premises.

Major Alcohol Sales means development used for the retail sales of any and all types of alcoholic beverages to the public where the Floor Area for the individual business premises is greater than 275 m². This Use may include retail sales of related products such as soft drinks and snack foods.

Parking Requirements:

Section 54.2 - Schedule 1 - Vehicular Parking Requirement

| Schedule 1(A) Areas outside of the Downtown Special Area Use of Building or Site | Minimum Number of Parking Spaces or Garage Spaces Required |
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The Bars and Neighbourhood Pubs use is updated to remove 'beverage rooms' as this term is not used in the Zoning Bylaw.

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| <p><u>15. Breweries, Wineries and Distilleries</u></p> | <p><u>Off-street Parking shall be provided based on the sum of the following:</u></p> <ul style="list-style-type: none"> a) <u>1 parking space per 3.6 m² of Public Space and private non-sale hospitality area, except where the proposed development is on a Lot within the boundaries described in Section 54.2 Appendix II - Boundaries for Reduced Parking Requirement:</u> <ul style="list-style-type: none"> i) <u>1 parking space per 24.0 m² of Public Space in the 124 Street and Area boundary:</u> ii) <u>1 parking space per 28.0 m² of Public Space in the Jasper Avenue and Area boundary:</u> iii) <u>1 parking space per 33.0 m² of Public Space in the Whyte Avenue and Area boundary.</u> iv) <u>Notwithstanding the above, if the development permit application is for less than 60.0 m² of Public Space, and is located within one of the Boundaries for Reduced Parking Requirement, no off-street parking is required; and</u> b) <u>1 parking space per 100.0 m² of Floor Area not dedicated to Public Space or private non-sale hospitality area</u> |
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15.a - The parking requirement to have 1 parking space per 3.6 m² of Public Space and private non-sale hospitality area is consistent with the parking requirements for Restaurants and lowers the parking requirement in comparison to Bars and Neighbourhood Pubs, and Nightclubs.

15.b - The parking calculation for Floor Area not dedicated to Public Space or private non-sale hospitality area, which in general will be mostly made up of the production area, and is consistent with the parking requirement for Industrial Uses.

| Schedule 1(B) Areas Within the Downtown Special Area | Number of Parking Spaces by Zone | | | | | |
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| <u>7. Breweries, Wineries and Distilleries</u> | <u>Off-street Parking shall be provided based on the following:</u> a. <u>where there is less than 240m² of Public Space and private non-sale hospitality area, no parking is required.</u> <u>or</u> b. <u>where there is 240m² or greater of Public Space, and private non-sale hospitality area, and Floor Area not dedicated to Public Space or private non-sale hospitality area, off-street parking shall be provided in accordance with the following:</u> | | | | | |
| | <u>Number of Required Parking Spaces by Zone</u> | | | | | |
| | <u>AED</u> | <u>CCA</u> | <u>CMU</u> | <u>HA</u> | <u>JAMSC</u> | <u>UW</u> |
| <u>Minimum Parking Space Required</u> | <u>1.0 per 400m²</u> | <u>1.0 per 400m²</u> | <u>1.0 per 300 m²</u> | <u>1.0 per 400m²</u> | <u>1.0 per 400m²</u> | <u>0</u> |
| <u>Maximum Parking Space Required</u> | <u>1.0 per 200m²</u> | <u>1.0 per 200m²</u> | <u>1.0 per 200m²</u> | <u>1.0 per 200m²</u> | <u>1.0 per 100m²</u> | <u>1.0 per 200m²</u> |

54.2.7 - The parking requirements for Breweries, Wineries and Distilleries align with the parking requirements for Restaurants, Bars and Neighbourhood Pubs, and Specialty Food Services within the Downtown Special Area.

819 Pedestrian Commercial Shopping Street Overlay

819.3 Development Regulations

8. The minimum number of off-street parking spaces required shall be in accordance with the provisions of Section 54, Schedule 1 of this Bylaw, except that
 - a. for Professional, Financial and Office Support Services at Grade, parking shall be provided on the basis of 1 parking space per 90.9 m² of Floor Area and no parking spaces shall be required for this Use on upper floors;
 - b. for Specialty Food Services, Restaurants, Bars and Neighbourhood Pubs, Breweries, Wineries and Distilleries, and Nightclubs, parking shall be provided on the basis of one parking space per 4.8 m² of Public Space, except for when the proposed development is on a Lot within the boundaries described in Section 54.2 Appendix II - Boundaries for Reduced Parking Requirement, the parking requirements in Section 54.2 Schedule 1(A) shall apply;

819.3.8.b - The parking requirements for Breweries, Wineries and Distilleries align with the parking requirements for Restaurants, Bars and Neighbourhood Pubs, and Nightclubs within the Pedestrian Commercial Shopping Street Overlay.

820 Whyte Avenue Commercial Overlay

820.1 General Purpose

The purpose of this Overlay is to prohibit new Bars and Neighbourhood Pubs, and Nightclubs; and to prohibit the expansion of existing Bars and Neighbourhood Pubs, and Nightclubs, while providing opportunities for Breweries, Wineries and Distilleries in the Whyte Avenue Commercial Area.

820.1 - To address and allow opportunities for Breweries, Wineries and Distilleries within the Whyte Avenue Commercial Overlay.

820.3 Development Regulations

4. Notwithstanding section 800.2, a Breweries, Wineries and Distilleries Use shall only be allowed in the area of application of this Overlay if:

820.3.4 - To align with the intent of the Whyte Avenue Commercial Overlay to restrict new and the expansion of Bars and

- a. developed with a total Public Space, including any private non-sale hospitality area, that does not exceed 80 m² or 30% of the total Floor Area, whichever is less;
- b. developed in combination with a Restaurant; or
- c. developed in combination with an existing Bar and Neighbourhood Pub or an existing Nightclub, provided the total Public Space, including any private non-sale hospitality area, does not exceed the occupancy load and the Public Space specified in the existing approval for the Bar and Neighbourhood Pub or Nightclub.

Neighbourhood Pubs, and Nightclubs.

820.3.4.a - To limit the potential of a Brewery, Winery or Distillery being developed as a de facto Bar and Neighbourhood Pub or Nightclub.

820.3.4.b - To encourage development with a Restaurant, where minors are not prohibited.

820.3.4.c - To align with the intent of the Overlay and not allowing the combination of Public Space and private non-sale hospitality area for the Brewery, Winery or Distillery with a Bar and Neighbourhood Pub or a Nightclub.

821.3.7.b - The parking requirements for Breweries, Wineries and Distilleries align with the parking requirements for Restaurants, Bars and Neighbourhood Pubs, and Nightclubs within the Alberta Avenue Pedestrian Shopping Street Overlay.

821 Alberta Avenue Pedestrian Commercial Shopping Street Overlay

821.3 Development Regulations

7. The minimum number of off-street parking spaces required shall be in accordance with the provisions of Section 54, Schedule 1 of this Bylaw, except that:
 - a. for Professional, Financial and Office Support Services at Grade, parking shall be provided on the basis of 1 parking space per 90.9 m² of Floor Area and no parking spaces shall be required for this Use on upper floors;
 - b. for Specialty Food Services, Restaurants, Bars and Neighbourhood Pubs, Breweries, Wineries and Distilleries, and Nightclubs, parking shall be provided on the basis of one parking space per 4.8 m² of Public Space;
 - c. for all other Commercial Uses, parking shall be provided on the basis of 1 parking space per 90.9 m² of Floor Area; and
 - d. Accessory vehicular parking shall be located at the rear of the building.

541 (AN) River Valley Activity Node Zone

Appendix I - Fort Edmonton Park

3. Additional Development Regulations for Discretionary Uses

4. The Development Officer may approve a ~~custom brewery~~ Breweries, Wineries or Distilleries Use and up to two custom bakery facilities on the Site as accessory to the General Retail Stores Uses.

99. *Breweries, Wineries and Distilleries*

Breweries, Wineries and Distilleries shall comply with the following regulations:

1. *Breweries, Wineries and Distilleries may include a maximum total of 80 m² of Public Space and private non-sale hospitality area, where beer, wine, spirits and other alcoholic beverages or alcoholic products are consumed within the premises.*
2. *Breweries, Wineries and Distilleries may be combined with a Restaurant, Bar and Neighbourhood Pub, or Nightclub to increase the maximum total Public Space and private non-sale hospitality area. The total Public Space and private non-sale hospitality area shall not exceed the total maximum Public Space permitted by any one of the combined Uses.*
3. *Any Outdoor Public Spaces and outdoor private non-sale hospitality areas shall not be located next to an Abutting Residential Use, existing at the time of approval.*
4. *Breweries, Wineries and Distilleries shall not generate odour, dust, waste or delivery traffic in excess of that which is characteristic of the Zone in which it is located.*

541 Appendix I 3.4 - The River Valley Activity Node Zone currently allows for a custom brewery. This update aligns this use with the proposed amendments.

99 - The Special Land Use Provision will provide direction to the Development Officer when reviewing a Development Permit application for a Brewery, Winery or Distillery.

99.1 - Limiting the Public Space and private non-sale hospitality area to 80 m² is how breweries are regulated in other jurisdictions.

99.2 - To provide flexibility for a variety of business models, a Brewery, Winery or Distillery may be combined with either a Restaurant, Bar and Neighbourhood Pub, or a Nightclub to increase the total maximum Public Space and private non-sale hospitality area.

5. There shall be no outdoor manufacturing activities, or unenclosed outdoor storage of material or equipment associated with the business.
6. When a Development Permit application is received for a Breweries, Wineries and Distilleries Use, and the Use is located within a Business Improvement Area, the Development Officer shall send notice of the application to the President of the affected Business Improvement Area Association.
7. The Development Officer shall consider Crime Prevention Through Environmental Design criteria by ensuring:
 - a. the exterior of all establishments have ample transparency from the street to allow natural surveillance;
 - b. exterior lighting should be in accordance with the minimum safety standards prescribed by the Illuminating Engineers Society of North America;
 - c. Landscaping be low-growing shrubs or deciduous trees with a high canopy at maturity and that all foliage be kept trimmed back to prevent loss of natural surveillance; and
 - d. customer access to the store is limited to a store front that is visible from the street, other than a Lane, shopping centre parking lot or a mall access that allows visibility from the interior.

99.3 - To minimize the potential impact on adjacent Residential Uses, a Brewery, Winery or Distillery may not locate any outdoor Public Space or outdoor private non-sale hospitality next to an Abutting Residential Use.

99.4 - This allows the Development Officer to ask for more information related to odour, dust, waste or delivery traffic depending on the location and surrounding uses.

99.5 - This regulation is intended to minimize the potential impact of a Brewery, Winery and Distillery and to align with performance standards with the Zones this Use will be included.

99.6 - The intent of this regulation is to allow a Business Improvement Areas to make contact with the applicant.

99.7 - These regulations ensure that design of proposed development aligns with Crime Prevention Through Environmental Design principles.

Part II. Zones, Special Areas and Direct Control

| Breweries, Wineries and Distilleries | Proposed Status |
|---|-----------------|
| 110 (RF1) Single Detached Residential Zone | Prohibited |
| 115 (RSL) Residential Small Lot Zone | Prohibited |
| 120 (RF2) Low Density Infill Zone | Prohibited |
| 130 (RPL) Planned Lot Residential Zone | Prohibited |
| 140 (RF3) Small Scale Infill Development Zone | Prohibited |

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| 150 (RF4) Semi-detached Residential Zone | Prohibited |
| 155 (RMD) Residential Mixed Dwelling Zone | Prohibited |
| 160 (RF5) Row Housing Zone | Prohibited |
| 165 (UCRH) Urban Character Row Housing Zone | Prohibited |
| 170 (RF6) Medium Density Multiple Family Zone | Prohibited |
| 210 (RA7) Low Rise Apartment Zone | Prohibited |
| 220 (RA8) Medium Rise Apartment Zone | Prohibited |
| 230 (RA9) High Rise Apartment Zone | Prohibited |
| 240 (RR) Rural Residential Zone | Prohibited |
| 250 (RMH) Mobile Home Zone | Prohibited |
| 310 (CNC) Neighbourhood Convenience Commercial Zone | Discretionary |
| 320 (CSC) Shopping Centre Zone | Discretionary |
| 330 (CB1) Low Intensity Business Zone | Discretionary |
| 340 (CB2) General Business Zone | Discretionary |
| 350 (CHY) Highway Corridor Zone | Discretionary |
| 360 (CO) Commercial Office Zone | Discretionary |
| 370 (CB3) Commercial Mixed Business Zone | Discretionary |
| 400 (IB) Industrial Business Zone | Permitted |
| 410 (IL) Light Industrial Zone | Permitted |
| 420 (IM) Medium Industrial Zone | Permitted |
| 430 (IH) Heavy Industrial Zone | Prohibited |
| 510 (US) Urban Services Zone | Prohibited |
| 520 (PU) Public Utility Zone | Prohibited |
| 530 (AP) Public Parks Zone | Prohibited |
| 531 (NA) Natural Areas Protection Zone | Prohibited |
| 540 (A) Metropolitan Recreation Zone | Prohibited |
| 541 (AN) River Valley Activity Node Zone | Prohibited |
| 541 (AN) River Valley Activity Node Zone Appendix I - Fort Edmonton Park | Discretionary |
| 550 (MA) Municipal Airport Zone | Prohibited |
| 551 (MA1) Municipal Airport Airfield Zone | Prohibited |
| 552 (MA2) Municipal Airport Business Industrial Zone | Prohibited |
| 553 (MA3) Municipal Airport General Business Zone | Prohibited |
| 560 (AJ) Alternative Jurisdiction Zone | N/A |
| 570 (CS1) Community Services 1 Zone | Prohibited |
| 571 (CS2) Community Services 2 Zone | Prohibited |

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| 572 (CS3) Community Services 3 Zone | Prohibited |
| 573 (CS4) Community Services 4 Zone | Prohibited |
| 574 (UI) Urban Institutional Zone | Prohibited |
| 610 (AG) Agricultural Zone | Prohibited |
| 620 (AGU) Urban Reserve Zone | Prohibited |
| 630 (AGI) Industrial Reserve Zone | Prohibited |
| 910.5 (CCA) Core Commercial Arts Zone | Discretionary |
| 910.6 (CMU) Commercial Mixed Use Zone | Discretionary |
| 910.7 (HA) Heritage Area Zone | Discretionary |
| 910.8 (HDR) High Density Residential Zone | Prohibited |
| 910.9 (JAMSC) Jasper Avenue Main Street Commercial Zone | Discretionary |
| 910.10 (RMU) Residential Mixed Use Zone | Prohibited |
| 910.11 (UW) Urban Warehouse Zone | Discretionary |
| 910.12 (AED) Arena & Entertainment District Zone | Discretionary |
| 920.4 (RPLt) Terwillegar Planned Lot Residential Zone | Prohibited |
| 920.5 (RF4t) Terwillegar Semi-detached Residential Zone | Prohibited |
| 920.6 (RF5t) Terwillegar Row Housing Zone | Prohibited |
| 920.8 (TSDR) Terwillegar Single Detached Residential | Prohibited |
| 920.9 (TSLR) Terwillegar Small Lot Residential Zone | Prohibited |
| 920.10 (TMU) Terwillegar Mixed Use Zone | Prohibited |
| 930.4 (EIB) Ellerslie Industrial Business | Permitted |
| 930.5 (EIM) Ellerslie Medium Industrial Zone | Permitted |
| 940.5 (GLD) Griesbach Low Density Residential Zone | Prohibited |
| 940.6 (GVC) Griesbach Village Centre Zone | Discretionary |
| 940.7 (RF5g) Griesbach Row Housing Zone | Prohibited |
| 940.8 (RA7g) Griesbach Low Rise Apartment Zone | Prohibited |
| 940.9 (GLG) Griesbach Low Density Residential with Garage Suites Zone | Prohibited |
| 950.4 (CCHD) Clareview Campus High Density Residential Zone | Prohibited |
| 950.5 (CCMD) Clareview Campus Medium Density Residential Zone | Prohibited |
| 950.6 (CCLD) Clareview Campus Low Density Residential Zone | Prohibited |
| 950.7 (CCSF) Clareview Campus Single Family Residential Zone | Prohibited |
| 950.8 (CCNC) Clareview Campus Neighbourhood Commercial Zone | Prohibited |
| 960.4 (RA7a) Ambleside Low-Rise Apartment Zone | Prohibited |
| 960.5 (CSCa) Ambleside Shopping Centre Zone | Discretionary |
| 960.6 (UVCa) Ambleside Urban Village Commercial Zone | Discretionary |
| 970.6 (EFTB) Edmonton Energy and Technology Park Business Park Zone | Prohibited |

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| 970.7 (EETC) Edmonton Energy and Technology Park Chemical Cluster Zone | Prohibited |
| 970.8 (EETL) Edmonton Energy and Technology Park Logistics Zone | Prohibited |
| 970.9 (EETM) Edmonton Energy and Technology Park Manufacturing Zone | Prohibited |
| 970.10 (EETR) Edmonton Energy and Technology Park Industrial Reserve Zone | Prohibited |
| 980 (HVLD) Heritage Valley Low Density Zone | Prohibited |
| 990.4 (TC-C) Heritage Valley Town Centre Commercial Zone | Discretionary |
| 995 (GHLD) Special Area Graydon Hill Low Density Residential Zone | Prohibited |
| 997.7 (BP) Blatchford Parks Zone | Prohibited |
| 997.8 (BRH) Blatchford Row Housing Zone | Prohibited |
| 997.9 (BLMR) Blatchford Low to Medium Rise Residential Zone | Prohibited |
| 997.10 (BMR) Blatchford Medium Rise Residential Zone | Prohibited |