

## BYLAW 36-18

### A BYLAW OF THE TOWN OF OKOTOKS IN THE PROVINCE OF ALBERTA TO AMEND THE LAND USE BYLAW 40-98

**WHEREAS** pursuant to the provisions of the *Municipal Government Act*, Revised Statutes of Alberta 2000, Chapter M-26 and amendments thereto, Council may pass a Bylaw for the purpose of amending Land Use Bylaw 40-98 within the Town of Okotoks, and

**WHEREAS** Council deems it desirable to amend Land Use Bylaw 40-98; and

**WHEREAS** notice of the intention of Council to pass a bylaw has been given in accordance with Section 606 of the *Municipal Government Act*.

**NOW THEREFORE** the Council of the Town of Okotoks enacts that Land Use Bylaw 40-98 is amended as follows:

1. Section 9 [General Land Use Regulations and Provisions] is amended by adding Section 9.35.0 [Brewery, Distillery, and Winery] and the following subsections:
  - 9.35.0 Breweries, Distilleries, and Wineries
  - 9.35.1 The total floor area for manufacturing in a commercial district shall be limited to a maximum of 275m<sup>2</sup>.
  - 9.35.2 Breweries, distilleries and wineries located in a commercial district shall only be approved in conjunction with an eating establishment and/or drinking establishment.
  - 9.35.3 Outdoor seating areas accessory to breweries, distilleries and wineries are not permitted in the General Industrial (I2) District.
  - 9.35.4 In the Business Industrial (I1) District, South Business Industrial (I1S) District (I1s), Central Business Commercial (CCB) District, Highway Commercial (CHWY), District Shopping Center Commercial (CSC) District, and Gateway Commercial (CGATE) District, with the exception of air conditioning, heating or ventilation systems and equipment which is subject to Section 9.17.3, all mechanical systems including but not limited to conveyor belts, cooling towers, stacks, piping, silos, and tubing must be completely contained within the building.

9.35.5 All processes and functions associated with the use must be contained indoors, and are limited to activities which are not in the opinion of the Development Authority deemed to be noxious or offensive to adjacent properties or the general public.

2. Section 14A.2.2 [Discretionary Uses – **Central Business Commercial (CCB)** District] is amended by adding the following use in alphabetical order:

14A.2.2	<b>Discretionary Uses</b>	<b>Minimum Parking Required</b>
	Brewery, distillery, and winery	1 space/56m <sup>2</sup> manufacturing, packaging and shipping 1/37m <sup>2</sup> all other related uses

3. Section 14B.2.2 [Discretionary Uses - Highway Commercial (CHWY) District] is amended by adding the following use in alphabetical order:

14B.2.2	<b>Discretionary Uses</b>	<b>Minimum Parking Required</b>
	Brewery, distillery, and winery	1 space/56m <sup>2</sup> manufacturing, packaging and shipping 1/37m <sup>2</sup> all other related uses

4. Section 14C.2.2 [Discretionary Uses - Shopping Center Commercial (CSC) District] is amended by adding the following uses in alphabetical order:

14C.2.2	<b>Discretionary Uses</b>	<b>Minimum Parking Required</b>
	Brewery, distillery, and winery	1 space/56m <sup>2</sup> manufacturing, packaging and shipping 1/17m <sup>2</sup> all other related uses

5. Section 14D.2.2 [Discretionary Uses - Gateway Commercial (CGATE) District] is amended by adding the following uses in alphabetical order:

14D.2.2	<b>Discretionary Uses</b>	<b>Minimum Parking Required</b>
	Brewery, distillery, and winery	1 space/56m <sup>2</sup> manufacturing, packaging and shipping 1/17m <sup>2</sup> all other related uses

6. Section 15A.2.2 [Discretionary Uses - Business Industrial (I1) District] is amended by adding the following uses in alphabetical order:

15A.2.2	<b>Discretionary Uses</b>	<b>Minimum Parking Required</b>
	Brewery, distillery, and winery	1 space/56m <sup>2</sup> manufacturing, packaging and shipping 1/37m <sup>2</sup> all other related uses

7. Section 15B.2.2 [Discretionary Uses - South Business Industrial (I1S) District] is amended by adding the following in alphabetical order:

15B.2.2	<b>Discretionary Uses</b>	<b>Minimum Parking Required</b>
	Brewery, distillery, and winery	1 space/56m <sup>2</sup> manufacturing, packaging and shipping 1/25m <sup>2</sup> all other related uses

8. Section 15C2.2 [Discretionary Uses – General Industrial (I2) District] is amended by adding the following in alphabetical order:

15C.2.2	<b>Discretionary Uses</b>	<b>Minimum Parking Required</b>
	Brewery, distillery, and winery	1 space/56m <sup>2</sup> manufacturing, packaging and shipping 1/37m <sup>2</sup> all other related uses

9. Section 17 [Interpretation] is amended by adding the following new definitions in alphabetical order:

**Brewery, distillery, and winery** means a facility licensed by the Alberta Gaming and Liquor Commission (AGLC) where beer, spirits, wine or other alcoholic beverages are manufactured and may include the storage, packaging, bottling, canning, and shipping of products manufactured within the premises. This use may include the sale of alcoholic beverages manufactured on the premises to the public for consumption within the premises, associated offices, and limited accessory retail sales of products or merchandise directly associated with the principal use. This use may be combined with eating establishment, drinking establishment or retail store when one of these uses is also a listed use in the same district as a brewery, distillery, and winery.

**Spirits** means any product that contains alcohol obtained by distillation.

10. This Bylaw shall come into full force and effect upon third and final reading, and Bylaw 40-98 and any amendments thereto are hereby amended upon this Bylaw coming into effect.

READ A FIRST TIME this 16th day of July, 2018.

READ A SECOND TIME this            day of            , 2018.

READ A THIRD TIME AND PASSED this            day of            , 2018.

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Mayor

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Chief Administrative Officer