

# BYLAW NO. 9898

## The Zoning Amendment Bylaw, 2023 (No.8)

The Council of the City of Saskatoon enacts:

### Short Title

1. This Bylaw may be cited as *The Zoning Amendment Bylaw, 2023 (No.8)*.

### Purpose

2. The purpose of this Bylaw is to amend the Zoning Bylaw to align with the provincial regulations and to allow for new types of alcohol establishments in response to industry changes.

### Zoning Bylaw Amended

3. The Zoning Bylaw No. 8770 is amended in the manner set forth in this Bylaw.

### Section 2.0 Amended

4. Section 2.0 is amended:

- (1) by adding the following after the definition of “**agricultural uses**”:

“**alcohol establishment**” means an establishment or portion thereof where the primary business is the sale of beverage alcohol for consumption on the premises, with or without food.

“**alcohol establishment – type I**” means an alcohol establishment that is limited to 250m<sup>2</sup> gross leasable floor area and where limited live entertainment is permitted.

“**alcohol establishment – type II**” means an alcohol establishment with gross leasable floor area greater than 250m<sup>2</sup>, and where limited live entertainment is permitted.

“**alcohol establishment – type III**” means an alcohol establishment where evening or night time entertainment is provided, and where there is a designated area including a stage or a dance floor for live entertainment or dancing.”;

(2) by striking out “The area of a lounge may not exceed 50% of the public assembly area in the adjoining restaurant.” in the definition of “**lounge**”;

(3) by repealing the definition of “**microbrewery – type I**” and substituting the following:

“**microbrewery – type I**” means an operation that brews between 100 hectolitres and 20,000 hectolitres of beer, wine, or cider under a valid manufacturer’s permit in accordance with the Saskatchewan Liquor and Gaming Authority regulations, but does not include the production of spirits or spirit-based beverages.”;

(4) by adding the following after the definition of “**microbrewery – type I**”:

“**microbrewery – type II**” means an operation that brews between 100 hectolitres and 20,000 hectolitres of beer, wine, or cider under a valid manufacturer’s permit in accordance with the Saskatchewan Liquor and Gaming Authority regulations, but does not include the production of spirits or spirit-based beverages and allows for the on-site consumption of alcohol. A microbrewery - type II must be accessory to a restaurant, lounge, or alcohol establishment.”;

(5) by repealing the definition of “**nightclub**”; and

(6) by repealing the definition of “**tavern**”.

#### **Section 4.0 Amended**

5. (1) Paragraph 4.7.1(1)(b) is amended by striking out “Taverns and night clubs” and substituting “alcohol establishments”; and
- (2) Subclause 4.7.3(3) is amended by striking out “nightclubs and taverns” and substituting “alcohol establishments”.

#### **Section 5.0 Amended**

6. (1) Clauses 5.26(1) and (2) are amended by striking out “tavern” after “lounge or” and substituting “alcohol establishments”; and
- (2) Subclause 5.38(1)(a) is amended by striking out “night clubs, and taverns;” and substituting “and alcohol establishments;”.

**Section 6.0 Amended**

7. (1) The chart contained in subclause 6.3.2(4) is amended by striking out “taverns” in the Uses column for “Permitted accessory uses including restaurants, lounges and taverns” and substituting “alcohol establishments – type I and II”.
- (2) The chart contained in subclause 6.3.3(6) is amended by striking out “taverns and night clubs” in the Uses column where “Restaurants, lounges, taverns and night clubs” is found and substituting “alcohol establishments”.
- (3) The chart contained in subclause 6.3.4(4) is amended by striking out “taverns and night clubs” in the Uses column where “Restaurants, lounges, taverns and night clubs” is found and substituting “alcohol establishments”.
- (4) The chart contained in subclause 6.3.6(2) is amended by striking out “Nightclubs and taverns” and substituting “Alcohol establishments”.
- (5) The chart contained in subclause 6.3.7(4) is amended by striking out “Nightclubs and Taverns” in the Uses column where “Restaurants, Lounges, Nightclubs and Taverns” is found and substituting “Alcohol Establishments”.
- (6) Clause 6.4(4) is amended by striking out “taverns” after “lounges,” and substituting “alcohol establishments”.
- (7) The chart contained in subclause 6.8.2(2) is amended by striking out “Convenience stores, cannabis retail stores, estheticians, night clubs, personal service trades, restaurants, retail stores, taverns, and other retail and service establishments” and substituting “Alcohol establishments, convenience stores, cannabis retail stores, estheticians, personal service trades, restaurants, retail stores and other retail and service establishments”.

**Section 9.0 Amended**

8. (1) The chart contained in clause 9.3.3 is amended by striking out “Nightclubs and taverns” and substituting “Alcohol establishments – type II and III”.
- (2) Clause 9.3.4 is amended:
  - (a) by adding the following after subclause (e) in Note 3;  
“(f) alcohol establishments – type I;” and

- (b) by striking out “Nightclubs and taverns” in Note 8 and substituting “Alcohol establishments – type II and III”.
- (3) The chart contained in clause 9.4.3 is amended by striking out “Nightclubs and taverns” and substituting “Alcohol establishments – type II and III”; and
- (4) Clause 9.4.4 is amended:
  - (a) by adding the following after clause (e) in Note 3:
    - “(f) alcohol establishments – type I;”;
  - (b) by striking out “Nightclubs and taverns” in Note 8 and substituting “Alcohol establishments – II and III”.

### Section 10.0 Amended

- 9. (1) The chart contained in clause 10.5.2 is amended by adding the following after “(36) Day cares and preschools”:

“

(37) Alcohol establishments – type I	15	450	6 <sub>2</sub>	1.5	6	10
(38) Microbreweries – type II	15	450	6 <sub>2</sub>	1.5	6	10

”

- (2) The chart contained in clause 10.5.3 is amended by striking out “Night clubs and taverns” and substituting “Alcohol establishments – type II and III”.
- (3) The chart contained in clause 10.6.2 is amended:
  - (a) by adding the following after “(37) Day cares and preschools”:

“

(38) Alcohol establishments – type I	15	450	9	3	7.5	17
(39) Microbreweries – type II	15	450	9	3	7.5	17

”

and

- (b) by adding subscript “3” at the end of “(9) Restaurants and lounges”.
- (4) The chart contained in clause 10.6.3 is amended by striking out “Night clubs and taverns” and substituting “Alcohol establishments – type II and III”.
- (5) Clause 10.6.4 is amended by adding the following after Note 2:

“3 The floor area of a lounge shall not exceed 50% of the public assembly floor area of the adjoining restaurant.”.

(6) The chart contained in clause 10.7.2 is amended:

(a) by adding the following after “(35) Day cares and preschools”:

“

(36) Alcohol establishments – type I	15	450	9	3	7.5	17
(37) Microbreweries – type II	15	450	9	3	7.5	17

”.

and

(b) by adding subscript “3” at the end of “(9) Restaurants and lounges”.

(7) The chart contained in clause 10.7.3 is amended by striking out “Night clubs and taverns” and substituting “Alcohol establishments – type II and III”.

(8) Clause 10.7.4 is amended by adding the following after Note 2:

“3 The floor area of a lounge shall not exceed 50% of the public assembly floor area of the adjoining restaurant.”.

(9) The chart contained in clause 10.7A.2 is amended:

(a) by adding the following after “(27) Short-term rental properties”:

“

(28) Alcohol establishments – type I	15	450	3 <sub>1</sub>	0 <sub>2</sub>	7.5	22 <sub>5</sub>	-
(29) Microbreweries – type II	15	450	3 <sub>1</sub>	0 <sub>2</sub>	7.5	22 <sub>5</sub>	-

”.

and

(b) by adding subscript “7” at the end of “(19) Restaurants and lounges”.

(10) The chart contained in clause 10.7A.3 is amended by striking out “Night clubs and taverns” and substituting “Alcohol establishments – type II and III”.

(11) Clause 10.7A.4 is amended by adding the following after Note 6:

“7 The floor area of a lounge shall not exceed 50% of the public assembly floor area of the adjoining restaurant.”.

(12) The chart contained in clause 10.8.2 is amended:

(a) by adding the following after “(49) Day cares and preschools”:

“

(50) Alcohol establishments – type I	7.5	225	-	0 <sub>1</sub>	0 <sub>2</sub>	76	-
(51) Microbreweries – type II	7.5	225	-	0 <sub>1</sub>	0 <sub>2</sub>	76	-

”;

and

(b) by adding subscript “4” at the end of “(2) Restaurants and lounges”.

(13) The chart contained in clause 10.8.3 is amended by striking out “Night clubs and taverns” and substituting “Alcohol establishments – type II and III”.

(14) Clause 10.8.4 is amended by adding the following after Note 3:

“4 The floor area of a lounge shall not exceed 50% of the public assembly floor area of the adjoining restaurant.”.

(15) The chart contained in clause 10.8A.2 is amended:

(a) by adding the following after “(46) Day cares and preschools”:

“

(47) Alcohol establishments – type I	7.5	225	0 <sub>1</sub>	0 <sub>2</sub>	0 <sub>3</sub>	- <sub>4</sub>	-
(48) Microbreweries – type II	7.5	225	0 <sub>1</sub>	0 <sub>2</sub>	0 <sub>3</sub>	- <sub>4</sub>	-

”;

and

(b) by adding subscript “6” at the end of “(2) Restaurants and lounges”.

(16) The chart contained in clause 10.8A.3 is amended by striking out “Night clubs and taverns” and substituting “Alcohol establishments – type II and III”.

(17) Clause 10.8A.4 is amended by adding the following after Note 5:

“6 The floor area of a lounge shall not exceed 50% of the public assembly floor area of the adjoining restaurant.”.

(18) The chart contained in clause 10.8B.2 is amended:

(a) by adding the following after “(50) Day cares and preschools”:

“

(51) Alcohol establishments – type I	15	450	9	3	7.5	17
(52) Microbreweries – type II	15	450	9	3	7.5	17

”;

and

- (b) by adding subscript “6” at the end of “(2) Restaurants and lounges”.
- (19) The chart contained in clause 10.8B.3 is amended by striking out “Night clubs and taverns” and substituting “Alcohol establishments – type II and III”.
- (20) Clause 10.8B.4 is amended by adding the following after Note 5:
  - “6 The floor area of a lounge shall not exceed 50% of the public assembly floor area of the adjoining restaurant.”.

**Section 11.0 Amended**

- 10. (1) The chart contained in clause 11.1.2 is amended by adding subscript “4,5” after “11.1.4” in the “Permitted Uses” column.
- (2) The chart contained in clause 11.1.4 is amended by striking out “Night clubs and taverns” and substituting “Alcohol establishments – type II and III”.
- (3) Clause 11.1.5 is amended by adding the following after Note 3:
  - “4 The floor area of a lounge shall not exceed 50% of the public assembly floor area of the adjoining restaurant.
  - “5 An area that is limited to 250m<sup>2</sup> gross floor area for the on-site consumption of alcohol may be provided as an accessory use to a microbrewery – type I.”
- (4) The chart contained in clause 11.2.3 is amended by adding the following after “(12)” :
  - “
  - |                              |  |
|------------------------------|--|
| (13) Microbreweries – type I |  |
|------------------------------|--|
  - ”
- (5) The chart contained in clause 11.3.3 is amended by adding the following after “(12)” :
  - “
  - |                              |    |     |   |   |     |    |
|------------------------------|----|-----|---|---|-----|----|
| (13) Microbreweries – type I | 15 | 450 | 9 | 3 | 7.5 | 17 |
|------------------------------|----|-----|---|---|-----|----|
  - ”
- (6) The chart contained in clause 11.4.4 is amended by striking out “Taverns” and substituting “Alcohol establishments – type I and II”.

- (7) Clause 11.4.5 is amended by repealing Note 3 and substituting the following:

- “3 (a) The maximum building floor area for a restaurant and lounge shall not exceed 650m<sup>2</sup>.
- (b) The floor area of a lounge shall not exceed 50% of the public assembly floor area of the adjoining restaurant.”

## Section 12.0 Amended

11. (1) The chart contained in clause 12.6.2 is amended:

- (a) by adding the following after “(52) Short-term rental properties”:

“

(53) Alcohol establishments – type I	7.5	30	225	0	0	0	14
(52) Microbreweries – type I <sub>6</sub> and II	7.5	30	225	0	0	0	14

”.

and

- (b) by adding subscript “<sub>7</sub>” at the end of “(42) Restaurants and lounges”.

- (2) The chart contained in clause 12.6.4 is amended:

- (a) by repealing “(7) Microbreweries – type I” from the chart; and
- (b) by striking out “Nightclubs and taverns” and substituting “Alcohol establishments – type II and III”.

- (3) Clause 12.6.5 is amended by adding the following after Note 5:

“6 An area that is limited to 250m<sup>2</sup> gross floor area for the on-site consumption of alcohol may be provided as an accessory use to a microbrewery – type I.

7 The floor area of a lounge shall not exceed 50% of the public assembly floor area of the adjoining restaurant.”

- (4) The chart contained in clause 12.7.2 is amended by adding subscript “<sub>4,5</sub>” after “below” for the first use in the “Permitted Uses” column.

- (5) The chart contained in clause 12.7.3 is amended by adding the following after “(23) Adult entertainment venues”:



