

BYLAW NO. 940/DEV/2017

**BEING A BYLAW OF THE
MUNICIPAL DISTRICT OF FAIRVIEW NO. 136
IN THE PROVINCE OF ALBERTA**

**TO AMEND THE
MUNICIPAL DISTRICT OF FAIRVIEW NO. 136 LAND USE BYLAW NO. 876**

WHEREAS, the Municipal District of Fairview No. 136 has adopted the Municipal District of Fairview No. 136 Land Use Bylaw No. 876 to regulate land use and development in the Municipal District, and

WHEREAS The Council of the Municipal District of Fairview No. 136, in the Province of Alberta, has deemed it desirable to amend the Municipal District of Fairview No. 136 Land Use Bylaw to include regulations and provisions addressing Craft Microbreweries.

WHEREAS The Council of the Municipal District of Fairview No. 136, in the Province of Alberta, has deemed it desirable to amend the Municipal District of Fairview No. 136 Land Use Bylaw to re-designate lands from Agricultural Conservation District (AG-1) to Highway Development District (HD) to permit a Restaurant and Microbrewery on the subject lands.

**NOW
THEREFORE** Pursuant to Sections 230, 606 and 692 of the Province of Alberta Municipal Government Act, the Municipal District of Fairview No. 136 Council, duly assembled, hereby enacts as follows:

1. Add the following definitions to Section 1.5 DEFINITIONS.

“CRAFT MICROBREWERY” means a use where the small-scale manufacturing and distribution of beer and other alcoholic beverages are sold on and off the premises. This facility may be combined with the use of a ‘Restaurant’ – provided it is allowed in the respective district. A Craft Microbrewery must be licensed appropriately by the Alberta Liquor and Gaming Commission (AGLC).

“TASTING ROOM” means a room within a Craft Brewery where guests may sample alcoholic beverages.

2. Add Part 7 Special Land Use Provision, Section 7.26 CRAFT MICROBREWERIES

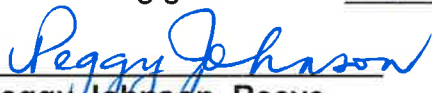
a) The development of microbreweries, must be licensed by the Alberta Gaming Liquor Commission (AGLC), meet the requirements of Alberta Health Services, as well as any other applicable provincial regulations and bylaws.

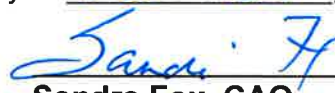
b) The manufacturing of beer and other alcoholic beverages within a microbrewery shall adhere to the production maximum for the M.D. of Fairview No. 136 (<400,000 hectoliters) per annum.

c) The development of microbreweries may be combined with other accessory uses such as a ‘Restaurant’ and ‘Tasting Room’, provided both uses are permitted in the respective district.

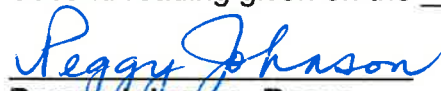
- d) **Microbreweries shall mitigate nuisance through screening, setback distances, hours of operation, separation, based on site specific conditions, at the discretion of the Development Authority for the following:**
 - i. noise
 - ii. odour
 - iii. vibration
 - iv. smoke, dust and other kinds of particle matter; or,
 - v. any other nuisance factors
 - e) **Setbacks for Craft Microbreweries must conform to the respective district provisions.**
 - f) **Add the following to Section 6.15 (11) Parking Requirements - Craft Microbrewery: 6 spaces per 100 m² (1076.4 ft²) GFA or 1 space for every 4 seats whichever is more**
 - g) **There shall be no outdoor manufacturing activities, or unenclosed outdoor storage of material or equipment associated with the business.**
3. **A craft microbrewery shall be listed as discretionary use within the following districts:**
- a) 9.8 (2) b) Highway Development District (HD)
 - b) 9.14 (2) b) Hamlet Commercial District (H-C)
4. **Re-designate Descriptive Plan 882 1721, Block 4, Lot 1 from Agricultural Conservation District (AG-1) to Highway Development District (HD) as shown in the attached Schedule "A";**
5. **The adoption of this bylaw is effective upon the date of the passing of the third and final reading of this bylaw.**

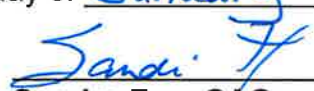
First reading given on the 12th day of December, 2017


Peggy Johnson, Reeve
M.D. of Fairview No. 136



Sandra Fox, CAO
M.D. of Fairview No. 136

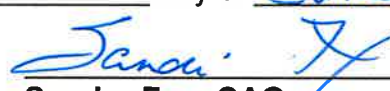
Second reading given on the 23rd day of January, 2018


Peggy Johnson, Reeve
M.D. of Fairview No. 136


Sandra Fox, CAO
M.D. of Fairview No. 136

Third reading and adoption given on the 23rd day of January, 2018


Peggy Johnson, Reeve
M.D. of Fairview No. 136

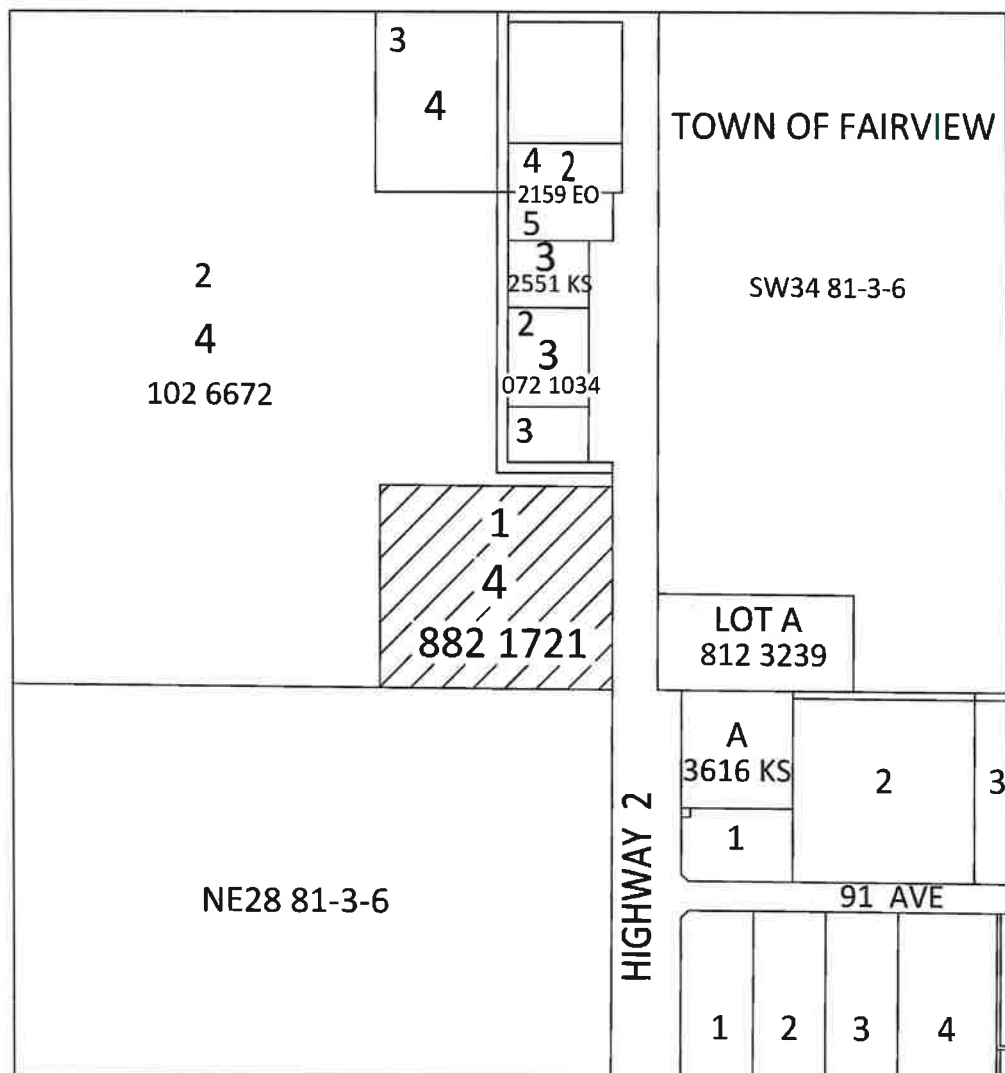

Sandra Fox, CAO
M.D. of Fairview No. 136


MUNICIPAL DISTRICT OF FAIRVIEW NO. 136
BYLAW No. 940/DEV/2017

SCHEDULE "A"

1. That the following property in the Municipal District of Fairview No. 136:

Lands known as Descriptive Plan 882 1721, Block 4, Lot 1 in the Municipal District of Fairview No. 136 be re-designated from "Agricultural Conservation District (AG-1)" to "Highway Development District (HD)" as shown on the attached schedule;



 Agricultural Conservation District (AG-1) to Highway Development District (HD)


Peggy Johnson, Reeve


Sandra Fox, Chief Administrative Officer

EFFECTIVE THIS DAY 23 OF January, 2018