

SCHEDULE “A” TO  
BY-LAW XXXX-XXX  
APPENDIX A

That Zoning By-law 2010-100Z is hereby amended by:

1. In Part 3: Definitions, adding a new definition for, “Brewing Facility, Small-Scale” and renumbering all of the existing definition numbers following thereafter;

41.	Brewing Facility, Small-Scale	<p>A <i>building or structure</i> thereof that is used for the self-contained manufacturing, production, storage, packaging, bottling, canning and shipping of no more than 50,000 hectolitres of beer per year authorized by a licence issued by the Alcohol and Gaming Commission of Ontario. A <i>Small-Scale Brewing Facility</i> may be accompanied by:</p> <ul style="list-style-type: none"><li>a) A private hospitality area where products made on the <i>premises</i> are provided to private groups for tasting and consumption;</li><li>b) An area for the retail sale of products made on the <i>premises</i> for consumption off of the <i>premises</i>;</li><li>c) An area where beer manufactured on the <i>premises</i> and alcoholic beverages made off of the <i>premises</i>, by or in collaboration with another <i>Brewing Facility, Winery and Distilling Facility</i> are sold to the general public for consumption on the <i>premises</i>;</li><li>d) Special events and tours; and</li><li>e) An <i>office</i> to be used for administrative purposes.</li></ul> <p><i>Small-scale brewing facility</i> includes nano-, micro- breweries, and may include cideries and meaderies .</p>
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2. In Part 3, Definitions, adding a new definition for, “Brewing Facility, Large-Scale” and renumbering all of the existing definition numbers to follow thereafter;

42.	Brewing Facility, Large-Scale	<p>A <i>building or structure</i> thereof that is used for the self-contained manufacturing, production, storage, packaging, bottling, canning and shipping of greater than 50,000 hectolitres of beer per year authorized by a licence issued by the Alcohol and Gaming Commission of Ontario. A <i>Large-Scale Brewing Facility</i> may be accompanied by:</p> <ul style="list-style-type: none"><li>a) A private hospitality area where products made on the <i>premises</i> are provided to private groups for tasting and consumption;</li><li>b) An area for the retail sale of products made on the <i>premises</i> for consumption off of the <i>premises</i>;</li><li>c) An area where beer manufactured on the <i>premises</i> and alcoholic beverages made off of the <i>premises</i>, by or in collaboration with another <i>Brewing Facility, Winery and Distilling Facility</i> are sold to the general public for consumption on the <i>premises</i>;</li><li>d) Special events and tours; and</li><li>e) An <i>office</i> to be used for administrative purposes.</li></ul>
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		<i>Large-scale brewing facility</i> may include cideries and meaderies.
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**3.** In Part 3, Definitions, adding a new definition for, “Brewpub” and renumbering all of the existing definition numbers to follow thereafter;

43.	Brewpub	A <i>building</i> or <i>structure</i> thereof that is used for two <i>uses</i> : a <i>Small-Scale Brewing Facility</i> and a <i>Restaurant</i> . The <i>restaurant</i> component will involve the preparation and serving of food and other refreshments to the public for consumption within, or outside of the <i>building</i> , as well as the preparation of food in a ready-to-consume state for consumption off the <i>premises</i> . In addition, 25% (or more) of the beer must be sold on site.
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**4.** In Part 3, Definitions, adding a new definition for, “Distilling Facility” and renumbering all of the existing definition numbers to follow thereafter;

85.	Distilling Facility	<p>A <i>building</i> or <i>structure</i> thereof that is used for the self-contained manufacturing, production, storage, packaging, bottling, canning and shipping of alcohol, as authorized by a licence issued by the Alcohol and Gaming Commission of Ontario. A <i>Distilling Facility</i> may be accompanied by:</p> <ul style="list-style-type: none"><li>a) A private hospitality area where products made on the <i>premises</i> are provided to private groups for tasting and consumption as a special event;</li><li>b) An area for the retail sale of products made on the <i>premises</i> for consumption off of the <i>premises</i>;</li><li>c) An area where alcohol manufactured on the <i>premises</i> and alcoholic beverages made off the <i>premises</i>, by or in collaboration with another Brewing Facility, Winery and Distilling Facility, are sold to the general public for consumption on the <i>premises</i>;</li><li>d) Special events and tours; and</li><li>e) An <i>office</i> to be used for administrative purposes.</li></ul>
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**5.** In Part 3, Definitions, adding a new definition for, “Winery” and renumbering all of the existing definition numbers to follow thereafter;

373.	Winery	<p>A <i>building</i> or <i>structure</i> thereof that is used for the self-contained manufacturing, production, storage, packaging, bottling, canning and shipping of wine authorized by a licence issued by the Alcohol and Gaming Commission of Ontario. A <i>winery</i> may be accompanied by:</p> <ul style="list-style-type: none"><li>a) A private hospitality area where products made on the <i>premises</i> are provided to private groups for tasting and consumption;</li><li>b) An area for the retail sale of products made on the <i>premises</i> for consumption off of the <i>premises</i>;</li><li>c) An area where wine manufactured on the <i>premises</i> and alcoholic beverages made off of the <i>premises</i>, by or in collaboration with another <i>Brewing Facility</i>, <i>Winery</i> and</li></ul>
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		<p><i>Distilling Facility</i> are sold to the general public for consumption on the <i>premises</i>;</p> <p>d) Special events and tours; and</p> <p>e) An <i>office</i> to be used for administrative purposes.</p> <p><i>Winery</i> may include, <i>cideries</i> and <i>meaderies</i> .</p>
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- 6.** In Part 3, Definitions, by amending the definition for “Food Processing Plant” by deleting “brewery,”.
- 7.** In Part 3, Definitions, by amending the definition for “Agriculture-related uses” by adding the following to the end of the definition “, and may include a *winery, cidery* and *meadery*”.
- 8.** In Part 3, Definitions, by amending the definition for “On-farm diversified uses” by adding the following to the end of the definition “, and may include a *small-scale brewing facility, distilling facility, winery, cidery* and *meadery*”.
- 9.** In Part 4, General Provisions, by amending Section 4.37 Special Setbacks, by adding the following at the end of the section,
- “4.37.4 Small-Scale Brewing Facilities, Distilling Facilities, and Wineries
- Notwithstanding any other yard or setback provision in this By-law to the contrary, within the ‘Rural (RU)’ and ‘Agricultural (A)’ Zones, no *building* or *structure* containing a *small-scale brewing facility, distilling facility, or winery* shall be erected or expanded unless it is located 70 metres from any *dwelling unit* excluding a *dwelling unit* located on the same lot as the facility.
- 10.** In Part 5, Parking and Loading Provisions, by amending Table 5.4: Non-Residential Parking Requirements For All Zones, Except the C6 Zone, by adding the following uses and associated minimum parking space requirements:
- a) After “*Banquet Hall*”, inserting “*Brewing Facility, Large-Scale*” with an associated parking requirement of “1/90 m<sup>2</sup> *net floor area* plus 1/30 m<sup>2</sup> *net floor area of accessory office use*”, plus 1/30 m<sup>2</sup> for any permitted *accessory uses*;
- b) After “*Brewing Facility, Large-Scale*”, inserting “*Brewing Facility, Small-Scale*” with an associated parking requirement of “1/90 m<sup>2</sup> *net floor area* plus 1/30m<sup>2</sup> *net floor area of accessory office*, plus 1/30 m<sup>2</sup> for any permitted *accessory uses*”;
- c) After “*Brewing Facility, Small-Scale*”, inserting “*Brewpub*” with an associated parking requirement of “1/90 m<sup>2</sup> *net floor area* plus 1/30 m<sup>2</sup> *net floor area of accessory office*, plus any required for the *restaurant* use, plus 1/30 m<sup>2</sup> for any permitted *accessory uses*”;
- d) After “*Day Care Centre*”, inserting “*Distilling Facility*” with an associated parking requirement of “1/90 m<sup>2</sup> *net floor area* plus 1/30 m<sup>2</sup> *net floor area of accessory office*, plus 1/30 m<sup>2</sup> for any permitted *accessory uses*; and
- e) After “*Wayside Pit or Quarry*”, inserting “*Winery*” with and associated parking requirement of “1/90 m<sup>2</sup> *net floor area* plus 1/30 m<sup>2</sup> *net floor area of accessory office*, plus 1/30 m<sup>2</sup> for any permitted *accessory uses*”.
- 11.** In Part 7 - Commercial Zones, by amending Table 7.2, Permitted Non-Residential Uses, by adding “*Small-Scale Brewing Facility*”, “*Brewpubs*” and “*Winery*” as permitted uses in the General Commercial (C2), Limited General Commercial (C3), Office Commercial (C4), Shopping Centre Commercial (C5), Downtown Commercial (C6) and Resort Commercial (C7) Zones.
- 12.** In Part 8 – Industrial Zones, by amending Table 8.1 – Permitted Uses in Industrial Zones, by:
- a) adding “*Small-Scale Brewing Facility*”, “*Brewpub*” and “*winery*” as permitted uses in the Business Industrial (M1-1), Mixed Light Industrial/Service Commercial (M1), Light Industrial (M2) and Heavy Industrial (M3) Zones;

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- b) adding “Large-Scale Brewing Facility” as a permitted use in the Mixed Light Industrial/Service Commercial (M1), Light Industrial (M2) and Heavy Industrial (M3) Zones; and
- c) adding “*Distilling Facility*” as permitted uses in the Mixed Light Industrial/Service Commercial (M1), Light Industrial (M2), an Heavy Industrial (M3) Zones.

**13.** In Part 9 – Rural Zones, by amending Table 9.2, Permitted Non-Residential Uses, by adding “*Small Scale Brewing Facility*”, “*Distilling Facility*” and “*Winery*” as permitted uses in the Rural (RU) Zone.

The applicant, a person or public body who, before the by-law was passed, made oral submissions at a public meeting or written submission to the council, or the Minister may appeal the passage of this By-law to the Local Planning Appeal Tribunal by filing with the City Clerk, within 20 days of the giving of notice of passage of the By-law by the City Clerk:

- a) A Notice of Appeal;
- b) An explanation of how the by-law is inconsistent with a policy statement issued under subsection 3(1) of the *Planning Act*, fails to conform with or conflicts with a provincial plan or fails to conform with an applicable official plan; and
- c) The fee prescribed under the *Local Planning Appeal Tribunal Act, 2017*.

If these materials and fees have not been filed with the City Clerk within this period, this By-law shall be deemed to have come into force on the day it was passed.

If these materials have been received within that time, this By-law shall not come into force until all appeals have been withdrawn or finally disposed of and except for those parts repealed or amended, and in such case it shall be deemed to have come into force on the day it was passed.

This By-law is in conformity with the City of Greater Sudbury Official Plan as amended.

Read and Passed in Open Council this XX day of XXXX, 2020.