

Public Hearing

Take notice that the Council of the County of Stettler No. 6 will hold a Public Hearing to hear representation concerning the proposed Bylaw:

BYLAW 1602-18 to provide for the amendment of the Land Use Bylaw No. 1443-10 as amended by revising (deleting and adding) the wording regarding the location of Cannabis Retail Sales and the responsibility of the development permit holder to comply with other legislation as shown in Schedule '1' below.

The bylaw may be reviewed at the County Administration Building located at 6602 – 44 Avenue, Stettler, Alberta during regular office hours, 8:30 a.m. to 4:30 p.m., Monday through Friday.

The Public Hearing to hear representation concerning Bylaw 1602-18 is scheduled to be held **Tuesday, November 13th, 2018 at 1 P.M.** or as soon thereafter as possible, in the Council Chambers at the County Administration Building located at 6602 – 44 Avenue, Stettler, Alberta.

Any person wishing to comment on the proposed bylaw may do so in writing to the Planning and Development Officer, County of Stettler No. 6, Box 1270 Stettler, Alberta, TOC 2L0, or by email to jvanderbank@stettlercounty.ca no later than noon on November 13, 2018 or make representation at the Public Hearing.

Following the Public Hearing, Council may proceed with second and third readings to approve the bylaw.

Should you require additional information, please contact the Planning and Development Officer at (403) 742-4441.

Dated: October 19, 2018

Johan van der Bank
Director of Planning and Development

County of Stettler No. 6 LAND USE BYLAW No. 1443-10, as amended

consistency between the Building Permit submitted to/issued by the Safety Codes Council and the Development Permit issued by the County in matters that include but are not limited to the following: the use for which the Development Permit was issued, compliance with conditions attached to the Development Permit, compliance with regulations and standards contained in the applicable land use district such as minimum or maximum floor area of a building, maximum building height, and rear, front and side yard setbacks, and compliance with any variance to regulations approved by the Development Authority.

47.5 Nothing stated in Section 24.1 (v) or Section 47 must be interpreted as an attempt by the County to enforce the Safety Codes Act.

48. CANNABIS RETAIL SALES AND CANNABIS PRODUCTION

48.1 Notwithstanding any other provision in this Land Use Bylaw, the following regulations apply to all Cannabis Retail Sales and the production of Cannabis:

- (a) Where any definition, regulation, standard or anything else in this Land Use Bylaw includes or authorizes the sale of any retail or wholesale product including food and beverages, such sale shall be deemed to exclude Cannabis Retail Sales;
- (b) Cannabis Retail Sales shall be a prohibited use in any Land Use District where Cannabis Retail Sales is not expressly listed as a discretionary use;
- (c) Cannabis Retail Sales shall not be co-located with any business premises other than that which is intended expressly and solely for the sale of cannabis and cannabis accessories. A cannabis store can occur as a stand-alone use with its own dedicated separate entrance in a multi-tenant building or as part of a mixed-use development;
- (d) All functions of a Cannabis Retail Sales use shall be fully enclosed within the building;
- (e) No Outdoor Storage shall be allowed on the site;
- (f) All garbage containers, waste material and loading facilities shall be fully enclosed within the building;
- (g) The use shall not emit any odour or other substance which is harmful or injurious to health or physical well-being;
- (h) The use shall not emit nuisances including, but not limited to, odour, noise and light, that may have a negative impact to adjacent sites or the surrounding area;
- (i) Products in the store shall not be visible from outside the premise;
- (j) Drive-through windows are prohibited;
- (k) The business name is to be prominently displayed in signage at all public access points of the Cannabis Retail Sales use;
- (l) Hours of operation for Cannabis Retail Sales shall be limited to between 10:00 a.m. and 10:00 p.m. only;
- (m) The following separation distances, measured in a straight line from the closest point to/from the following specified uses shall be met, regardless of which use is approved first:
 - (i) 400 metres from the occupied floor area of one Cannabis Retail Sales use to the occupied floor area of another Cannabis Retail Sales use;

- (ii) 400 metres from the property boundary of all schools (as defined in the School Act), training facilities and other educational premises to the occupied floor area of a Cannabis Retail Sales;
- (iii) 400 metres from the occupied floor area of a Day Care Facility to the occupied floor area of a Cannabis Retail Sales use;
- (iv) 400 metres from the property boundary of a recreation facility, a playground, a community centre, a church or a public park, to the occupied floor area of a Cannabis Retail Sales; ~~and~~
- ~~(v) a Cannabis Retail Sales shall not be located adjacent to or connected to a restaurant, drive-thru restaurant, convenience store, service station, gas bar, hotel, motel, bar, liquor store, night club or pub.~~

48.2 The production of cannabis is included in the land use definitions of "Manufacturing, Processing or Assembly Facility" and "Value Added Agricultural Industry" however, where a facility or industry produces cannabis, the sale of cannabis from that facility or industry is prohibited and the operator of the facility or industry would be required to obtain a separate development permit for "Cannabis Retail Sales", provided the Land Use District in which the subject property is located, included that use.

48.3 In addition to the requirements of this Bylaw, a person who obtains a Development Permit for Cannabis Retail Sales or for cannabis production is required to comply with all federal, provincial and other municipal legislation. The issuance of a Development Permit for Cannabis Retail Sales or for cannabis production indicates only that the development to which the Development Permit relates is authorized in accordance with the provisions of this Land Use Bylaw respecting land use and development standards, including those respecting the location of premises described in a cannabis license and distances between those premises and other premises. The issuance of a Development Permit for Cannabis Retail Sales or for cannabis production does not in any way relieve or excuse the Development Permit holder from obtaining and complying with any other permit (including safety codes permits e.g. building, electrical, gas, plumbing, etc.), license, or other authorization required by any Federal or Provincial Act or regulation, or under any Bylaw of the County, or complying with the conditions of any easement, covenant, agreement, or other instrument affecting the building or land. It remains the Development Permit holder's responsibility to ensure compliance with such other legislation, including the provincial and federal legislation regarding Cannabis. The Development Authority does not administer or enforce such other legislation.

49. CANVAS COVERED STRUCTURE

49.1 Notwithstanding the provisions of any land use district the development of a canvas covered structure as either a principal building or an ancillary building on any parcel of land adjacent to or within a multi-lot subdivision, a hamlet, a village or a town shall be a discretionary use and the Municipal Planning Commission, in its sole discretion, may approve a development permit application for a canvas covered structure on a temporary basis pursuant to Section 25.

50. CHANGE OF USE OR INTENSITY OF USE

50.1 A development permit is required where the following occurs:

- (a) a change of use of land or of an existing building or an act done in relation to land or to an existing building that results in or is likely to result in a change in the use of the land or the existing building, or
- (b) a change in the intensity of use of land or of an existing building or an act done in