

**BYLAW 746-P-09-18
TOWN OF COALDALE
PROVINCE OF ALBERTA**

**BEING A BYLAW OF THE TOWN OF COALDALE IN THE PROVINCE OF ALBERTA,
TO AMEND BYLAW 677-P-04-13, BEING THE MUNICIPAL LAND USE BYLAW.**

WHEREAS the municipal council wishes to amend the municipal Land Use Bylaw.

AND WHEREAS THE PURPOSE of proposed Bylaw 746-P-09-18 to amend the municipal Land Use Bylaw in response to recent amendments to the *Municipal Government Act*, address cannabis related land uses, and to address other minor administrative matters.

AND WHEREAS the municipality must prepare an amending bylaw and provide for its consideration at a public hearing.

NOW THEREFORE, under the authority and subject to the provisions of the *Municipal Government Act*, Revised Statutes of Alberta 2000, Chapter M-26, the Council of the Town of Coaldale, in the Province of Alberta, duly assembled does hereby enact the following:

1. The Land Use Bylaw 677-P-04-13 is amended by making the additions and deletions as illustrated in Schedule "A" (attached), including the following matters:
 - a. Recognize the adoption of the South Saskatchewan Regional Plan and its replacement of the Provincial Land Use Policies;
 - b. Address the determining of completeness of development permit and subdivision approval applications within a twenty (20) day period;
 - c. Address the requirement to issue a development permit on the date the decision was given;
 - d. To clarify that the appeal period is twenty-one (21) days from the date the decision was given;
 - e. To establish and clarify the powers and duties of the Subdivision Authority;
 - f. To clarify that a Cannabis Retail Sales use and a Cannabis Lounge use, are prohibited uses in commercial (and all other) land use districts;
 - g. Delete the Medical Marihuana and Medical Marihuana Production Facility definitions, add a definition for Cannabis Production Facility along with associated development standards, and list Cannabis Production Facility as a discretionary use in the Industry – I land use district;
 - h. To address other minor administrative matters.

2. Bylaw No. 677-P-04-13, being the municipal Land Use Bylaw, is hereby amended.
3. This bylaw comes into effect upon third and final reading and is duly signed.

READ a FIRST time this 4th day of September, 2018.

Mayor – Kim Craig
Motion: 280.18

CAO – Kalen Hastings

Bylaw 746-P-09-18 amended prior to SECOND reading at the October 9, 2018, Regular Council Meeting, to introduce Schedule 14 (Cannabis Regulations) to the Land Use Bylaw.

READ a SECOND time this 9th day of October, 2018.

Mayor – Kim Craig
Motion: 334.18

CAO – Kalen Hastings

(For details of amendments see Schedule “A” attached.)

READ a THIRD and FINAL time this 9th day of October, 2018.

Mayor – Kim Craig
Motion: 335.18

CAO – Kalen Hastings

SCHEDULE “A” – LAND USE BYLAW 677-P-04-13

CANNABIS REGULATIONS

- (a) Prior to Council considering a development permit application for a cannabis retail store, the parcel of land on which the cannabis retail store is going to be proposed must be the Direct Control district.
- (b) A cannabis retail store use must be a separate use from any other uses or business activities unless it is a use or activity expressly authorized by the Alberta Gaming, Liquor & Cannabis (AGLC).
- (c) A cannabis retail store use must obtain the necessary license from the AGLC and proof of license shall be required as a condition of development permit approval.
- (d) If at any time an approved cannabis retail store use has its AGLC license revoked or the license expires, the development permit issued to the cannabis retail store shall be null and void.
- (e) The owner or applicant must obtain, and maintain on a permanent basis, any other approval, permit, authorization, consent or license that may be required to ensure compliance with applicable federal, provincial or other municipal legislation.
- (f) A development permit for a cannabis retail store shall not be approved if the premises (measured from the nearest outside wall of the Cannabis retail store is located within a separation distance of any of the following:
 - (i) 500 m from the boundary of a parcel of land on which another Cannabis Retail Sales is located;
 - (ii) 300 m from the boundary of a parcel of land on which a School, Child Care Facility, Recreational and/or Sporting Facility, Community Centre, Parks and Playgrounds, is located;
 - (iii) 100 m from the boundary of a parcel of land on which a provincial owned or operated medical facility is located;
 - (iv) 100 m from the boundary of a parcel of land on which a Liquor Store is located;
 - (v) 100 m from the boundary of a parcel designated as school reserve (SR) or municipal and school reserve (MSR) is located;
- (g) The hours of operation for a cannabis retail store shall be limited to 10 a.m. to 10 p.m. daily.
- (h) A cannabis retail store is not eligible to be developed as a home occupation.
- (i) Application requirements for a cannabis retail store are as follows:
 - (i) prior to applying for a municipal development permit for a cannabis retail store, the applicant is required to apply to the AGLC for a determination of eligibility to obtain a licence, and submit verification of the AGLC eligibility as part of the development application;

- (ii) a detailed business plan including hours of operations, number of employees and any other relevant matters;
- (iii) documentation demonstrating how the cannabis retail store complies with the Conditions Governing Cannabis Store Premises under the Alberta Gaming, Liquor and Cannabis Regulation;
- (iv) proposed exterior business signage and information demonstrating compliance with the Alberta Gaming and Liquor Commission store names;
- (v) a site plan including details of the proposed store and a detailed listing of surrounding land uses, both on adjacent (contiguous) parcels and within a 150 m from the site subject of the application (drawn on a high quality and clearly legible site plan with text descriptions).