

SPECIAL MPC MEETING
FRIDAY APRIL 27, 2018
12:00 P.M.

MUNICIPAL PLANNING COMMISSION FRIDAY APRIL 27, 2018 – 12:00 PM TOWN OF REDCLIFF

AGENDA

Pg. AGENDA ITEM

- 1. CALL TO ORDER
- 2. ADOPTION OF AGENDA
- 3. DEVELOPMENT PERMIT APPLICATION FOR MPC CONSIDERATION
 - A) Development Permit Application 18-DP-014
 Abraham Penner
 Lot 7-8, Block 3, Plan 1117V (825 Main Street S.)
 Relocated Semi-Detached Dwelling
- 4. FOR COMMENT
 - A) Bylaw 1860/2018, Land Use Bylaw Amendment To amend the Land Use Bylaw to include rules, definitions, and practices to govern the sale, and growing / processing of cannabis
- 5. ADJOURNMENT



DEVELOPMENT PERMIT APPLICATION

Application #: 18-DP-014

| APPLICANT INFORMATION | | |
|---|---|--|
| Applicant | Property Owner (if different) | |
| Abraham Kenner | | |
| Phone | Phone | |
| (463) 938-2641 | | |
| Email | Email | |
| abe Karapenner Bhotmail.com | | |
| Mailing Address | Mailing Address | |
| Box 866 | | |
| City Province Postal Code | City Province Postal Code | |
| Redchiff AB Toj-200 | | |
| | | |
| | | |
| LOCATION OF DEVELOPMENT | | |
| Civic Address 825 Main Street | Morth | |
| Lamel Address Lot | ck Plan 17./ | |
| Legal Address Lot L: 7-8 Az | ck3 Plan 117V | |
| | | |
| | | |
| DESCRIPTION OF DEVELOPMENT | | |
| Proposed Development: | and pate to C delie | |
| | ome onto a new foundation | |
| onto the lott. | | |
| | | |
| | Day of Calls 1 | |
| Proposed Application: | Proposed Setbacks: Front: | |
| M New Residential | Left: 1,5 _m | |
| New Residential Commercial/Industrial | Back: | |
| ☐ Home Occupation | Right: 1.5m | |
| ☐ Permit to Stay | 1.21/1 | |
| ☐ Addition | Land Use District | |
| ☐ Change of Use | | |
| □ Sign | R-1 Single Family Dwelling Value of Development | |
| ☐ Accessory Building | 170,000. | |
| □ Deck | Estimated Completion Date | |
| □ Demolition | 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 | |
| ☐ Other (please specify) | July 31/2018 | |



DEVELOPMENT PERMIT APPLICATION

- Failure to fully complete this form and/or supply the required information may result in a delay
 of the application process.
- 2. Development Permit fees must accompany this application prior to its review.
- 3. A Development Permit does not become effective until the appeal period has expired or until any made appeal has been heard and a decision rendered.
- 4. If a decision has not been issued within 40 days of the date the application is deemed refused. An appeal of the refusal may be made to the Subdivision and Development Appeal Board within 14 days.
- 5. A Development Permit shall be void after 12 months of no progress.
- A Development Permit is NOT a Building Permit or Business License. Any approvals granted regarding this application does not excuse the applicant from complying with Federal, Provincial, or other Municipal requirements.
- The Development Permit does not override conditions of any easement, restrictive covenant, architectural controls, or agreement affecting the building and/or lands. The Applicant is still responsible to comply with any and all of these conditions.
- 8. An authorized person designated by the municipality is allowed to enter subject land and buildings for the purpose of an inspection with respect to this application only. The time and date of inspection to be mutually agreed upon by both parties.

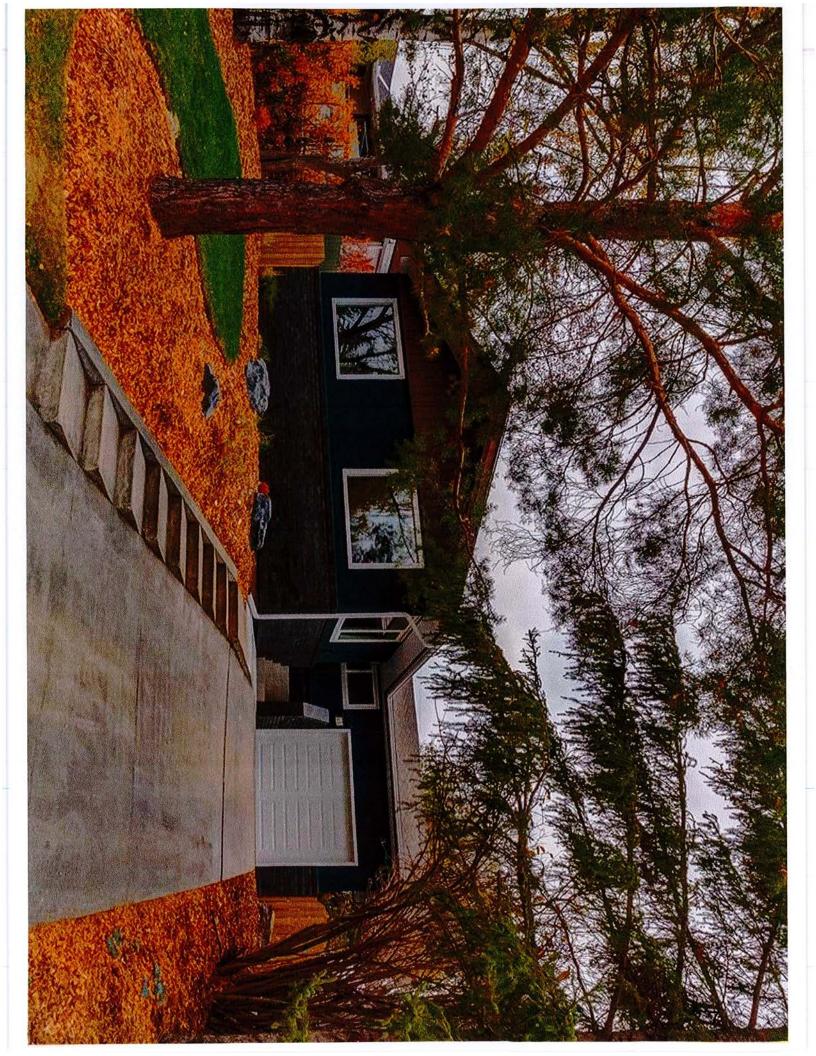
I have read, understood, and agree to the above information. The information I have provided is true, and to the best of my knowledge and abilities, is accurate and complete.

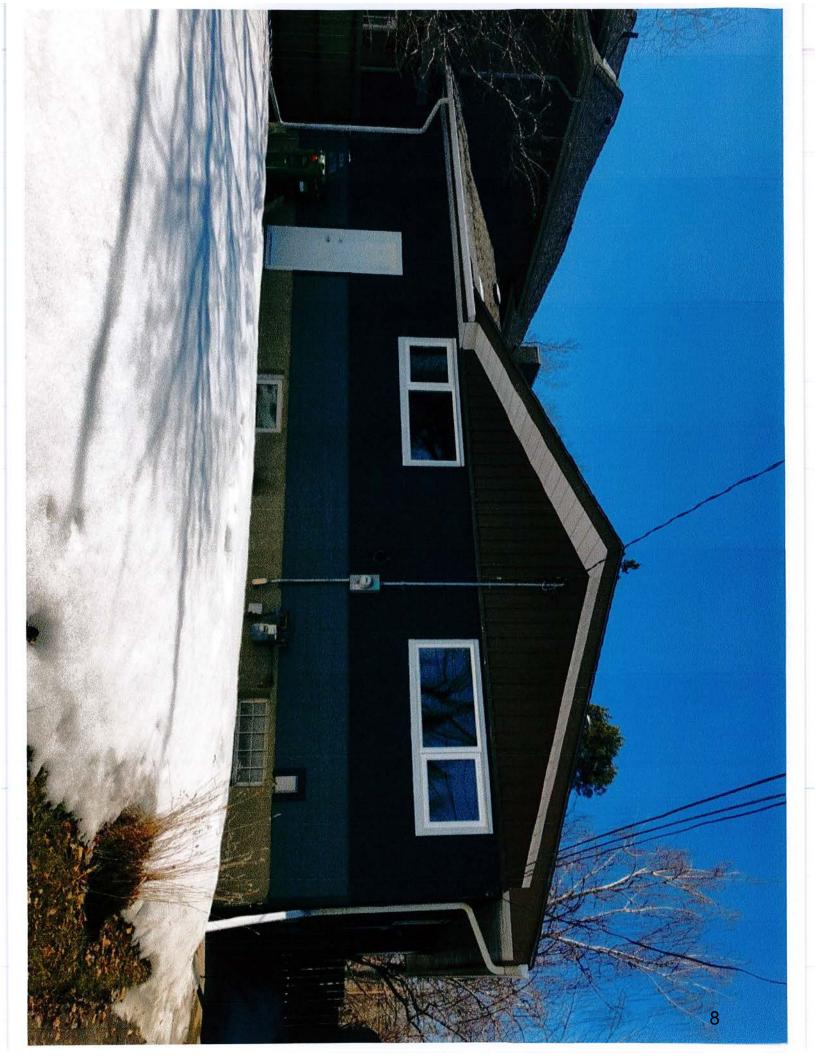
| NAME (please print); About | | |
|--|-------------------|---|
| DATE: April 20/2 | 018 | |
| FOR OFFICE USE ONLY Received by: | Stehn | Date: Caril 20/18 |
| ☐ Permitted Use ☐ Discretionary Use – De ☐ Discretionary Use - MP | velopment Officer | Designated Use: Single Family Develling |
| Receipt # | Fee: | Date(ssued: |
| ☐ Current Certificate of Ti | tle Roll # | #0096300 |
| Notes: | | |
| | | |
| pit the second to the second t | | |

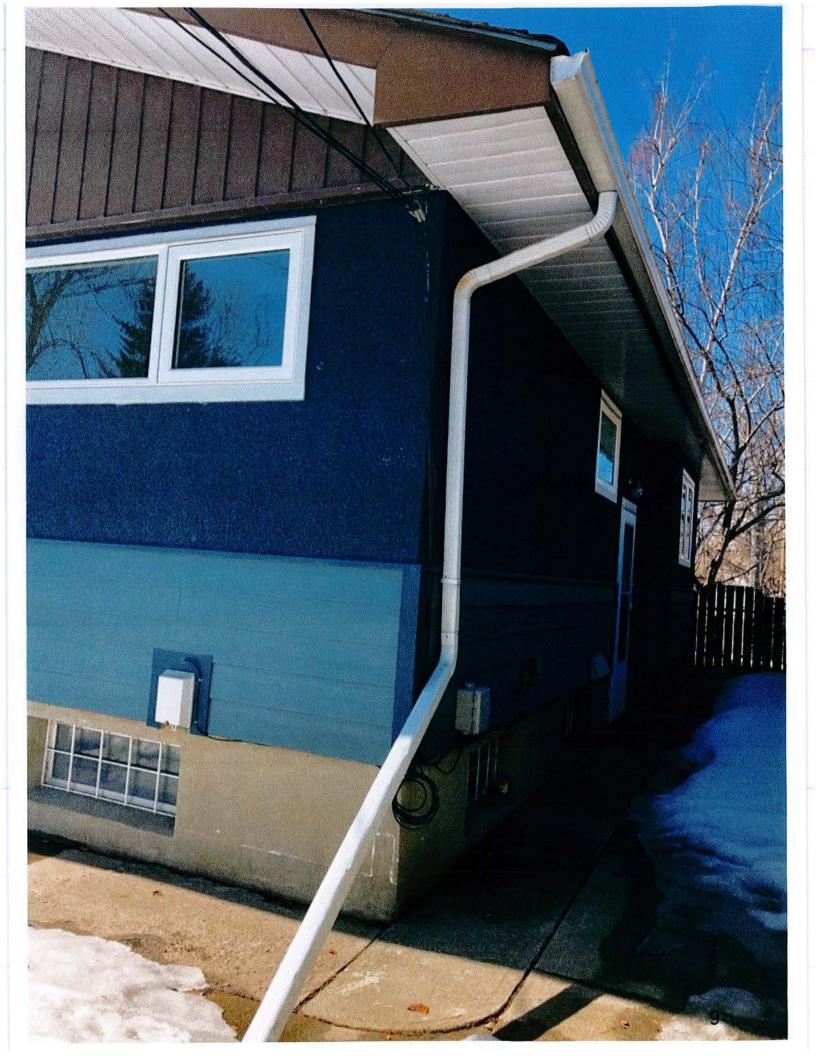
Personal information collected on this form is collected in accordance with Sections 683, 685, and 686 of the Alberta Municipal Government Act and Section 33(c) of the Freedom of Information and Protection of Privacy Act. <u>Please note that such information may be made public.</u> If you have any questions about the collection of information, please contact the Town of Redcliff's FOIP Coordinator at 403.548.3618.

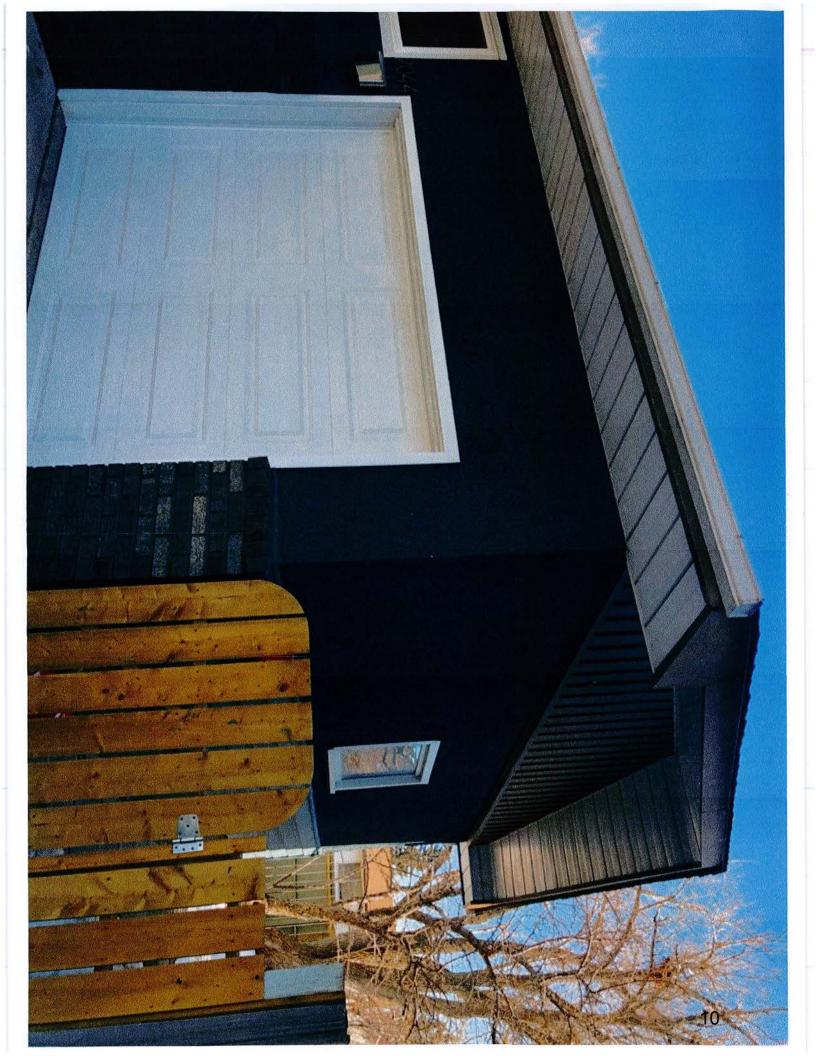
BACK - ALLEY BACK-ALLEY Im 3~ €82° 16 . D.88m. Between Buildings (g.33) Im 1.5m 105m 10m 440° > 21 40' (19.19) 16 +24'→ 6m SIDENALK SIDEWALK SIDEWALK SIDEWALK SIDEWALK

NHS

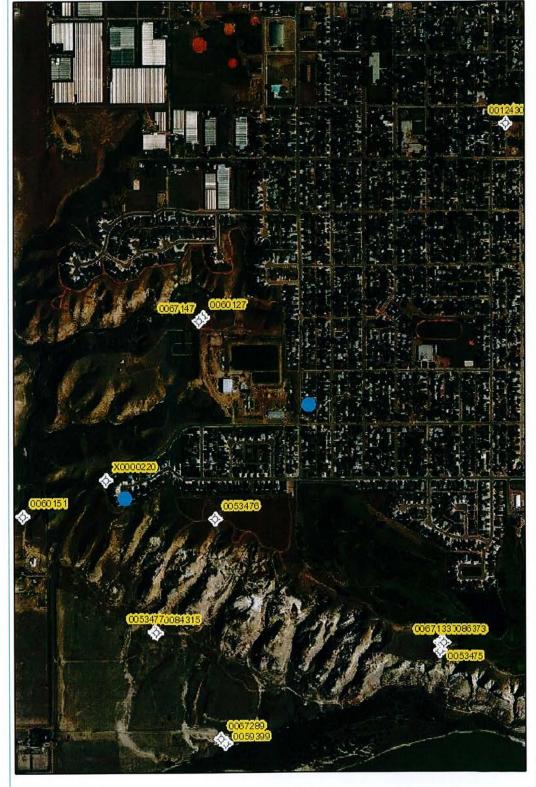








Map Results



Legend

- Abandoned Wells (Large Scale)
- O Revised Well Location (Large Sca
- Revised Location Pointer

© Government of Alberta

While every effort is made to ensure data from this site is accurate and current, the Government of Alberta is not liable for any loss or damage arising from the possession, publication, or use of, that data. This information is provided "as is" without warranty.

Friday, April 20, 2018 10:44:15 -06:00

0.9 0.46 0.9Kilometers Map Scale: 1:18,056



MUNICIPAL PLANNING COMMISION

Planning & Engineering Report

April 24, 2018

Development Permit Application: 18-DP-014

Applicant: Abraham Penner

Owner: Abraham Penner

Property Address: 825 Main Street S.

Legal Address: Lot 7-8, Block 3, Plan 1117V

Land Use: R-1 Single Family Residential District

Development Officer: Brian Stehr

1. BACKGROUND:

Planning & Engineering has been in discussions with the property owner regarding the addition onto the home, and then the possibility of moving a home onto the property.

On April 20, 2018 Abraham Penner applied for a Development Permit to move an existing house onto the aforementioned property.

2. PLANNING & ENGINEERING COMMENTS

Section 73 Relocated Buildings states:

- 1. No person shall relocate any building, make changes in location of a building, or move a building from a site outside to one within the Town unless and until he has obtained a permit from the Development Authority.
- 2. A person intending to relocate any building within or into the Town shall make written application for a permit to do so upon a form to be provided by the Development Authority involving a description of the building, the purpose for which it is intended to be used and any other appropriate information.
- 3. An application to obtain a Development Permit to relocate a building shall be accompanied by:
 - a. Photographs showing the elevation of each side of the building to be moved, the floor plan thereof, an accurate description of the present location of the building, the registered owner of the site upon which the building is located and the site to which the building is to be moved
 - b. Specifications of the structure of the building.
 - c. An accurate plot or site plan to which the building is to be moved.
 - d. The existing and proposed use of the building
 - e. Confirmation that building meets all relevant provisions of the Alberta Building Code and Alberta Fire Code.

- f. A report from a qualified building inspector regarding the condition of the building, at the applicant's expense.
- g. Any other information related to the proposal as required by the Development Authority.
- 4. The design, external finish and architectural appearance of any relocated structure shall be similar to complement the existing structures located on the parcels adjacent to the parcel on which it is to be located.
- 5. All relocated buildings are to be considered a discretionary use Commission and shall be subject to all relevant General Provisions and district requirements and regulations in this Bylaw.
- 6. When the Development Authority approves a Development Permit for a relocated building, the Development Authority may require the applicant to pay a fee, or provide a letter of credit or cash deposit in such amount to ensure completion of the Development Permit conditions.

The Applicant is putting in new services (water and sanitary sewer) to the home. Public Services will be installing the new services. That part of the sidewalk, curb and gutter that need to be removed will be replaced at the applicant's expense.

The submitted site plan indicates that there is 2 parking stalls available.

The proposed home is less than 25% larger than the existing home, and therefore is not subject to Off-Site Levies.

Town administration supports the proposed development.

| 3. | RECOMMENDATION: | |
|----|-----------------|--|
| | | |
| | | |
| | | |
| | | |
| | | |

- 1. MPC member _____ moved that Development Permit Application 18-DP-014 for a relocation of a single family home be approved with the following conditions:
 - 1. The exterior of the home to be similar or compliment adjacent properties;
 - 2. The Applicant to provide a drainage plan that is acceptable to the Director of Planning & Engineering;
 - 3. Prior to the release of the Development Permit the Applicant shall provide to the Development Officer:
 - A deposit in the amount of \$1000.00 to ensure the repair of any Town of Redcliff infrastructure damaged by the applicant, the applicants contractors or suppliers;
 - ii. A deposit in the amount of \$4000.00 to ensure the finishing of exterior by October 26, 2018;
 - iii. A deposit in the amount of \$1000.00 to ensure the finishing of the landscaping by May 1, 2019.

Cannabis Legalization in Alberta Municipalities

With the federal government set to legalize cannabis this summer, Alberta has passed legislation that will meet that deadline, while also meeting the expectations of Albertans. The legislation, along with associated regulations, establishes overarching rules and guidelines for Alberta's cannabis system and provides municipalities a significant role in shaping how cannabis will be sold and consumed within their communities.

Cannabis Consumption

Albertans who are 18 or older may smoke or vape cannabis at home and in some public places, but not in vehicles, cannabis retail outlets, anywhere smoking or vaping tobacco is restricted, or in areas frequented by children, including school and hospital properties and within five metres of skate parks, spray parks, and playgrounds.

Municipal role

 Using existing authorities (i.e. bylaws), municipalities may decide to place further restrictions on where cannabis may be consumed in public spaces within their community.

Retail Sales for Cannabis

- Albertans may purchase cannabis products online through a website operated by the Alberta Gaming and Liquor Commission (AGLC).
- Albertans may also buy cannabis products through privately owned and operated specialized retailers.

- The AGLC will regulate retail licensing and licensees must follow rules set by government, which include where stores can be located, hours of operation, physical store requirements, age of staff and staff training.
- The maximum hours of operation for cannabis retail stores will be aligned with the limits for alcohol retail stores (10 a.m. - 2 a.m.).
- Provincial regulations will establish minimum setback distances of 100 metres for cannabis stores from sensitive land uses, such as schools and provincial health care facilities.

Municipal role

- Municipalities will continue to have the authority to set the development rules for new cannabis developments in their existing land use bylaws, and to make decisions on development applications relating to cannabis retail locations.
- Municipalities will now also be responsible for ensuring their land use bylaws are consistent with Gaming, Liquor and Cannabis Regulation requirements for cannabis retail locations.
- Municipalities will have discretion to vary certain rules to be either more or less restrictive than the regulations set by the province. For example:
 - Based on local requirements, municipalities could create more restrictive hours of operation for cannabis stores; or,
 - Establish shorter or further distances from sensitive use areas.
- Where applicable, municipalities will also be responsible for granting development approvals and/or business licences to prospective cannabis retailers. Municipalities will need to develop appropriate application processes, licence conditions and fees, and assessment criteria to ensure that cannabis retailers meet the needs of the communities in which they are located.

Cannabis Legalization in Alberta Municipalities

Cannabis Production

- While the Alberta government is responsible for regulating the distribution and retail system for non-medical cannabis, the federal government will continue to be responsible for developing, licensing and regulating cannabis production facilities.
- Health Canada will be responsible for enforcing matters related to regulating licensed producers and cannabis production. As with the existing retail approach to liquor, the AGLC will be responsible for enforcing all provincial rules and regulations related to the retail sale of cannabis in Alberta.

Municipal role

- Municipalities will continue to be responsible for establishing land use bylaws and considering development applications related to cannabis production facilities.
- Municipalities will need to work with prospective producers and the federal government to determine how production facilities will be treated within their communities.
- When considering how cannabis production facilities in their jurisdictions should be classified under the Alberta Building Code, municipalities can contact Alberta Municipal Affairs for advice as needed.

Enforcement and Impaired Driving

- Federal, provincial and municipal governments will share responsibility for enforcing cannabis-related offences.
- The federal government has introduced legislation that makes changes to impaired driving laws in the Criminal Code. It is working on the approval of roadside screening devices that will assist law enforcement officers in addressing drug-impaired driving. The Alberta government is continuing to work with the federal government to ensure there is adequate support for law enforcement training and equipment.

Municipal role

- Municipalities will be responsible for enforcing municipal guidelines and bylaws created within their jurisdiction (e.g. land use, public spaces, nuisance complaints, etc.). This includes areas where municipalities have created rules above and beyond minimum requirements set by the province.
- Municipal police forces will continue to be responsible for enforcing provincial and federal laws related to cannabis possession and consumption, as well as impaired driving and public safety.

Next Steps

- The Alberta government will continue working closely with municipalities to ensure municipal governments are able adapt to cannabis legalization within their communities.
- The Alberta government is in the process of finalizing our approach to cannabis taxation and exploring potential measures to address workplace safety issues and overall public education related to legalized cannabis.

For more information on cannabis and legalization, please visit www.alberta.ca/cannabis and www.aglc.ca/cannabis

You may also visit the <u>Federation of Canadian Municipalities</u> to learn more about how municipalities can prepare for legalization.



The Future of Cannabis in Alberta

The rules around cannabis in Alberta once it is legal in summer 2018.



LICENSED GROWERS

PROVINGIAL GOVERNMENT OVERSIGHT

manages how cannabis gets from the licensed grower to the retailer. The Alberta Gaming and Liquor Commission (AGLC) directly



WORKPLACE

continue to address impairment at work. Alberta is reviewing all existing regulations and programs to ensure rules



AGLC-OPERATED ONLINE SALES

of sale and at delivery. Age verification occurs at point





ADVERTISING

only be allowed inside cannabis stores Product advertising will



DRIVING

including impairment by cannabis. seize vehicles if people drive impaired, Police are able to suspend licences and



an adult.

even if accompanied by entering cannabis stores, and cannabis accessories.

May only sell cannabis

Minors are prohibited from

RETAIL STORES

PRIVATE CANNABIS

OWNERS AND STAFF

must be 18 and Qualified employees background checks. Must undergo extensive

undertake training

smoking tobacco is prohibited.

frequented by kids and other public places where Smoking and vaping cannabis are prohibited in areas



POSSESSION

up to 30 grams of legal cannabis in public. Adults can possess



HOME

PUBLIC CONSUMPTION

up to four plants. Landlord and can be used to set rules for tenant agreements or condo bylaws consumption and growing. Each household is allowed to grow



alberta.ca/cannabis

February 2018

Alberta's System for Legalized Cannabis

safety on roads, in workplaces and in public spaces, and limiting the illegal market. to legal cannabis while protecting Alberta's youth and public health, promoting Once legal, Alberta's system for legalized cannabis will provide adults safe access



Highlights of legislation and regulations

- Minimum age for purchase and possession is 18.
- Adults may possess 30 grams at any given time; there will be zero tolerance for youth under the legal age of 18 possessing any cannabis.
- Anyone under 18 caught with five grams or less will face sanctions similar to those for underage possession of alcohol or tobacco. Youth found in possession of over five grams continue to be subject to federal criminal charges.
- Adults may smoke or vape cannabis at home and in some public places, but not in vehicles, any cannabis retail outlets, anywhere smoking or vaping tobacco is already prohibited, or in specific areas frequented by children, including school and hospital properties and within five metres of skate parks, spray parks, and playgrounds.
- Adults can grow cannabis at home; up to four plants per household (not per person) for personal consumption.
- Landlord and tenant agreements or condo bylaws can be used to set rules for consumption and growing.
- Licence suspensions and vehicle seizures that apply to alcohol-impaired driving have been extended to cannabis impairment. There will be zero tolerance for those on graduated licences. Cannabis consumption will not be allowed in vehicles.
- The Alberta Gaming and Liquor Commission (AGLC) will provide clear oversight over the distribution of packaged and sealed cannabis products, ensuring only legally produced products come into Alberta. (This is similar to what's in place now for alcohol).

- The AGLC will operate online sales of cannabis products on behalf of government.
- The AGLC will ensure cannabis is distributed to privately owned and operated specialized retailers. Retail locations will be regulated and follow rules set by government, including hours of operation and security requirements.
- Cannabis retailers may be open between 10 a.m. and 2 a.m. and must keep cannabis products in a locked display case accessible only by staff. However, municipalities can further restrict these hours.
- Anyone applying for a licence to open a retail store will have to undergo an extensive mandatory background check.
- Employees must also consent to background checks, be 18 or older and will be required to undergo AGLC SellSafe training.
- Cannabis retail outlets must be 100 meters away from schools and provincial health care facilities. Municipalities will have the discretion to modify or add further buffers from these or other uses.
- Any single sales transaction of cannabis products, in a retail location and online, will be limited to 30 grams.
- Cannabis advertising will be restricted to locations with no minors. The federal government has also proposed strict rules about labeling and packaging. The Alberta government will monitor the specifics of their proposed program and work with them to address any issues or gaps in policies should they arise.

Check with your municipality for more information about cannabis legalization in your community

For more information about the system for legalized cannabis in Alberta, visit alberta.ca/cannabis.

For more information about retail regulations, or how to apply for a cannabis retail licence, visit aglc.ca/cannabis.

REDCLIFF MUNICIPAL PLANNING COMMISSION

FOR COMMENT/DISCUSSION

DATE: April 27th, 2018

TOPIC: Bylaw 1860/2018, proposed amendments to the Land Use Bylaw

regarding cannabis legalization

BACKGROUND:

Redcliff Town Council gave first reading of amendments to the Land Use Bylaw regarding cannabis legalization on April 23rd, 2018. The amendments are being brought before MPC for comment and discussion. The public hearing is scheduled for May 14th, 2018. After the public hearing, the second and third readings of the amending bylaw may be given. MPC comments will be forwarded to Council at the public hearing.

Federal legalization of recreational cannabis is planned for summer 2018. Municipalities like Redcliff have authority over where cannabis-related businesses can be located, and where public consumption of cannabis is permitted. Proposed amendments to the Land Use Bylaw (LUB) set out the locations and specific regulations for cannabis stores and cannabis production facilities in Redcliff.

Further amendments to additional bylaws regarding cannabis legalization, including consumption, will be brought to council at subsequent council meetings.

LUB Amendment Process & Consultation

Research

Resources from the Alberta Urban Municipalities Association (AUMA), Brownlee LPP, the Federation of Canadian Municipalities, the Alberta Gaming and Liquor Commission, Health Canada, Alberta Health Services, and various municipalities in Alberta were reviewed and considered prior to drafting the proposed amendments to Redcliff's LUB.

Council Involvement

Council had the opportunity to first view the draft LUB amendments when they were brought for information on March 12th. Ten requests for decision related to cannabis legalization were brought to council on April 9th to provide Administration with policy direction. Council was also provided with the public engagement results, for information, on April 9th.

Public & Stakeholder Involvement

A public survey was released on March 6th and collected 467 responses before closing on March 31st. Additionally, two open houses on cannabis legalization were held at Town Hall on March 15th and 20th. Members of Administration also met with representatives from the RCMP and City of Medicine Hat to discuss approaches to cannabis legalization.

Summary of Proposed Changes:

Proposed changes to the Land Use Bylaw are based on best practices research, public and stakeholder input, and direction received from Council at the April 9th, 2018 Council meeting, during which Council passed 10 resolutions related to the legalization of recreational cannabis.

Administration has broken the proposed LUB update into the following three sections for the purpose of discussion (all sections are presented as one amending bylaw for first reading):

1. Definitions

New definitions for cannabis-related uses are required to allow for specific cannabis-related regulations within the LUB. For example, you cannot include regulations for a Cannabis Retail Store, or specifically permit or disallow a Cannabis Retail Store in certain locations, without first defining a Cannabis Retail Store.

New definitions to the LUB include:

- Cannabis
- Cannabis Accessory
- Medical Marijuana
- Cannabis Production and Distribution Facility
- Cannabis Production and Distribution Facility Overlay
- Cannabis Retail Store
- Cannabis Retail Store Overlay
- Cannabis Lounge
- Medical Marijuana Dispensary

2. Cannabis Retail Store Regulation

The Cannabis Retail Store regulation sets out specifics regarding zoning, setback distances, development standards, and Development Permit Application requirements for Cannabis Retail Stores to minimize the potential negative effects associated with cannabis legalization.

The location of Cannabis Retail Stores was a concern of 44% of survey respondents. The top preferred Cannabis Retail Store locations amongst survey respondents were general commercial and light industrial areas. The proposed Cannabis Retail Store Overlay permits Cannabis Retail Stores in light industrial, general commercial, highway commercial, and downtown commercial areas, as long as they meet the other Overlay conditions. 41% of respondents did not want Cannabis Retail Stores located in downtown commercial areas. Concern for Cannabis Retail Stores downtown is addressed by including, in addition to provincial guidelines, 100m separation distances from daycares and parks in the proposed Cannabis Retail Store Overlay, eliminating many downtown parcels. Separation distances from daycares were wanted by ~80% of respondents, and parks by ~61%.

Key aspects of the Cannabis Retail Store regulation include:

- Cannabis Retail Stores must only be located in an area covered by the Cannabis Retail Store Overlay, as determined by council resolution on April 9th (see attached map)
- 2. Development Permit Applications for Cannabis Retail Stores must provide a for a certain level of public participation, as determined by council resolution on April 9th
- 3. Applicants must provide a copy of their provincial retail license
- 4. Applicants must clearly demonstrate site safety and security measures
- 5. Cannabis Retail Store is a discretionary use, Municipal Planning Commission

6. The use and Development Permit for a Cannabis Retail Store will expire and require reapplication every five years

3. Cannabis Production and Distribution Facility Regulation

The Cannabis Production and Distribution Facility regulation sets out specifics regarding zoning, setback distances, development standards, and Development Permit Application requirements for Cannabis Production and Distribution Facilities. Cannabis Production and Distribution Facilities are already legal in Canada, though no provisions are included in Redcliff's current LUB.

Key aspects of the Cannabis Production and Distribution Facility regulation include:

- Cannabis Production and Distribution Facilities must only be located in an area covered by the Cannabis Production and Distribution Facility Overlay, as determined by council resolution on April 9th (see attached map)
- 2. Applicants must provide a copy of their cannabis production license issued by Health Canada
- 3. Applicants must clearly demonstrate site safety and security measures
- 4. Cannabis Production and Distribution Facilities are a discretionary use, Development Officer
- 5. The use and Development Permit for a Cannabis Production and Distribution Facility will expire and require reapplication every five years

POLICY/LEGISLATION:

Federal: Cannabis Act

Provincial: Bill 26, An Act to Control and Regulate Cannabis

O.C. 027/2018, Gaming and Liquor Amendment Regulation

Bill 6, Gaming and Liquor Statutes Amendment Act

STRATEGIC PRIORITIES:

Amendments to the land Use Bylaw are necessary to prepare for cannabis legalization.

ATTACHMENTS:

Proposed Land Use Amending Bylaw 1860/2018

Map A: Proposed Cannabis Retail Store Overlay

Map B: Proposed Cannabis Production and Distribution Facility Overlay

BYLAW NO: 1860/2018 TOWN OF REDCLIFF

A BY-LAW OF THE TOWN OF REDCLIFF IN THE PROVINCE OF ALBERTA FOR THE PURPOSE OF AMENDING BYLAW 1698/2011 BEING THE REDCLIFF LAND USE BYLAW.

WHEREAS pursuant to Section 639 of the Municipal Government Act, R.S.A. 2000, Chapter M-26.1, and amendments thereto, the Council of the Town of Redcliff in the Province of Alberta has adopted Bylaw 1698/2011, as amended.

AND WHEREAS the Council of the Town of Redcliff wishes to amend their Land Use Bylaw for the purpose of regulating cannabis-related uses.

AND WHEREAS a public hearing with respect to this Bylaw was held in the Council Chambers at the Town of Redcliff on the day of A.D. 2018.

NOW THEREFORE the Council of the Town of Redcliff in open meeting assembled, enacts as follows:

PART I

SHORT TITLE, NEW DEFINITIONS, REVISED DEFINITIONS

SHORT TITLE

(1) This Bylaw may be cited as the Town of Redcliff Land Use Amending Bylaw BYLAW NO: 1860/2018 – Federal Cannabis Legalization.

DEFINITIONS ADDED

(2) That the following be added to Part I Section 8 Definitions:

(XXX) Cannabis means, as defined in the Canadian Controlled Drugs and Substances Act:

- (a) any part of a cannabis plant, including the phytocannabinoids produced by, or found in, such a plant, regardless of whether that part has been processed or not;
- (b) any substance or mixture of substances that contains or has on it any part of such a plant; and
- (c) any substance that is identical to any phytocannabinoid produced by, or found in, such a plant, regardless of how the substance was obtained;
- (d) but does not mean a non-viable seed of a cannabis plant; a mature stalk, without any leaf, flower, seed or branch, of such a plant; fibre derived from a stalk; or the root or any part of the root of such a plant.

(XXX) Cannabis Accessory means, as defined in the Canadian Controlled Drugs and Substances Act:

(a) a thing, including rolling papers or wraps, holders, pipes, water pipes, bongs and vaporizers, that is represented to be used in the production or consumption of Cannabis; or

- (b) a thing that is commonly used in the consumption or production of Cannabis if the thing is sold at the same point of sale as Cannabis.
- (XXX) Medical Marijuana means the substance referred to as "Cannabis," when used for medical purposes, as prescribed by an authorized health care practitioner, and obtained under circumstances permitted in the Access to Cannabis for Medical Purposes Regulations.
- (XXX) Cannabis Production and Distribution Facility means development, as licensed by Health Canada, used primarily for one or more of the following uses:
 - (a) The production, cultivation, and growth of medical and/or recreational Cannabis;
 - (b) The making, testing, manufacturing, assembling, processing, or in any way altering the chemical or physical properties of semi-finished Cannabis goods and products;
 - (c) the storage of Cannabis materials, goods and products; or
 - (d) the transporting, shipping, and sale of materials, goods, and products to the Alberta Gaming, Liquor and Cannabis Commission or other agencies designated by provinces outside of the province of Alberta responsible for the distribution and sale of Cannabis in those provinces.

This use does not include a Cannabis Retail Store, Medical Marijuana Dispensary, or Cannabis Lounge.

- (XXX) Cannabis Retail Store means development for the retail sale of recreational Cannabis and Cannabis Accessories, as authorized by the Alberta *Gaming, Liquor, and Cannabis Act*. This use does not include Cannabis Production and Distribution Facility, Medical Marijuana Dispensary, or Cannabis Lounge.
- (XXX) Cannabis Retail Store Overlay means the overlay of the Land Use Zoning Map in the Land Use Bylaw showing where Cannabis Retail Stores are permitted to be located.
- (XXX) Cannabis Production and Distribution Facility Overlay means the overlay of the Land Use Zoning Map in the Land Use Bylaw showing where Cannabis Production and Distribution Facilities are permitted to be located.
- (XXX) Cannabis Lounge means development where the primary use is the sale of Cannabis to the public, for consumption within the premises, and where any preparation or serving of food may be ancillary to such use. Also commonly known as a cannabis café. The use does not include Cannabis Production and Distribution Facility, Medical Marijuana Dispensary, or Cannabis Retail Store.
- (XXX) Medical Marijuana Dispensary means development for the selling, providing, shipping, and delivering of Medical Marijuana and Cannabis Accessories for medical purposes. The use does not include Cannabis Production and Distribution Facility, Cannabis Retail Store, or Cannabis Lounge.

(3) That within Part I Section 8 Definitions replace the following (Existing clause to be replaced *Italicized*):

(6) Adult Entertainment Facility means:

- (a) an adult mini-theatre or other similar establishment where, either as a principal activity or an activity ancillary to some other activity which is conducted on the premises,
 - i. live performances take place, or
 - ii. motion pictures, video tapes, digital video discs, slides or other electronic productions are shown, involving or depicting the nudity of any person;
- (b) a night club, dance club, bar, pub, tavern, lounge or other similar establishment where, either as a principal activity or an activity ancillary to some other activity which is conducted on the premises,
 - i. live performance or displays by a person (e.g. topless waitresses) take place, or
 - ii. competitions are engaged in, involving the nudity of a person;
- (c) a body painting studio or other similar establishment where, either as a principal activity or an activity ancillary to some other activity conducted on the premises, paint, powder or some other material is applied to the nude or partially nude body of a person in a manner intended to be sexually arousing to, or otherwise appealing to erotic or sexual interests, appetites or inclinations of, viewers or participants;
- (d) a massage or body rub parlour or other similar establishment where, either as a principal activity or an activity ancillary to some other activity conducted on the premises, the body or part of the body of a person is massaged, manipulated, touched, rubbed or stimulated by any means in a manner intended to be sexually arousing to, or otherwise appealing to erotic or sexual interests, appetites or inclinations of, viewers or participants, but excluding places where the described activity is performed solely for medical or therapeutic purposes by a person who is duly licensed or registered under an enactment governing a trade, calling or profession; or
- (e) a development that the Development Authority considers to be similar to any of those described in clauses (a) to (d).

With:

(XXX) Adult Entertainment Facility means:

- (a) an adult mini-theatre or other similar establishment where, either as a principal activity or an activity ancillary to some other activity which is conducted on the premises,
 - i. live performances take place, or
 - ii. motion pictures, video tapes, digital video discs, slides or other electronic productions are shown, involving or depicting the nudity of any person;

- (b) a night club, dance club, bar, pub, tavern, lounge or other similar establishment where, either as a principal activity or an activity ancillary to some other activity which is conducted on the premises,
 - i. live performance or displays by a person (e.g. topless waitresses) take place, or
 - ii. competitions are engaged in, involving the nudity of a person;
- (c) a body painting studio or other similar establishment where, either as a principal activity or an activity ancillary to some other activity conducted on the premises, paint, powder or some other material is applied to the nude or partially nude body of a person in a manner intended to be sexually arousing to, or otherwise appealing to erotic or sexual interests, appetites or inclinations of, viewers or participants;
- (d) a massage or body rub parlour or other similar establishment where, either as a principal activity or an activity ancillary to some other activity conducted on the premises, the body or part of the body of a person is massaged, manipulated, touched, rubbed or stimulated by any means in a manner intended to be sexually arousing to, or otherwise appealing to erotic or sexual interests, appetites or inclinations of, viewers or participants, but excluding places where the described activity is performed solely for medical or therapeutic purposes by a person who is duly licensed or registered under an enactment governing a trade, calling or profession; or
- (e) a development that the Development Authority considers to be similar to any of those described in clauses (a) to (d), not including a Cannabis Lounge.
- (7) Agricultural Building means a building normally associated with and generally essential to the operation of a farm. Such structures shall include, but are not limited to, machine sheds, storage sheds, granaries, grain bins for the storage of on-farm products, silos, repair shop, etc. Farm is a separate use.

With:

- (XXX) Agricultural Building means a building normally associated with and generally essential to the operation of a farm. Such structures shall include, but are not limited to, machine sheds, storage sheds, granaries, grain bins for the storage of on-farm products, silos, repair shop, etc. Farm is a separate use. This use does not include Cannabis Production and Distribution Facility.
- (38) Club means development for the assembly of members of charitable, social service, athletic, business or fraternal organizations, and may incorporate eating, drinking, entertainment, sports, recreation and amusement facilities as accessory use.

With:

(XXX) Club means development for the assembly of members of charitable, social service, athletic, business or fraternal organizations, and may incorporate eating, drinking, entertainment, sports, recreation and amusement facilities as accessory use, but does not include Cannabis Lounge.

(41) Convenience Store means development comprising a retail store which caters to the day-to-day needs of area residents or employees. Typical uses include small food stores and variety stores selling confectionery, tobacco, grocery, non-alcoholic beverage, pharmaceutical and personal care items, hardware, or printed matter.

With:

- (XXX) Convenience Store means development comprising a retail store which caters to the day-to-day needs of area residents or employees. Typical uses include small food stores and variety stores selling confectionery, tobacco, grocery, non-alcoholic beverage, pharmaceutical and personal care items, hardware, or printed matter, but do not include Medical Marijuana Dispensaries or Cannabis Retail Stores.
- (60) Drinking Establishment means an establishment, licensed by the Alberta Liquor Control Board, where the main purpose is to serve alcoholic beverages for consumption on the premises, and any preparation or serving of food is ancillary to such use. Typical uses include neighbourhood pubs, bars, taverns and licensed lounges that are ancillary to a restaurant. Entertainment Establishments, Eating Establishments and Adult Entertainment Facilities are separate uses.

With:

- (XXX) Drinking Establishment means an establishment, licensed by the Alberta Liquor Control Board, where the main purpose is to serve alcoholic beverages for consumption on the premises, and any preparation or serving of food is ancillary to such use. Typical uses include neighbourhood pubs, bars, taverns and licensed lounges that are ancillary to a restaurant, but do not include Cannabis Lounges, Entertainment Establishments, Eating Establishments, and Adult Entertainment Facilities.
- (64) Eating Establishment means a development primarily used for the preparation and sale of food for consumption on the premises. Accessory uses may include the sale of alcoholic or non-alcoholic beverages incidental to the meal, take-out services and/or catering. A restaurant may hold a "Class A" liquor license and minors may, or may not, be prohibited. Drinking and Entertainment Establishments are separate uses.

With:

- (XXX) Eating Establishment means a development primarily used for the preparation and sale of food for consumption on the premises. Accessory uses may include the sale of alcoholic or non-alcoholic beverages incidental to the meal, take-out services and/or catering, but do not include Cannabis Lounges. A restaurant may hold a "Class A" liquor license and minors may, or may not, be prohibited. Drinking and Entertainment Establishments are separate uses.
- (66) Entertainment Establishment means development providing dramatic, musical, dancing or cabaret entertainment and/or facilities for alcoholic beverage consumption, and includes related food service. This term refers to uses such as theatres, cinemas, concert halls, nightclubs and dinner theatres but do not include Drinking Establishments, Eating Establishments or Adult Entertainment Facilities.

With:

(XXX) Entertainment Establishment means development providing dramatic, musical, dancing or cabaret entertainment and/or facilities for alcoholic beverage consumption, and includes related food services. This term refers to uses such as theatres, cinemas, concert halls, nightclubs and dinner theatres but does not include Drinking Establishments, Eating Establishments, Cannabis Lounges, or Adult Entertainment Facilities.

(74) Farm means development, the primary use of which is for the production of farm products such as dairy products, livestock or field crops, or undeveloped land. This use does not include related commercial or industrial sales, commercial feed lots or services or storage uses which are non-essential to the operation of the on-site agricultural use.

With:

- (XXX) Farm means development, the primary use of which is for the production of farm products such as dairy products, livestock or field crops, or undeveloped land. This use does not include Cannabis Production and Distribution Facilities, or related commercial or industrial sales, commercial feed lots or services, or storage uses which are non-essential to the operation of the on-site agricultural use.
- (99) Greenhouse means development for the growing, storage and/or sale of garden, household and ornamental plants, flowers, trees or produce and includes supplementary retail sale of fertilizers, garden chemicals, garden implements and associated products.

With:

- (XXX) Greenhouse means development for the growing, storage and/or sale of garden, household and ornamental plants, flowers, trees or produce and includes supplementary retail sale of fertilizers, garden chemicals, garden implements and associated products. This use does not include Cannabis Production and Distribution Facility.
- **(102) Home Occupation** means an accessory use of the dwelling unit by the occupant or occupants for an occupation, trade, profession or craft.

With:

- (XXX) Home Occupation means an accessory use of the dwelling unit by the occupant or occupants for an occupation, trade, profession or craft. This use does not include Cannabis Production Distribution Facility, Cannabis Retail Store, or Cannabis Lounge.
- (120) Manufacturing, Heavy means development for the manufacturing, fabricating, processing, production, assembly and packaging of materials, goods or products which may generate a detrimental impact beyond the boundaries of the site and may include related warehouse and office facilities.

With:

- (XXX) Manufacturing, Heavy means development for the manufacturing, fabricating, processing, production, assembly and packaging of materials, goods or products which may generate a detrimental impact beyond the boundaries of the site and may include related warehouse and office facilities. This use does not include Cannabis Production and Distribution Facility.
- (121) Manufacturing, Light means development for the manufacturing, fabricating, processing, production, assembly or packaging of materials, goods or products which does not generate any detrimental impact beyond the boundaries of the site, and may include related warehouse and office facilities.

With:

(XXX) Manufacturing, Light means development for the manufacturing, fabricating, processing, production, assembly or packaging of materials, goods or products which does not generate any detrimental impact beyond the boundaries of the site, and may include related warehouse and office facilities. This use does not include Cannabis Production and Distribution Facility.

(122) Medical and Health Office means development providing medical and health care services on an outpatient basis of a preventative, diagnostic treatment, therapeutic nature, and may incorporate a dispensary which sells pharmaceutical and other medical supplies as an accessory use. Typical uses or facilities would include medical and dental offices, clinics, occupational health and safety offices, counseling services, and chiropractic and naturopathic services.

With:

- (XXX) Medical and Health Office means development providing medical and health care services on an outpatient basis of a preventative, diagnostic treatment, therapeutic nature, and may incorporate a dispensary which sells pharmaceutical and other medical supplies as an accessory use. Typical uses or facilities would include medical and dental offices, clinics, occupational health and safety offices, counseling services, and chiropractic and naturopathic services, but do not include Medical Marijuana Dispensaries or Cannabis Retail Stores.
- (164) Retail Store means development for the retail sale or rental of goods, wares or merchandise and includes limited on-site storage or limited seasonal outdoor sales to support that store's operations. Typical uses include but are not limited to grocery, bakery, hardware, pharmaceutical, appliance, clothing, and sporting goods stores. The use may include supplementary facilities such as postal services, film processing and repair of merchandise sold or rented by the store.

With:

- (XXX) Retail Store means development for the retail sale or rental of goods, wares or merchandise and includes limited on-site storage or limited seasonal outdoor sales to support that store's operations. Typical uses include but are not limited to grocery, bakery, hardware, pharmaceutical, appliance, clothing, and sporting goods stores. The use may include supplementary facilities such as postal services, film processing and repair of merchandise sold or rented by the store, but does not include Medical Marijuana Dispensary or Cannabis Retail Store.
- **(205)** *Warehouse* means the use of a building for the storage of materials, products, goods and merchandise, and renumbering accordingly.

With:

(XXX) Warehouse means the use of a building for the storage of materials, products, goods and merchandise, and renumbering accordingly. This use does not include storage of Cannabis.

PART 2

NEW SECTIONS TO BE ADDED TO PART VII GENERAL LAND USE REGULATIONS

(4) That Sections (5), (6), (7), (8), (9), (10), (11), (12), (13), (14), (15) and (16) of this Bylaw to be added to Part VII General Land Use Regulations

CANNABIS RETAIL STORE

- (5) Legal Basis
 - (a) Cannabis Retail Stores are regulated by the provincial government and must meet all requirements set out in the *Gaming, Liquor and Cannabis Act* and all subsequent regulations.
 - (b) Cannabis Retail Store is a discretionary use, Municipal Planning Commission.
 - (c) All Cannabis Retail Stores require a Development Permit.
- (6) Development Standards
 - (a) A Cannabis Retail Store shall only be located in an area covered by the Cannabis Retail Store Overlay.
 - (b) The Cannabis Retail Store Overlay was created with the following guidelines to include parcels that are:
 - (i) located in I1 (Light Industrial), C3 (General Commercial), C2 (Downtown Commercial), and C-HWY (Highway Commercial) Districts,
 - (ii) located outside of the 100 metre setback from any parcel of land on which a Cannabis Retail Store is located to a boundary of the parcel of land of a:
 - i. Provincial health care facility;
 - ii. School;
 - iii. School reserve or municipal and school reserve as designated in the *Municipal Government Act*;
 - iv. Municipal recreation facility (including the youth centre, swimming pool, rec-tangle, and library);
 - v. Payday loan centre or pawn shop;
 - vi. Daycare or childcare facility; or
 - vii. Public park used for recreational purposes; and
 - (iii) located in places that fit the context of the surrounding area. Several parcels that meet the requirements in (i) and (ii) above were not included in the overlay because they are lone commercial parcels in the middle of residential neighbourhoods.

- (c) A Cannabis Retail Store shall meet all applicable requirements of the respective District in which it is located.
- (d) A Cannabis Retail Store must be a stand-alone store and shall not operate accessory to, or in conjunction with any other use.
- (e) Development Permits for Cannabis Retail Stores are conditional subject to the Development Officer receiving a copy of the retail license issued by the Alberta Gaming, Liquor, and Cannabis Commission from the Applicant.
- (f) Parking for a Cannabis Retail Store shall be provided in accordance with the parking requirements for a Retail Store and the parking requirements for the District in which it is located.
- (g) Development Permit Applications for Cannabis Retail Stores require the Applicant to engage the public on the proposed development by:
 - (iv) Notifying adjacent property owners in writing;
 - (v) Hosting at least one public open house, on a weekday evening, for at least 2 hours, in a neutral public location in Redcliff;
 - (vi) Advertising the open house in the local paper and on all Town social media outlets for at least 2 weeks prior to the open house;
 - (vii) Offering a survey for open house attendees to provide feedback; and
 - (viii) Advertising the public is welcome to attend the MPC meeting in person where the decision on the Development Permit will be made, or make a written submission to the Development Officer before a specified date.
- (h) The Applicant is required to receive approval of the open house location, advertising, and survey from the Development Officer prior to the advertising commencing.
- (7) Development Permit Application Requirements
 - (a) Location plan showing the proposed Cannabis Retail Store and the distances to any of the following located within 500 metres of the store:
 - (i) Provincial health care facility;
 - (ii) School;
 - (iii) School reserve or municipal and school reserve as designated in the Municipal Government Act;
 - (iv) Municipal recreation facility (including the youth centre, swimming pool, rectangle, and library);
 - (v) Payday loan centre or pawn shop;
 - (vi) Daycare or childcare facility; or
 - (vii) Public park used for recreational purposes.
 - (b) Detailed site plan containing all of the information required for the District, and the following additional information:
 - (i) Crime Prevention Through Environmental Design (CPTED) measures;

- (ii) Storage areas for Cannabis;
- (iii) Shipping and receiving areas;
- (iv) Adjacent uses;
- (v) Location and design of signage; and
- (vi) Security measures
- (c) Waste management/disposal plan.
- (d) Elevation plans showing access and signage.
- (e) Completion of public engagement by providing to the Development Officer:
 - (i) A list of the addresses of adjacent property owners;
 - (ii) Copies of the notification letters sent to adjacent property owners; and
 - (iii) A summary of open house survey results.

(8) Criteria For Consideration

- (a) The Municipal Planning Commission must consider the following when reviewing an application for a Cannabis Retail Store:
 - (i) The extent to which the applicant demonstrates conformity with provincial and municipal regulations to minimize potential adverse effects on the community (i.e. site safety and security measures);
 - (ii) Whether any legitimate public concerns expressed during public consultation were addressed by the applicant; and
 - (iii) The recommendations and comments from Planning and Engineering.
- (9) Administration and Enforcement
 - (a) The use and Development Permit for a Cannabis Retail Store shall expire and require reapplication after 5 years to the day of approval.
 - (i) The Development Officer shall send a written notice to the Applicant 6 months prior to the date of expiry.
 - (b) Development permits will be cancelled if and when the retail license is no longer valid with the Alberta Gaming, Liquor, and Cannabis Commission.
- (10) Standard Conditions of Approval
 - (a) Development Permits are conditional subject to the Development Officer receiving a copy of the retail license issued by the Alberta Gaming, Liquor, and Cannabis Commission from the applicant.
 - (b) The use and Development Permit for a Cannabis Retail Store shall expire and require reapplication after 5 years to the day of approval.

CANNABIS PRODUCTION AND DISTRIBUTION FACILITY

- (11) Legal Basis
 - (a) Cannabis Production and Distribution Facilities are regulated by the federal government, and must be in compliance with all federal laws and regulations.

- (b) A Cannabis Production and Distribution Facility is a discretionary use, Development Officer.
- (c) All Cannabis Production and Distribution Facilities require a Development Permit.

(12) Development Standards

- (a) All Cannabis Production and Distribution Facilities shall only be located in an area covered by the Cannabis Production and Distribution Facility Overlay.
- (b) The Cannabis Production and Distribution Facility Overlay was created with the following guidelines to include parcels that are:
 - (i) located in the I1 (Light Industrial) District or I2 (Heavy Industrial District);
 - (ii) located outside of the 100 metre setback from any parcel of land on which a Cannabis Production and Distribution Facility is located to a boundary of the parcel of land of a:
 - i. Provincial health care facility;
 - School;
 - iii. School reserve or municipal and school reserve as designated in the *Municipal Government Act*;
 - iv. Daycare or childcare facility;
 - v. Public park used for recreational purposes;
 - vi. Residential District;
 - vii. Overnight accommodation; or
 - viii. The boundary of the Trans-Canada Highway.
- (c) A Cannabis Production and Distribution Facility shall meet all applicable requirements of the respective District in which it is located.
- (d) A Cannabis Production and Distribution Facility shall not operate accessory to, or in conjunction with any other use.
- (e) Parking for a Cannabis Production and Distribution Facility shall be provided in accordance with the parking requirements for Manufacturing, Light and the parking requirements of the I1 or I2 District in which it is located.
- (f) Lighting for growing Cannabis shall not be visible from outside of the building.
- (g) Loading docks and shipping and receiving areas for Cannabis Production and Distribution Facilities shall be located behind a barbed, chain-link fence with a secure gate.
- (h) A Development Permit for a Cannabis Production and Distribution Facility is conditional until a copy of the current production license issued by Health Canada is provided to the Development Officer by the Applicant.
- (13) (Development Permit Application Requirements

- (a) Detailed site plan, containing all of the information required for the I1 or I2 District, and the following additional information:
 - (i) Crime Prevention Through Environmental Design (CPTED) measures;
 - (ii) Storage areas for Cannabis;
 - (iii) Shipping and receiving areas;
 - (iv) Truck parking;
 - (v) Adjacent uses;
 - (vi) Signage; and
 - (vii) Security measures
- (b) Storage, destruction, and disposal of waste and materials plan;
- (c) Odour management plan;
- (d) Storm water management plan; and
- (e) Water and wastewater plan.

(14) Criteria For Consideration

- (a) The Development Officer must consider the following when reviewing an application for a Cannabis Production and Distribution Facility:
 - (i) The extent to which the applicant demonstrates conformity with federal and municipal regulations to minimize land use conflicts and potential adverse effects on the community (i.e. site safety and security measures); and
 - (ii) The recommendations and comments from Planning and Engineering.

(15) Administration and Enforcement

- (a) The use and Development Permit for a Cannabis Production and Distribution Facility shall:
 - (i) expire and require reapplication after 5 years to the day of approval.
 - (ii) The Development Officer shall send a written notice to the Applicant 6 months prior to the date of expiry.
- (b) Development Permits will be cancelled if and when the production license is no longer valid with Health Canada.

(16) Standard Conditions of Approval

- (a) Development Permits are conditional subject to the Development Officer receiving a copy of the production license issued by Health Canada from the applicant.
- (b) The use and Development Permit for a Cannabis Production and Distribution Facility shall expire and require reapplication after 5 years to the day of approval.

Part III

GENERAL

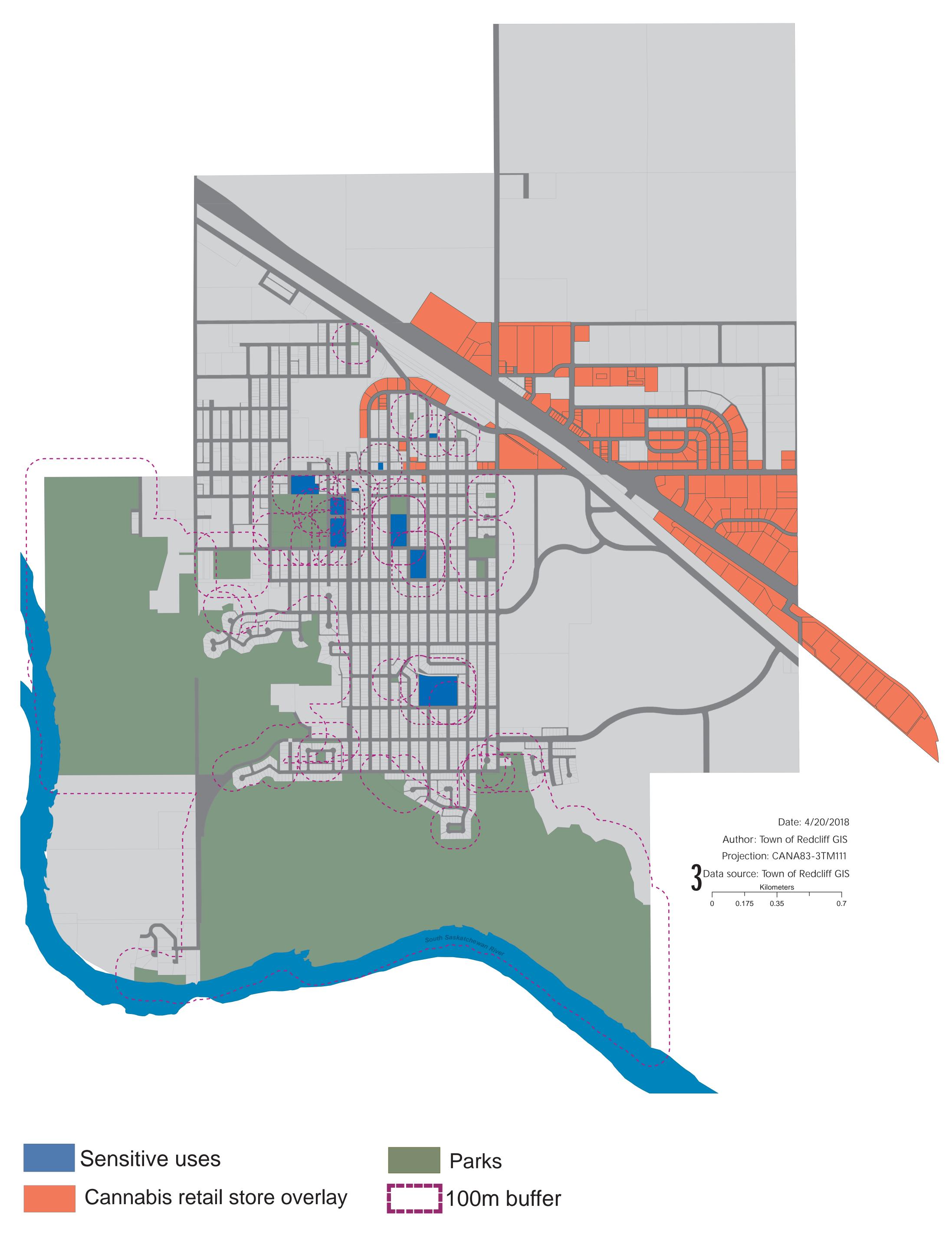
General

- (17) That the Cannabis Retail Store Overlay, as proposed in the attached Map A, be added as an overlay in Part X Land Use District Maps.
- (18) That the Cannabis Production and Distribution Facility Overlay, as proposed in the attached Map B, be added as an overlay in Part X Land Use District Maps.
- (19) That the numbering in the Bylaw be renumbered to reflect correct sequential numbering.T
- (20) That the Table of Contents in the Bylaw be updated to reflect new sequential numbering and page numbering.
- (21) This Bylaw shall come into force on the date of final reading and signing thereof.

| READ a first time this | _day of | 2018 A.D, |
|-------------------------|---------|-----------|
| READ a second time this | _day of | 2018 A.D, |
| READ a third time this | _day of | 2018 A.D, |
| PASSED and SIGNED this | _day of | A.D, 2018 |
| | | |
| MAYOR | | |
| | | |
| | | |
| | | |

MANAGER OF LEGISLATIVE & LAND SERVICES

Map A Cannabis Retail Stores Overlay map



Map B Cannabis Production & Distribution Facility Overlay map

