



## Claresholm

TOWN OF CLARESHOLM  
PROVINCE OF ALBERTA  
BYLAW # 1651

A Bylaw of the Town of Claresholm to amend Bylaw #1525 being a bylaw setting out land uses for the Town of Claresholm.

**WHEREAS** pursuant to the provisions of the *Municipal Government Act*, Revised Statutes of Alberta 2000, Chapter M-26, as amended, Council of the Town of Claresholm (hereafter called Council) has adopted Land Use Bylaw #1525; and

**WHEREAS** it is deemed expedient and proper pursuant to the provisions of the *Municipal Government Act* that the Council of the Town of Claresholm shall issue a Bylaw to amend its existing Land Use Bylaw.

**AND WHEREAS THE PURPOSE** of amending Bylaw No. 1651 is to accommodate cannabis related uses in the bylaw in accordance with Federal and Provincial legislation as identified in the attached "Schedule A" with the additions shown in red and the deletions shown in strikethrough.

**NOW THEREFORE** under the authority and subject to the provisions of the *Municipal Government Act*, Council duly assembled does hereby enact the following:

1. Amendments to Land Use Bylaw # 1525 as per "Schedule A" attached.
2. This Bylaw shall take effect on October 17, 2018.
3. That Bylaw #1651 be consolidated with Bylaw #1525.
4. Bylaw #1525 is hereby amended.

Read a first time in Council this **13** day of **August** 2018 A.D.

Read a second time in Council this **24** day of **September** 2018 A.D.

Read a third time in Council and finally passed in Council this **24** day of **September** 2018 A.D.

  
Doug MacPherson, Mayor

  
Marian Carlson, Chief Administrative Officer

“Schedule A”

Revise Medical Marihuana Production facility definition to read as follows:

~~Medical marihuana~~ **Cannabis production facility** means a development where ~~medical marihuana~~ **cannabis** is grown, processed, packaged, tested, destroyed, stored or loaded for shipping.

Revise Retail Store and Retail Store, large scale definitions to read as follows:

**Retail store** means a development where goods, wares, merchandise, substances, articles or things are stored, offered or kept for sale at retail, and includes storage on or about the store premises of limited quantities of such goods, wares, merchandise, substances, articles or things sufficient only to service such a store. **This use does not include Retail cannabis store or Liquor store, which are separate uses.**

**Retail store, large scale** means a development of a stand-alone retail store that exceed 2,000 m<sup>2</sup> (21,529 sq. ft.) in size and may include retail outlets operated as part of a chain that locate on individual sites or that cluster on a large site, sometimes adjacent to each other. This use may include grocery stores or supermarkets, junior department stores and specialty stores selling a single line of products such as: business and office supply stores, electronics, appliances, furniture, fashion and clothing, craft and hobby stores, book stores, sporting goods, home improvement, hardware stores, gardening materials or building supplies. This use does not include liquor stores, **retail cannabis store**, automotive related uses, farm or industrial sales or service, which are separate uses.

Delete Medical marihuana definition.

~~Medical marihuana~~ means a substance used for medical purposes authorized by a license issued under the federal government’s Marihuana for Medical Purposes Regulations (MMPR) or any subsequent legislation which may be enacted in substitution.

Revise Schedule 1 where Medical marihuana production facility is listed as a discretionary use to read:  
**Cannabis** production facility

Add to the Definitions the following:

**Cannabis** refers to the plant *Cannabis sativa* and is as defined in the Government of Canada *Cannabis Act*.

**Cannabis accessory** refers to the products used in the consumption of cannabis and is as defined in the Government of Canada *Cannabis Act*.

**Retail Cannabis Store** means a development for the retail sale of cannabis and cannabis accessories. **This use does not include Cannabis Production Facility, Retail Store, or Retail Store, large scale.**

Add to Schedule 1 ‘Retail Cannabis store’ as a discretionary use to the following districts:

- |                    |      |
|--------------------|------|
| RETAIL COMMERCIAL  | – C1 |
| HIGHWAY COMMERCIAL | – C2 |
| INDUSTRIAL         | – I1 |
| SERVICE INDUSTRIAL | – I2 |

Add to Schedule 1 Retail Commercial –C1 the following:

12. CANNABIS REGULATION – See Schedule 14.

Add to Schedule 1 Highway Commercial –C2 the following:

13. CANNABIS REGULATION – See Schedule 14.

Add to Schedule 1 Industrial –I1 the following:

11. CANNABIS REGULATION – See Schedule 14.

Add to Schedule 1 Service Industrial –I2 the following:

13. CANNABIS REGULATION – See Schedule 14.



Revise Schedule 14 Medical Marihuana Production Facility Regulations as follows:

## Schedule 14

### Schedule 14

## CANNABIS REGULATION MEDICAL MARIHUANA PRODUCTION FACILITY

### Cannabis Production Facility

1. The owner or applicant must provide as a condition of development a copy of the current license for all activities associated with medical-marihuana **cannabis** production as issued by Health Canada.
2. The owner or applicant must obtain any other approval, permit, authorization, consent or license that may be required to ensure compliance with applicable federal, provincial or other municipal legislation.
3. The development must be done in a manner where all of the processes and functions are fully enclosed within a stand-alone building including all loading stalls and docks, and garbage containers and waste material.
4. The development shall not operate in conjunction with another approved use.
5. The development shall not include an outdoor area for storage of goods, materials or supplies.
6. The development must include equipment designed and intended to remove odours from the air where it is discharged from the building as part of a ventilation system.
7. The development must not be within 75.0 m (246 ft.) of a residential or a public institutional district, measured from the building foundation containing the use to the nearest property line of a parcel designated as a residential or a public institutional district.
8. The Development Authority may require, as a condition of a development permit, a Public Utility and Waste Management Plan, completed by a qualified professional, that includes detail on:
  - (a) the incineration of waste products and airborne emissions, including smell;
  - (b) the quantity and characteristics of liquid and waste material discharged by the facility; and
  - (c) the method and location of collection and disposal of liquid and waste material.
9. The minimum number of motor vehicle parking stalls shall be based on the parking requirements of the Industrial type of development found in Schedule 8.

### Retail Cannabis Store

All cannabis retail stores shall meet the following requirements:

1. Prior to applying for a municipal development permit for a Retail Cannabis Store, the applicant is required to apply to the Alberta Gaming and Liquor Commission (AGLC) for a determination of eligibility to obtain a license, and submit verification of the AGLC eligibility as part of the development application.
2. As part of the development application, the applicant shall demonstrate how the building location and design comply with all requirements under the *Alberta Gaming, Liquor and Cannabis Regulation*.
3. That the developer or applicant or owner provide copies of all approved Alberta Gaming and Liquor Commission licenses as a condition of the development permit.
4. The business must obtain and maintain a current Town of Claresholm business license.
5. The hours of operation for the business shall be limited to 10a.m. to 11p.m. daily.
6. The use is defined by its separation from other uses as follows:
  - (a) 100.0m from the property line of a retail cannabis store to the property line of a public school;
  - (b) 100.0m from the property line of a retail cannabis store to the property line of a hospital; and
  - (c) 100.0m from the property line of a retail cannabis store to the property line of a day care / child care facility.
7. The specified separation distances are reciprocal and also apply to those described sensitive uses (e.g. school, child care facility) applying for development permit locating in proximity of established Retail Cannabis Stores.
8. All signage for the Retail Cannabis Store use shall be in accordance with the *Alberta Gaming, Liquor and Cannabis Regulation* and Schedule 2 of this bylaw.

9. The minimum number of motor vehicle parking stalls shall be based on the parking requirements of the Retail type of development found in Schedule 8.

