

**BYLAW NO. 1914-18  
OF THE  
CITY OF WETASKIWIN  
IN THE PROVINCE OF ALBERTA**

A BYLAW OF THE CITY OF WETASKIWIN IN THE PROVINCE OF ALBERTA TO AMEND BYLAW NO. 1804-13 BEING THE LAND USE BYLAW.

WHEREAS, pursuant to the Municipal Government Act, Chapter M-26, R.S.A. 2000, with amendments thereto, Council of the City of Wetaskiwin may regulate and control the use and development of land and buildings in the City; and

WHEREAS, with the impending legalization of cannabis use in Canada, changes to the Land Use Bylaw can be implemented to control the use and development of lands and buildings related to cannabis; and

NOW THEREFORE, the Municipal Council of the City of Wetaskiwin duly assembled hereby enacts as follows:

1. That Part 2 – Definitions of the Bylaw 1804-13 be amended as follows:

1.1. That the following definitions be added:

33.1 CANNABIS means cannabis plant, fresh cannabis, dried cannabis, cannabis oil and cannabis plant seeds and any other substance defined as cannabis in the Cannabis Act (Canada) and its regulations, as amended from time to time.

33.3 CANNABIS RETAIL means a development used for the retail sale of non-medical cannabis that is authorized by provincial or federal legislation and licensed by the Province of Alberta. This use does not include Cannabis Production Facilities.

129.2 MEDICAL CANNABIS means a substance used for medical purposes authorized by a license issued under the federal government's Access to Cannabis for Medical Purposes Regulation or any subsequent legislation which may be enacted in substitution.

1.2. That the following definition be replaced in Part 2 – Definitions of Bylaw 1804-13:

98. HEALTH SERVICE means development used for the provision of physical and mental health services on an outpatient basis. Services may be of a preventative, diagnostic, treatment, therapeutic, rehabilitative or counselling nature. Typical uses include medical and dental offices, health clinics, counselling services. This use may also include consultations on the use of medical cannabis, providing prescriptions for medical cannabis and providing information on access to medical cannabis.

1.3. That the following definitions be deleted from Part 2 Definitions in Bylaw 1804-13:

129.1 MEDICAL MARIHUANA

2. That the following requirements be added to Part 4 – Applications in Bylaw 1804-13:

2.1. That Section 4.2.3 be added as follows:

- 4.2.3 Applications for Cannabis Retail uses must be accompanied by:
1. Proof of compliance with the Cannabis Retail Specific Use Regulations 8.33
  2. Proof of an application to the Alberta Gaming and Liquor Commission (AGLC).

2.2. That Section 4.5.1.9 be added as follows:

- 4.5.1.9 That Cannabis Retail development permits require proof of approval from the Alberta Gaming and Liquor Commission (AGLC)

3. That the following changes be made to Part 6 – Establishment of Districts:

3.1. That Section 6.15.2.22 is added to the C1 – Downtown Commercial District Regulation as follows:

22. Cannabis Retail

3.2. That Section 6.15.10.1 of the C1 – Downtown Commercial District Regulation be amended to include:

- Cannabis Retail Section 8.33

3.3. That Section 6.16.2.26 is added to the C2 – General Commercial District Regulations as follows:

26. Cannabis Retail

3.4. That Section 6.16.10.1 of the C2 – General Commercial District Regulation be amended to include:

- Cannabis Retail Section 8.33

3.5. That Section 6.17.2.28 is added to the C3 – Highway Commercial District as follows:

28. Cannabis Retail

3.6. That Section 6.17.10.1 of the C3 – Highway Commercial District be amended to include:

- Cannabis Retail Section 8.33

- 3.7. That Section 6.20.2.32 is added to the C5 – Shopping Centre Commercial District as follows:
  32. Cannabis Retail
- 3.8. That Section 6.20.11.1 of the C5 – Shopping Centre Commercial District be amended to include:
  - Cannabis Retail Section 8.33
- 3.9. That Section 6.21.2.18 is added to the DDO – Downtown District Overlay as follows:
  18. Cannabis Retail
- 3.10. That Section 6.21.10.1 of the DDO – Downtown District Overlay be amended to include:
  - Cannabis Retail Section 8.33
- 3.11. That Section 6.22.2.26 is added to the M1 – Light Industrial District as follows:
  26. Cannabis RetailThat Section 6.22.10.1 of the M1 – Light Industrial District be amended to include:
  - Cannabis Retail
4. That Part 7 – General Regulations be amended as follows:
  - 4.1. That Section 7.6.7 be added to read:
    - 7.6.7 Signage Related to Cannabis Retail uses
      1. All signage related to Cannabis Retail must meet the requirements of provincial legislation
5. That Part 8 – Specific Use Regulations be amended as follows:
  - 5.1. That Section 8.33 being the Specific Use Regulations related to Cannabis Retail be added as follows:
    - 8.33 Cannabis Retail
      1. A Cannabis Retail development shall be outside of the specified radius for the following:
        - a. 100 metres from Parks

- b. 100 metres from Playgrounds
  - c. 100 metres from Schools
  - d. 100 metres from Child Care
  - e. 100 metres from Libraries
  - f. 100 metres from Hospitals
  - g. 50 metres from Liquor Stores
  - h. 50 metres from other Cannabis Retail uses
2. For any sites in the C5 – Shopping Centre District the setback distance identified in 8.33.1 (excluding provincial requirements) shall be calculated from the exterior of the retail space, not the parcel boundary and only one cannabis retail use will be permitted per property.
  - 3.
  4. If a development permit application is made for a park, playground, school, child care, or library after the approval of a Cannabis Retail use and it is within the specified buffer distance from the Cannabis Retail; the park, playground, school, child care or library shall not be bound by the required buffer distances from the Cannabis Retail use.
  5. The number of Cannabis Retail permits approved will be limited to 3 at any one time. The applications to be considered will be chosen by a Random Selection Process as follows:
    1. Random Selection Process Applications will be accepted up to a date established by City Council.
    2. Applicants will need to meet the criteria established at the time of the Random Selection process.
    3. All valid applications will be entered into a random selection draw that will be conducted by an independent third party.
    4. The order in which the applications are selected will be posted and applicants will be notified of their ranking and a time to meet with the Development Authority to accept their development permit application.
    5. The application will then be reviewed within the time established in Section 4.5.

6. If less than 3 Cannabis Retail uses exist, the selection process of applications will be a continuation of the previous Random Selection Process unless otherwise directed by Council.
5. All functions of the use shall be fully enclosed within the Building;
6. No outdoor storage shall be allowed on site;
7. All garbage containers, waste material and loading facilities shall be fully enclosed within the building;
8. The use shall not emit any odor or other substance which is harmful or injurious to health or physical well-being;
9. Products in the store must not be visible from outside the premise;
10. Drive-through windows are prohibited;
11. The building containing the Cannabis Retail use must be protected by a professionally installed and supervised alarm system;
12. The building containing the Cannabis Retail use must be secure from all sides including the roof;
13. Must comply with all applicable municipal, provincial and federal legislation.

6. This bylaw shall come into full force and effect on the date of signing.

Read a first time this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

Read a second time this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

Read a third time this \_\_\_\_\_ of \_\_\_\_\_, 2018.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CHIEF ADMINISTRATIVE OFFICER