

TOWN OF MUNDARE

BYLAW NO 890/18

The council of the Town of Mundare, duly assembled, hereby enacts:

1. That Bylaw 825/10 be amended as follows:

a) PART ONE – GENERAL

Section 1.3 Definitions:

Insert the following new definitions after (13) “**building**”:

(14) “**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 and includes edible products that contain cannabis.

(15) “**cannabis accessory**” – means cannabis accessory as defined in the Cannabis Act (Canada) and its regulations, as amended from time to time.

(16) “**cannabis lounge/café**” – means development where the primary purpose of the facility is the sale of cannabis to the public, for the consumption within the premises that is authorized by provincial or federal legislation. This use does not include cannabis production and distribution, bars and neighborhood pubs, nightclubs, private clubs, etc.

(17) “**cannabis production and distribution**” – means development used principally for one or more of the following activities as it related to cannabis:

- a. The production, cultivation, and growth of cannabis;
- b. The processing of raw materials;
- c. The making, testing, manufacturing, assembling or in any way altering the chemical or physical properties of semi-finished or finished good and products;
- d. The storage or transshipping of materials, goods and products; or
- e. The distribution and materials, goods and products to cannabis retail sales stores or to individual customers.

(18) “**cannabis retail sales**” – means a development used as a retail store, licensed by the Province of Alberta, where non-medical cannabis and cannabis accessories are sold to individuals who attend at the premises. This does not include cannabis production and distribution.

Renumber all subsequent definitions accordingly, from (19) “**canopy**” to (131) “**yard**”

Amend the following definitions:

(36) “**drinking establishment**” definition:

Insert “**This definition does not include cannabis lounge/café.**” after the last sentence.

(42) “**eating establishment**” definition:

Insert “**This definition does not include cannabis lounge/café.**” after the last sentence.

(60) “**health service**” definition:

Insert “**This definition does not include cannabis retail sales.**” after the last sentence.

(65) “**home occupation, major**” definition:

Add: “**A home occupation, major shall not include cannabis retail sales or cannabis production and distribution.**” after the last sentence.

(66) “**home occupation, minor**” definition:

Add: “**A home occupation minor shall not include cannabis retail sales or cannabis production and distribution.**” after the last sentence

(71) “**light industrial use**” definition:

Insert “**This definition does not include cannabis production and distribution.**” after the last sentence of paragraph 2 ending with “...sale to the public.”

(81) “**medium industrial use**” definition:

Insert “**This definition does not include cannabis production and distribution**” after the last sentence.

(85) “**neighbourhood convenience store**” definition:

Insert “**This definition does not include cannabis retail sales**” after the last sentence.

(98) “**personal service shop**” definition:

Insert after ...health services “**and cannabis retail sales.**”

(110) “**retail store**” definition:

Insert “**This definition does not include cannabis retail sales**” after the last sentence.

b) SCHEDULE C: SCHEDULE OF LAND USE DISTRICT REGULATIONS

Part 2 – SPECIAL PROVISIONS

2.14 Alcohol Retail Sales and Drinking Establishments

Insert new:

- (6) Alcohol retail sales shall not be located within 25 metres from a Cannabis retail sales site.**
- (7) The separation distance between Alcohol retail sales and Cannabis retail sales shall be measured from the closest point of the exterior wall of the building in which the proposed Alcohol retail sales use is located to the closest point of the exterior wall of the building in which the Cannabis retail sales is located. The separation distance shall not be measured from district boundaries.**

Insert the following after 2.16 Solar Energy Collection Systems

2.17 CANNABIS RETAIL SALES

- (1) Cannabis retail sales shall not be located within 100 metres of a provincial health care facility; a school or a parcel of land designated as school reserves or as amended from time to time by the Province of Alberta.**
- (2) Cannabis retail sales shall not be permitted to co-locate with retail outlets dealing with pharmaceuticals, tobacco or alcohol, or as amended from time to time by the Province of Alberta.**
- (3) Cannabis retail sales shall not be located within 25 metres from an Alcohol retail sales site.**
- (4) Cannabis retail sales located adjacent to any site being used for public outdoor or indoor recreation shall be required to install uniform fencing around the perimeter of the site, with no pedestrian or vehicular access permitted between the sites.**

- (5) **Cannabis retail sales shall not be located within 100 metres of any site being used for place of worship or any site being used for a daycare or after school care.**
- (6) **Cannabis retail sales shall not be located within 25 metres of any other cannabis retail sales outlet.**
- (7) **The hours of operation shall not extend beyond 10:00 am – 2:00 am, or as amended from time to time by the Province of Alberta.**
- (8) **The number of parking spaces required shall be in accordance with Section 1.13 - “All other commercial uses” and “All industrial uses” whichever is applicable.**
- (9) **A development authority must not issue a development permit if the proposed development does not comply with the applicable requirements of regulations under the Gaming, Liquor and Cannabis Act, respecting the location of premises described in a cannabis licence and distances between those premises and other premises.**
- (10) **The separation distance between Cannabis retail sales and any of the uses identified in (1), (3) and (5) above shall be measured from the closest point of the exterior wall of the building in which the proposed Cannabis retail sales use is located to the closest point of the exterior wall of the building in which the other use is located. The separation distance shall not be measured from district boundaries.**

c) PART 3 – DISTRICT SCHEDULES

(1) Section 3.10 DOWNTOWN COMMERCIAL DISTRICT – C1

a) Insert under (2) Discretionary Uses

(w) Cannabis Retail Sales

b) Insert under (3) Regulations

(i) Refer to the Part 2 – Special Provisions of this Bylaw which may affect development in this District.

(2) Section 3.11 GENERAL COMMERCIAL DISTRICT - C2

a) Insert under (2) Discretionary Uses

(k) Cannabis Retail Sales

b) Insert under (3) Regulations

(i) Refer to the Part 2 – Special Provisions of this Bylaw which may affect development in this District.

(3) Section 3.13 Industrial District – M

a) Insert under (1) Permitted Uses

(e) Cannabis Production and Distribution

2. This bylaw comes into effect after third reading and upon being signed.

READ a first time on June 5, 2018

READ a second time on July 3, 2018

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READ a third time on July 3, 2018

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Date

Mayor

Date

CAO