

**TOWN OF FORT MACLEOD**  
**in the Province of Alberta**  
**BYLAW NO. 1880**

BEING a bylaw of the Town of Fort Macleod in the Province of Alberta, to amend Bylaw No. 1825, being the municipal Land Use Bylaw.

WHEREAS the Town of Fort Macleod Council desires to comply with federal and provincial legislation regarding the legal retail sale of cannabis at the municipal level;


WHEREAS the purpose of the amendment is to define and regulate the retail sale and production facility for cannabis through provisions of the land use bylaw with a series of text amendments as identified in the attached "Schedule A";

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, as amended, the Council of the Town of Fort Macleod in the Province of Alberta duly assembled does hereby enact the following:

1. That Bylaw 1825 be amended in accordance with Schedule A attached.
2. Bylaw No. 1825 is hereby amended and consolidated.
3. This bylaw shall come into effect October 17, 2018.

READ a **first** time this 23rd day of July, 2018.

  
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Mayor – Brent Feyter

  
\_\_\_\_\_  
Chief Administrative Officer – Sue Keenan

READ a **second** time this 10<sup>th</sup> day of September, 2018.

  
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Mayor – Brent Feyter

  
\_\_\_\_\_  
Chief Administrative Officer – Sue Keenan

READ a **third** time and finally PASSED this 10<sup>th</sup> day of September, 2018.

  
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Mayor – Brent Feyter

  
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Chief Administrative Officer – Sue Keenan

## Schedule A

- 1) Add the use Cannabis Retail Store to Schedule 2 Land Use Regulations under Commercial General: CG and Commercial Central: CC districts as a Discretionary Uses: B.
- 2) Add to Schedule 2 Land Use Regulations Commercial General: CG district Section 7(1)(b) the following:  
Section 15: Cannabis Regulation
- 3) Add to Schedule 2 Land Use Regulations Commercial Central: CC district Section 8(1)(b) the following:  
Section 15: Cannabis Regulation
- 4) Add the use Cannabis Production Facility to Schedule 2 Land Use Regulations under Business Industrial: BI, Industrial General: IG and Industrial Heavy: IH districts as a Discretionary Uses: B.
- 5) Add to Schedule 2 Land Use Regulations Business Industrial: BI, Industrial General: IG and Industrial Heavy: IH districts Section 8(1)(b) the following:  
Section 15: Cannabis Regulation
- 6) Add to Schedule 3: General Standards of Development Section 19.6(2) under Parking Need Medium (1 space minimum plus 1 space/300m<sup>2</sup> of GFA) the following use:
  - Cannabis Production Facility
- 7) Add to Schedule 3: General Standards of Development Section 19.6(2) under Parking Need Low (1 space minimum plus 1 space/500m<sup>2</sup> of GFA) the following use:
  - Cannabis Retail Store
- 8) Add to Schedule 7: 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*.

**Cannabis Retail Store** means a development for the retail sale of Cannabis and cannabis accessories. The use is defined by its separation from other uses (as defined) as follows:

- a) 25.0m from the property line of a cannabis retail store to the property line of any residential district listed in Schedule 2.
- b) 100.0m from the property line of a cannabis retail store to the property line of a hospital or school.

This use does not include Cannabis Production Facility or Retail Store.

**Cannabis Production Facility** means development where medical marijuana is grown, processed, packaged, tested, destroyed, stored or loaded for shipping.

- 9) Revise Schedule 7: Definitions as follows in bold:

Retail Store means a building where goods, wares, merchandise, substances, articles or other things are stores, 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 cannabis retail store.**

- 10) Revise Schedule 7: Definitions by adding the sentence "This use shall be located a minimum of 25.0m from the property line of a Cannabis Retail Store." to the end of the following definitions:

Residential

- 11) Revise Schedule 7: Definitions by adding the sentence "This use shall be located a minimum of 100.0m from the property line of a Cannabis Retail Store." to the end of the following definitions:

Hospital  
Schools

- 12) Add to Schedule 4: Use Specific Standards of Development the following:

### **Section 15 Cannabis Regulation**

#### **15.1 Applicability**

The requirements of this section, with the exception of the general standards found in Schedule 3 which apply to all Cannabis Retail Stores and Cannabis Production Facilities, are provided to guide and regulate development. Where applicable Schedule 5 Overlays, shall be applied to cannabis retail stores.

#### **Cannabis Retail Store**

15.2 All cannabis retail stores shall meet the following requirements:

- (1) Prior to applying for a municipal development permit for a Cannabis Retail 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 Fort Macleod business license.
- (5) The hours of operation for the business shall be limited to 10a.m. to 11p.m. daily.
- (6) All signage for the Cannabis Retail Store use shall be in accordance with the *Alberta Gaming, Liquor and Cannabis Regulation* and Schedule 6 of this bylaw.

#### **Cannabis Production Facility**

15.3 All cannabis production facilities shall meet the following requirements:

- (1) The owner or applicant must provide as a condition of development a copy of the current license for all activities associated with 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 metres 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 under Schedule 3.