

BYLAW 16-2018

A BYLAW OF STRATHCONA COUNTY IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE OF AMENDING BYLAW 6-2015, AS AMENDED, BEING THE STRATHCONA COUNTY LAND USE BYLAW.

WHEREAS it is deemed advisable to amend Bylaw 6-2015, the Strathcona County Land Use Bylaw.

NOW THEREFORE, the Council of Strathcona County, duly assembled, pursuant to the authority conferred upon it by the *Municipal Government Act*, RSA 2000, c M-26, as amended, enacts as follows:

1. THAT Bylaw 6-2015, as amended, is hereby further amended by:
 - a. in section 1.17.4, deleting the definition of "DRUG PARAPHERNALIA";
 - b. in section 1.17.4, in the definition of "FLEA MARKET", deleting the following text:

"This does not include an auctioneering establishment or retail, secondhand."

and replacing it with the following text:

"This does not include an auctioneering establishment, retail, cannabis or retail, secondhand.";
 - c. in section 1.17.4, in the definition of "HOME BUSINESS", deleting the following text:

"This does not include adult entertainment, bed and breakfast, care centre, dating or escort service, recreational vehicle storage, veterinary service or fleet service uses."

and replacing it with the following text:

"This does not include adult entertainment, bed and breakfast, care centre, dating or escort service, recreational vehicle storage, veterinary service, retail, cannabis or fleet service uses.";
 - d. in section 1.17.4, in the definition of "LIVE-WORK UNIT", deleting the following text:

"This does not include health service, pawnshop, restaurant food service, or specialty food service."

and replacing it with the following text:

"This does not include health service, pawnshop, restaurant food service, retail, cannabis or specialty food service.";

- e. in section 1.17.4, in the definition of "RETAIL, ALCOHOL", immediately after the last sentence, adding the following text:

"This does not include retail, cannabis.";

- f. in section 1.17.4, after the definition of "RETAIL, ALCOHOL" and before the definition of "RETAIL, CONVENIENCE", adding the following text:

"RETAIL, CANNABIS* means a retail store, licensed by the Province of Alberta, where non-medical cannabis is sold to individuals who attend at the premises.";

- g. in section 1.17.4, in the definition of "RETAIL, CONVENIENCE", deleting the following text:

"This does not include retail, drug paraphernalia."

and replacing it with the following text:

"This does not include retail, cannabis.";

- h. in section 1.17.4, deleting the definition of "RETAIL, DRUG PARAPHERNALIA";
- i. in section 1.17.4, in the definition of "RETAIL, GENERAL", deleting the following text:

"This does not include warehouse sales, a pawnshop, a retail store requiring outdoor storage, a minor or major service station, alcohol retail, secondhand retail, or drug paraphernalia retail."

and replacing it with the following text:

"This does not include warehouse sales, a pawnshop, a retail store requiring outdoor storage, a minor or major service station, alcohol retail, secondhand retail, or retail, cannabis."

- j. in section 1.17.4, in the definition of "RETAIL, SECONDHAND", deleting the following text:

"This does not include a pawnshop, a flea market, an auctioneering establishment, the sale of used vehicles, recreation craft, construction and industrial equipment, or retail, drug paraphernalia."

and replacing it with the following text:

"This does not include a pawnshop, a flea market, an auctioneering establishment, the sale of used vehicles, recreation craft, or construction and industrial equipment.";

- k. in section 4.6, in Table 4.4 Non-Residential Parking Requirements, under the subheading "Commercial Uses", after the row starting with "Retail, Alcohol" and before the row starting with "Truck and manufactured home sales/rental", adding the following text as a row:

"Retail, Cannabis	4 per 100 m ² GFA"
-------------------	-------------------------------

- l. deleting section 6.9 Drug Paraphernalia in its entirety; and
- m. after section 6.17 and before section 6.18, adding the following:

"6.17A RETAIL, CANNABIS

6.17A.1 The closest point of any part of an exterior wall of a retail, cannabis use shall not be located within 100 m of the closest point of any lot that contains, or is identified in any statutory plan to in the future contain:

- a provincial health care facility;
- education, public; or
- education, private."

2. THAT Bylaw 6-2015, as amended, is hereby further amended by:

- a. in section 7.11.2, adding the text "Retail, cannabis*^" to the list of Discretionary Uses;
- b. in section 7.11.7, adding the following text after section 7.11.7 a) and renumbering accordingly:

"b) Retail, cannabis shall only be considered on a lot greater than 0.8 ha.";

- c. in section 7.12.2, adding the text "Retail, cannabis*^" to the list of Permitted Uses;
- d. in section 7.13.2, adding the text "Retail, cannabis*^" to the list of Discretionary Uses;
- e. in section 7.14.2, adding the text "Retail, cannabis*^" to the list of Permitted Uses;
- f. in section 7.15.2, adding the text "Retail, cannabis*^" to the list of Discretionary Uses;
- g. in section 7.16.2, adding the text "Retail, cannabis*^" to the list of Discretionary Uses;
- h. in section 7.19.3 a), after the text "Retail, alcohol" and before the text "Retail, convenience" adding the text "Retail, cannabis*";
- i. in section 8.18.2, adding the text "retail, cannabis*" to the list of Discretionary Uses;
- j. in section 8.21, in subsection 6.3.2, adding the text "Retail, cannabis*" to the list of Uses;
- k. in section 8.21, in subsection 6.10.2, adding the text "Retail, cannabis*" to the list of Uses;
- l. in section 8.21, in subsection 6.11.2, adding the text "Retail, cannabis*" to the list of Uses;
- m. in section 8.21, in subsection 6.12.3, adding the text "Retail, cannabis*" to the list of Uses - Commercial;
- n. in section 9.9.2, adding the text "Retail, cannabis*" to the list of Discretionary Uses;
- o. in schedule 'A', in DC 1 DIRECT CONTROL DISTRICT, in section (3)a), adding the text "Retail, cannabis*" to the list of Permitted Uses;
- p. in schedule 'A', in DC 3 DIRECT CONTROL DISTRICT, in section (3), adding the text "Retail, cannabis*" to the list of Permitted Uses;
- q. in schedule 'A', in DC 10 DIRECT CONTROL DISTRICT, in section (3), under the subheading "Uses: Area B", adding the text "Retail, cannabis*" to the list of Discretionary Uses;

- r. in schedule 'A', in DC 19 DIRECT CONTROL DISTRICT, in section 3), under the first paragraph, adding the text "Retail, cannabis*" to the list of Discretionary Uses;
 - s. in schedule 'A', in DC 36 DIRECT CONTROL DISTRICT, in section (3), adding the text "retail, cannabis*" to the list of Discretionary Uses;
 - t. in schedule 'A', in DC 44 DIRECT CONTROL DISTRICT, in section (3), adding the text "retail, cannabis*" to the list of Discretionary Uses;
 - u. in schedule 'A', in DC 45 DIRECT CONTROL DISTRICT, in section 3), adding the text "retail, cannabis*" to the list of Discretionary Uses;
 - v. in schedule 'A', in DC 48 DIRECT CONTROL DISTRICT, in section 3.1.2, adding the text "retail, cannabis*" to the list of Discretionary Uses;
 - w. in schedule 'A', in DC 48 DIRECT CONTROL DISTRICT, in section 3.2.2, adding the text "retail, cannabis*" to the list of Discretionary Uses;
 - x. in schedule 'A', in DC 48 DIRECT CONTROL DISTRICT, in section 3.3.2, adding the text "retail, cannabis*" to the list of Discretionary Uses;
 - y. in schedule 'A', in DC 54 DIRECT CONTROL DISTRICT, in section 3) b., adding the text "retail, cannabis*" to the list of Discretionary Uses;
 - z. in schedule 'A', in DC 69 DIRECT CONTROL DISTRICT, in section 4.1.1, adding the text "Retail, cannabis*" to the list of Uses;
 - aa. in schedule 'A', in DC 72 DIRECT CONTROL DISTRICT, in section 4.1.3, adding the text "Retail, cannabis*" to the list of Discretionary Uses;
 - bb. in schedule 'A', in DC 72 DIRECT CONTROL DISTRICT, in section 4.2.3, adding the text "Retail, cannabis*" to the list of Discretionary Uses; and
 - cc. in schedule 'A', in DC 75 DIRECT CONTROL DISTRICT, in section 4.3.2 b), adding the text "Retail, cannabis*^" to the list of Discretionary Uses.
- 3. Section 2 of this bylaw comes into force on the coming into force of section 28 of *An Act to Control and Regulate Cannabis*, SA 2017, c 21.
 - 4. With the exception of section 2, this bylaw comes into force on being passed.

Read a first time this ____ day of _____, 2018.

Read a second time this ____ day of _____, 2018.

Read a third time this ____ day of _____, 2018.

Signed this ____ day of _____, 2018.

Mayor

Director,
Legislative and Legal Services