

WHEATLAND COUNTY
PROVINCE OF ALBERTA
BYLAW 2020-04

Being a Bylaw of Wheatland County for the purpose of amending the Land Use Bylaw No. 2016-01, to update Highway Commercial, Hamlet Mixed Use, and Hamlet Commercial Land Use Districts, Specific Use Regulations and Definitions regarding Cannabis Stores

WHEREAS the Council of Wheatland County believes it expedient to amend the Land Use Bylaw 2016-01.

WHEREAS the requirements for advertising this Bylaw, as per Section 606 of the *Municipal Government Act*, have been met prior to the public hearing date.

WHEREAS a Public Hearing was held on _____ at the Wheatland County office.

NOW THEREFORE under the authority and subject to the provisions of the *Municipal Government Act*, as amended, the Council of Wheatland County enact as follows:

1. The document entitled “Schedule A” attached to this Bylaw is hereby adopted;
2. This Bylaw comes into force when it receives third reading and is signed by the Reeve/Deputy Reeve and CAO or Designate, as per the *Municipal Government Act*.

_____ **MOVED** First Reading of Bylaw 2020-04 on _____, this being a bylaw for the purpose of amending Land Use Bylaw No. 2016-01, to update Highway Commercial, Hamlet Mixed Use, and Hamlet Commercial Land Use Districts, Specific Use Regulations and Definitions regarding Cannabis Stores with the changes as shown on the attached “Schedule A” forming part of this Bylaw.

Carried.

_____ **MOVED** Second Reading of Bylaw 2020-04 on _____, as presented and amended, and it was

Carried.

_____ **MOVED** Third and Final Reading of Bylaw 2020-04 on _____ and it was

Carried.

Amber Link – Reeve

Brian Henderson – Chief Administrative Officer

Schedule A

Attachment – Bylaw 2020-20 - Land Use Bylaw 2016-01 Amendments

Amendments to the Land Use Bylaw:

Part 2: Definitions

Amend the following definitions as per below:

Agricultural Processing – Minor means a small scale value added agricultural operation that includes the use of land and/or a building for the upgrading of a product for distribution or sale that was originally produced in an agricultural operation. These minor operations are intended to primarily use agricultural products which are produced onsite. An Agricultural Processing – Minor operation should not produce any offsite impacts. A ~~Medical Marijuana~~Cannabis Production Facility is excluded from this use.

Cannabis means a 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 and topical products that contain cannabis.

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

Cannabis Store means a retail store that is licensed by the Province of Alberta for the sale of Cannabis for consumption off the premises and may include the ancillary retail sale of Cannabis Accessories;

Convenience Store is a retail store in which articles for sale are limited to basic food items such as milk, bread, canned goods, ice cream, snacks and candy, and meat. It may also include the limited sale of magazines, books and records, video rentals, housewares, toiletries, stationary and tobacco products. The sale of Cannabis is excluded from this use.

Farmers Market means a market which has a primary use of selling goods produced in farming operations within the County or neighboring municipalities. A farmers market should operate on a regular, but temporary basis and can include the use of a building, structure, lot, portable washrooms and displays for the purpose of selling any or all of the following: produce, meat, fish, seafood, grains, flowers and crafts. A farmers market may also include temporary retail of other goods and the sale of food to be consumed within the premises of the farmers market. The sale of Cannabis is excluded from this use.

Food and Beverage Production means a commercial facility in which food and/or beverage products are manufactured/produced or otherwise prepared for human consumption, but not consumed on the premises. This may include a retail component that is accessory to the principal use. Typical uses may include pre-packaged foods, water bottling and catering facilities. This does not include a Restaurant, ~~or~~ Drinking & Eating establishment, or the sale of Cannabis.

Greenhouse, Public means a building specially designed and used for the growing of vegetables, flowers or other plants for transplanting or sale to the public. This use includes wholesale distribution to locations off-site as well as on-site commercial sales of vegetation and flowers produced in the Greenhouse, Public. A Cannabis Production Facility and the sale of Cannabis areis excluded from this use.

Warehouse Sales means a facility used for the wholesale or retail sale of a limited range of goods from within an enclosed building where the size and nature of the principal goods being sold typically requires a large floor area for storage and display. Typical uses include, but are not limited to, sales of furniture, carpets, major appliances, and building materials. This use does not include the retail sale of Cannabis, food or of a broad range of goods for personal or household use.

8.XX Cannabis Store

8.XX.1 In addition to all other applicable General Regulations listed in the Bylaw, the following provisions shall apply to Cannabis Stores:

- a) Cannabis shall not be consumed in a Cannabis Store;
- b) Cannabis Store must comply with Provincial Minimum setbacks;

c) Prior to operation of the Cannabis Store, the provincial license must be provided to the County.



9.4 Commercial Highway District (CH)

Purpose and Intent

The purpose and intent of this district is to promote and accommodate commercial development adjacent to major transportation corridors in the County that provide services to residents and those travelling through the County.

Permitted and Discretionary Uses

- a) The following uses shall be permitted or discretionary with or without conditions provided that the application complies with the regulations of this district and this Bylaw:

Permitted	Discretionary
Accessory Building / Structure	Agricultural Support Services
Campground (minor)	Auction Mart
Car Wash	Automotive and Equipment Services
Commercial Storage	Campground (major)
Convenience Store	Cannabis Store
Drinking & Eating Establishment	Composting Facility
Fitness Centre	Cultural Facilities
Greenhouse, Public	Food and Beverage Production
Laundromat / Dry Cleaning	Hotel
Mechanical Repair Shop	Kennel
Nursery	Liquor Sales
Office	Motel
Outdoor Café	Recreational Vehicle Storage
Parks & Playgrounds	Recycling Facility
Private Amenity Space	Shipping Container
Restaurant	Signs requiring a Development Permit^
Retail Establishment	Tower
Service Station	Warehouse Sales
Signs not requiring a Development Permit ¹	
Solar Panel, Ground Mount ¹	
Solar Panel, Structure Mount ¹	
Spa and Wellness Centre	
Stripping and Grading ¹	
Truck Stop	
Warehouse Storage	
WECS (Category 1) ¹	
WECS (micro) ¹	

Notes: 1 - See Development Permits Not Required Section
^ - See Signage Section for Signage that does not require a permit
* - See Specific Use Regulations Section for more information

9.14 Hamlet Mixed-Use District (HMU)



Purpose and Intent

The purpose and intent of this district is to provide for a range of uses to be integrated vertically or horizontally including retail service, commercial activities combined with a residential component which enhances and benefits the local community.

Permitted and Discretionary Uses

- a) The following uses shall be permitted or discretionary with or without conditions provided that the application complies with the regulations of this district and this Bylaw:

Permitted	Discretionary
Accessory Building / Structure	Artisan Studio
Child Care Facility	Cannabis Store
Community Building and Facility	Contractor Service
Community Recreational Facility	Cultural Facilities
Convenience Store	Drinking & Eating Establishment
Essential Public Service	Farmers Market
Financial Institution	Laundromat / Dry Cleaning
Fitness Centre	Liquor Sales
Hotel	Lodging Facility
Office	Market Garden
Outdoor Café	Mixed-Use Building
Parks & Playgrounds	Pawn Shop
Private Amenity Space	Residential Care Facility
Restaurant	School, Public
Retail Establishment	School, Post-Secondary
Signs not requiring a Development Permit ¹	School, Private
Solar Panel, Ground Mount ¹	Signs requiring a Development Permit [^]
Solar Panel, Structure Mount ¹	Tower
Spa and Wellness Centre	Veterinary Clinic
Stripping and Grading ¹	Worship Facility
WECS (micro) ¹	
WECS Category 1 ¹	

Notes: 1 - See Development Permits Not Required Section
^ - See Signage Section for Signage that does not require a permit

9.16 Hamlet Commercial District (HC)



Purpose and Intent

The purpose and intent of this is to accommodate a diversity of retail, service and commercial activities that benefit the local community.

Permitted and Discretionary Uses

- a) The following uses shall be permitted or discretionary with or without conditions provided that the application complies with the regulations of this district and this Bylaw:

Permitted	Discretionary
Accessory Building / Structure	Artisan Studio

Commercial Storage	Cannabis Store
Community Building and Facility	Child Care Facility
Community Recreational Facility	Contractor Service
Convenience Store	Cultural Facilities
Essential Public Service	Drinking & Eating Establishment
Financial Institution	Farmers Market
Fitness Centre	Funeral Home
Office	Food and Beverage Production
Outdoor Café	Greenhouse, Public
Restaurant	Hotel
Retail Establishment	Kennel
Solar Panel, Ground Mount ¹	Laundromat / Dry Cleaning
Solar Panel, Structure Mount ¹	Liquor Sales
Spa and Wellness Centre	Mechanical Repair Shop
Signs not requiring a Development Permit [^]	Motel
Stripping and Grading ¹	Pawn Shop
WECS (micro) ¹	School, Post-Secondary
WECS Category 1 ¹	Shipping Container
	Service station
	Signs requiring a Development Permit [^]
	Tower
	Veterinary Clinic

Notes: 1 - See Development Permits Not Required Section
 ^ – See Signage Section for Signage that does not require a permit