

**BY-LAW #5-2018
OF THE
TOWN OF VERMILION
(hereinafter referred to as the “Municipality”)
IN THE PROVINCE OF ALBERTA**

**BEING A BY-LAW OF THE TOWN OF VERMILION TO
AMEND BY-LAW NO. 11-2013 PROVIDING FOR THE LAND
USE IN THE TOWN OF VERMILION**

WHEREAS, the Council of the Town of Vermilion deems it advisable to amend By-Law 11-2013 to address legislation to legalize, control, and regulate cannabis.

AND WHEREAS, the Council for the Town of Vermilion deems it advisable to amend By-Law 11-2013 to add more specific provisions related to the retailing of alcohol.

AND WHEREAS, in accordance with Section 692 of the Municipal Government Act, 2000 RSA, ch. M-26, as amended, it is Council’s intention to pass the By-Law and to hold a Public Hearing, which will be published in the Vermilion Standard on July 4 and 11, 2018.

AND WHEREAS a Public Hearing is to be held on July 17, 2018 at the Town Hall and all persons and groups who wish to make a presentation to Council will be heard.

NOW THEREFORE, the Council of the Town of Vermilion, duly assembled, enacts as follows:

1. The Town of Vermilion Land Use By-Law 11-2013, as amended, is hereby further amended by:

1.1 Part One – General , Section 1.3 – Interpretation

Addition of the following definitions:

“Alcohol Sales” means a development used for the retail sale to the public of any and all types of alcoholic beverages, including hard liquor, wine and beer, whether or not the beverages are refrigerated and may include the retail sales of related products such as soft drinks and snack foods.

“Cannabis Production Facility” means an industrial activity involving the indoor growing, processing, cleaning, packing, distribution, and/or storage of cannabis and cannabis products. This use does not include cannabis sales.

“Cannabis Sales” means a development licensed by the Province of Alberta used for the retail sale to the public of cannabis, as defined in the Cannabis Act (Canada) and its regulations as amended from time to time, and may include the retail sales of related accessory products.

1.2 Schedule B – Land Use District Regulations, Part One – General Provisions, Section 1.14 – Off-Street Automobile Parking

Addition of the following parking requirements to the Commercial Uses section in the table contained in Section 1.14.3:

Alcohol Sales and Cannabis Sales	1 per 30 m ² (325 ft ²) of gross floor area
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1.3 Schedule B – Land Use District Regulations, Part Two – Special Provisions

Addition of the following two (2) new sections:

2.12 Alcohol Sales and Licensed Drinking Establishments

1. The Development Authority may require hours of operation, lighting, signage and screening measures, including landscaping, in addition to the other requirements of this By-Law that, in its sole opinion, will make a proposed alcohol sales or licensed drinking establishment development reasonably compatible with existing residential or commercial uses which are either adjacent or nearby.

2.13 Cannabis Sales

1. Cannabis sales shall not be permitted if they have any part of an exterior wall that is located within 100.0 m (328.1 ft.) of any use or parcel of land prescribed by Alberta's *Gaming, Liquor and Cannabis Regulation*, as amended or replaced from time to time.
2. Notwithstanding Part Three, Section 3.4, the Development Authority shall not grant a variance to the requirements of Section 2.13.1 immediately above.
3. The Development Authority may require lighting, signage and screening measures, including landscaping, in addition to the other requirements of this By-Law that, in its sole opinion, will make a proposed cannabis sales development reasonably compatible with existing uses which are either adjacent or nearby.
4. The Development Authority shall impose a condition on any development permit issued for cannabis sales requiring that the development shall not commence until authorized by, and compliant with, provincial or federal legislation and any regulations pertaining thereto.

1.4 Schedule B – Land Use District Regulations, Part Three – District Schedules

Addition of "Alcohol Sales" and "Cannabis Sales", in alphabetical order, to the following land use districts:

Section 3.8.2, being the permitted uses of the CB – Central Business District;

Section 3.9.2, being the permitted uses of the C1 – Commercial District;

Section 3.10.3, being the discretionary uses of the C2 – Commercial District;

Section 3.11.3, being the discretionary uses of the C3 – Highway Commercial District;

Section 3.12.2, being the permitted uses of the C4 – Shopping Centre District; and,

Section 3.24.3.b & 3.24.4.b, being the discretionary uses of the SGDC – South Gateway Direct Control District.

1.5 Schedule B – Land Use District Regulations, Part Three – District Schedules

Addition of “Cannabis Production Facility”, in alphabetical order, to the following land use districts:

Section 3.14.3, being the discretionary uses of the IL – Light Industrial District; and,

Section 3.15.3, being the discretionary uses of the IMH – Medium/Heavy Industrial District;

- 2. That the provisions of this amending By-Law 5-2018 be reviewed no later than December 31. 2019.
- 3. That this amending By-Law 5-2018 shall come into effect upon the date of it finally being passed.
- 4. Should any section or parts of this amending By-Law 5-2018 be found in any court of law to be illegal or beyond the power of Council to enact, such Section or parts shall be deemed to be severable and all other Sections or parts of By-Law 5-2018 shall be deemed to be separate and independent there from and to be enacted as such.

READ A FIRST TIME IN COUNCIL THIS ____ DAY OF _____, A.D. 2018

Mayor

Chief Administrative Officer

READ A SECOND TIME IN COUNCIL THIS ____ DAY OF _____, A.D. 2018

Mayor

Chief Administrative Officer

READ A THIRD TIME IN COUNCIL THIS ____ DAY OF _____, A.D. 2018

Mayor

Chief Administrative Officer