

**TOWN OF PEACE RIVER
BYLAW NO. 2038**

**BEING A BYLAW OF THE TOWN OF PEACE RIVER IN THE PROVINCE OF
ALBERTA TO AMEND BYLAW 1891.**

WHEREAS the Council of the Town of Peace River has adopted Bylaw No. 1891, being the Land Use Bylaw, and

WHEREAS the Council of the Town of Peace River deems it advisable to amend the said Bylaw;

NOW THEREFORE the Council of the Town of Peace River, duly assembled, hereby enacts as follows:

- 1. Section 12 Special Land Use Provisions
Add Subsection (21) Cannabis Retail Sales as follows:
(21) Cannabis Retail Sales**
 - (a) The owner or applicant must obtain any other approval, permit, authorization, consent or licence that may be required to ensure compliance with applicable federal, provincial or other municipal legislation.**
 - (b) Cannabis Retail Sales shall not be located within 100 metres from:**
 - i. a private or public school; or**
 - ii. a provincial health care facility; or**
 - iii. a public playground.**
 - (c) For the purposes of subsection 12(21)(b) only, a variance up to 10 metres on the separation distance may be granted by the Municipal Planning Commission where the subject site includes a building with multiple units and the subject unit is not within the prescribed setback or where the building on the site is not within the setback.**

- (d) The separation distance established in (21)(b) above and (21)(e) below between uses shall be measured from lot line to lot line.
- (e) Where a proposed Cannabis Retail Sales use is within 100 metres of an existing Cannabis Retail Sales use the potential cumulative impact of the uses on development within the area must be considered by the Development Authority in evaluating the application.
- (f) The development shall not operate in conjunction with another approved use.
- (g) Customer access to the store is limited to a store-front that is visible from the street. Mall access shall allow for clear visibility from the interior.
- (h) No customer parking shall be located at the rear of the Retail Sales building.
- (i) All parking areas in front of the building shall be well lit to the satisfaction of the Development Officer during operating hours.
- (j) Parking shall be provided in accordance with the minimum requirements under Section 11(9) Commercial Uses: Retail Shops.
- (k) When an application for a Cannabis Retail Sales as a discretionary use is received and/or an associated variance application is received, the Development Authority shall notify all landowners within a 50 metre radius, measured from property line to property line to ensure that neighbouring landowners have the opportunity to provide comment on the application prior to the decision being made.
 - i. The notification must contain notice of the time and date of the Municipal Planning Commission meeting and a method to provide written feedback.
 - ii. Notification must be received a minimum of 3 working days prior to the application being presented at a Municipal Planning Commission meeting.

iii. Mail is considered served seven (7) days from the date of mailing if mailed to an address in Alberta or fourteen (14) days if mailed to an address outside of Alberta.

(l) The Development Authority having jurisdiction shall impose a condition on any Development Permit issued for Cannabis Retail Sales that the development shall not commence until authorized by, and compliant with, any superior legislation including any Provincial and Federal Statutes.

2. Section 12 Special Land Use Provisions

Add Subsection (22) Cannabis Production Facility as follows:

(22) Cannabis Production Facility

- (a) The owner or applicant must provide as a condition of development a copy of the current licence for all activities associated with cannabis production as issued by the Federal Government.
- (b) The owner or applicant must obtain any other approval, permit, authorization, consent or licence that may be required to ensure compliance with applicable federal, provincial or other municipal legislation.
- (c) 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.
- (d) The development shall not include an outdoor area for storage of goods, materials or supplies.
- (e) The development shall not operate in conjunction with another approved use.
- (f) 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.
- (g) The Development Officer may require, as a condition of a development permit, a waste management plan, completed by a qualified professional, which includes but is not limited to, details on:

- i. the incineration of waste products and airborne emissions, including smell;
 - ii. the quantity and characteristics of liquid and waste material discharged by the facility; and
 - iii. the method and location of collection and disposal of liquid and waste material discharged by the facility.
 - (h) Parking shall be provided in accordance with the minimum requirements under Section 11(9) Industrial: Manufacturing and Industrial Plants, Warehousing, Wholesale and Storage Buildings and Yards, Servicing and Repair Establishments and Public Utility Building
 - (i) The Development Authority having jurisdiction shall impose a condition on any Development Permit issued for Cannabis Production Facility that the development shall not commence until authorized by, and compliant with, any superior legislation including any Provincial and Federal Statutes.
3. Section 29 Primary Commercial District (C-1)
Add to (a) Permitted Uses
Cannabis Retail Sales
4. Section 34 Riverfront Development District (R-D)
Add to (a) Permitted Uses
Cannabis Retail Sales
5. Section 33 Mixed Commercial-Residential Centre District (C-R)
Add to (b) Discretionary Uses
Cannabis Retail Sales
6. Section 30 Highway Commercial District (C-2)
Add to (b) Discretionary Uses
Cannabis Retail Sales
7. Section 31 Commercial – Shopping Centre District (C-3)
Add to (b) Discretionary Uses
Cannabis Retail Sales

8. Section 35 Light Industrial District (M-1)
Add to (b) Discretionary Uses
Cannabis Production Facility
9. Section 36 Light Industrial District (M-1A)
Add to (b) Discretionary Uses
Cannabis Production Facility
10. Section 37 Mixed Industrial-Business District (M-IB)
Add to (b) Discretionary Uses
Cannabis Production Facility

SEVERABILITY

11. If any portion of this Bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion shall be severed.

EFFECTIVE DATE

12. This Bylaw shall come into force and have effect on the date of its final passage.

READ a first time this 23 day of July, 20 18.

READ a second time this 13 day of August, 20 18.

READ a third and final time this 13 day of August, 20 18.

SIGNED by the Mayor and Chief Administrative Officer this 13 day of August, 20 18.



Thomas Tarpey
Mayor



Christopher J. Parker
Chief Administrative Officer