

BYLAW NO. 858

**A BYLAW OF THE TOWN OF REDWATER
TO AMEND THE LAND USE BYLAW OF THE TOWN OF REDWATER**

WHEREAS the Municipal Government Act, R.S.A. 2000, c. M-26, as amended ("the Act") provides that a Municipal Council may amend its Land Use Bylaw;

AND WHEREAS the Council of the Redwater wishes to amend its Land Use Bylaw 811 as it affects certain lands;

NOW THEREFORE the Council of the Town of Redwater, duly assembled, enacts as follows.

1. Bylaw No. 811, the Town of Redwater Land Use Bylaw, as amended, is hereby further amended as follows:

a. **The following definitions are inserted in Section 1.3 – Interpretation in alphabetical order, and Section 1.3 – Interpretation is renumbered accordingly:**

(1) **“cannabis”** means cannabis as defined in the *Cannabis Act*, S.C. 2018, c. 16, or other relevant federal legislation.

(a) Cannabis includes:

- (i) any part of a cannabis plant, including the phytocannabinoids produced by, or found in, such a plant, regardless of whether that part has been processed or not;
- (ii) any substance or mixture of substances that contains or has on it any part of such a plant;
- (iii) any substance that is identical to any phytocannabinoid produced by, or found in, such a plant, regardless of how the substance was obtained.

(b) Cannabis does not include:

- (i) a non-viable seed of a cannabis plant;
- (ii) a mature stalk (without leaves, flowers, seeds, or branches) of a cannabis plant;
- (iii) fibre derived from a stalk;
- (iv) the root or any part of the root of a cannabis plant; and
- (v) industrial hemp.

(2) **“cannabis accessory”** means a thing that is commonly used in the consumption or production of cannabis. A Cannabis Accessory includes, but is not limited to, rolling papers or wraps, holders, pipes, water pipes, bongs and vaporizers.

(3) **“cannabis lounge”** means a development where the primary purpose of the facility is the sale of cannabis to the eligible public, for the consumption within the premises that is authorized by provincial or federal legislation. This use does not include cannabis production and distribution facilities;

- (4) **“cannabis, medical”** means cannabis that is obtained for medical purposes in accordance with applicable federal law;
- (5) **“cannabis production and distribution facility”** means a development used principally for one or more of the following activities relating to cannabis:
- (a) the production, cultivation, and growth of cannabis;
 - (b) the processing of raw materials;
 - (c) the making, testing, manufacturing, assembling, or in any way altering the chemical or physical properties of semi-finished or finished cannabis goods or products;
 - (d) the storage or shipping of materials, goods, or products, or;
- (6) **“cannabis retail sales establishment”** means a development used for the retail sales of cannabis that is authorized by provincial or federal legislation. This Use may include retail sales of cannabis accessories, as defined in the *Cannabis Act*, S.C. 2018, c. 16. This use does not include cannabis production and distribution facilities;
- (7) **“clubhouse”** means the building, room, or other facility used for the activities of a group organized for a common purpose, especially a group that meets regularly. A clubhouse may include change rooms, showers, lockers, and a common area where food and non-alcoholic or alcoholic drinks are consumed. **This use does not include cannabis lounges;**
- (8) **“head shop”** means a retail outlet which specializes in the sale of cannabis accessories, drug paraphernalia related to consumption of cannabis, other recreational drugs, and new age herbs, as well as counterculture art, magazines, music, clothing and home décor. This does not include cannabis retail sales establishments or a cannabis production and distribution facility;
- (9) **“industrial hemp”** means a cannabis plant — or any part of that plant — in which the concentration of THC is 0.3% w/w or less in the flowering heads and leaves, in accordance with the *Industrial Hemp Regulations*, SOR/2018-145, as amended;
- (10) **“industrial hemp production and distribution facility”** means the use of land, buildings, or structures licensed and/or authorized to process, sell, provide, ship, deliver, transport, destroy, produce, export and/or import industrial hemp, including related research, under the *Industrial Hemp Regulations*, SOR/2018-145, as amended, or any subsequent legislation that may be enacted in substitution. This does not include cannabis retail sales or cannabis production and distribution facility, or the cultivation of industrial hemp;
- (11) **“medical cannabis clinic”** means any business or enterprise whether or not operated for profit intended to serve as a means of distributing or providing cannabis for medical purposes as defined by provincial or federal legislation;



b. The following definitions in Section 1.3 – Interpretation are revised as follows:

- (1) **“agricultural industry”** means an industrial activity involving the processing, cleaning, packing or storage of agricultural products. Agricultural industry includes, but is not restricted to, seed cleaning and/or processing plants, and grain elevators, but does not include: the manufacture of processed foods from agricultural products or abattoirs or cannabis production and distribution facilities, industrial hemp production and distribution facilities.
- (2) **“agriculture, extensive”** means the use of land or buildings, including the first dwelling or manufactured home, for an agricultural operation which requires large tracts of land (usually in the order of 32.4 ha (80.0 ac. or more), but not including intensive agriculture, confined feeding operations, or a cannabis production and distribution facility or industrial hemp production and distribution facilities;
- (3) **“agriculture, intensive”** means an agricultural operation which raises crops on a land-intensive basis. Intensive agriculture includes greenhouses, silviculture and sod farms, but does not include confined feeding operations or a cannabis production and distribution facility or industrial hemp production and distribution facilities;
- (4) **“alcohol retail sales”** means an establishment or that part of an establishment possessing a Class D liquor license which is used for the retail sales of any and all types of alcoholic beverages to the public for consumption off premises. This use may include as well as the sale of alcohol the retail sales of related products such as soft drinks and snack foods. This does not include cannabis retail sales establishments;
- (5) **“drinking establishment”** means a development possessing a Class A Minors Prohibited liquor license, where the sale and consumption of liquor on site occurs and where liquor is the primary source of business. This use does not include cannabis lounges;
- (6) **“general retail establishment”** means a development where groceries, beverages, household goods, furniture, appliances, home improvement supplies, hardware, printed matter, confectionary, tobacco, pharmaceutical, personal care items, automotive parts and accessories, electronic equipment, recordings, office equipment, stationary, second hand goods, and similar goods are bought, rented, and/or sold from within a building. Minor public services, such as postal services and film processing depots may also be provided. General retail establishments include convenience retail stores but does not include warehouse sales establishments, or developments where gasoline, new or used motor vehicles, alcohol, cannabis, heavy agricultural and/or industrial equipment are sold or rented;
- (7) **“greenhouse and plant nursery”** means a development where bedding, household and ornamental plants are raised, stored and sold, together with incidental accessories such as garden equipment, and fertilizers and garden care products. This



- does not include cannabis retail sales or cannabis production and distribution facility or industrial hemp production and distribution facilities;
- (8) **“health services”** means a development where physical or mental health services are provided on an out-patient basis. Such services may be of a preventative, diagnostic, treatment, therapeutic, rehabilitative, or counselling nature. Health services include medical, chiropractic, and dental offices, health clinics, medical cannabis clinics, and counselling services;
- (9) **“highway commercial use”** means a commercial use serving the travelling public which relies on a highly visible location in proximity to a highway or an arterial road. Highway commercial uses may include eating and drinking establishments, service stations, gas bars, convenience retail stores, hotels, motels, commercial with warehousing, drive-in businesses and personal service shops. This does not include a cannabis retail sales establishment;
- (10) **“home occupation, major”** means a business, occupation, trade, profession, or craft carried on by an occupant of a dwelling unit as a use secondary to the residential use of the dwelling, and which does not change the character of the building in which it is located or have any exterior evidence of such secondary use other than a small sign as provided for in **Section 8.14(5)(g)** of this Bylaw. A major home occupation may have up to one (1) employee, other than those resident in the dwelling unit working on site at any time. A major home occupation may also have more than five (5) client visits per week, and a limited amount of outdoor storage of goods. A major home occupation may include, but is not restricted to, hairdressing and cutting, dressmaking, millinery and similar domestic crafts, stamp and coin sales, music and/or dance instruction, minor repairs to household equipment and tutoring. A major home occupation does not include cannabis retail sales or cannabis production and distribution facility. The distinctions between major home occupations and minor home occupations are more fully described in **Section 8.14** of this Bylaw;
- (11) **“home occupation, minor”** means any business, occupation, trade, profession, or craft carried on by an occupant of a dwelling unit as a use secondary to the residential use of the dwelling, and which does not change the character of the building in which it is located or have any exterior evidence of such secondary use. A minor home occupation will have no employees, other than those residing in the dwelling unit, and no more than five (5) client visits per week, and no outdoor storage of any goods. A minor home occupation may include, but is not restricted to, offices of accountants, doctors, business and professional consultants, contractors, lawyers, bookkeepers, architects, catalogue sales, and minor repair shops, but does not include any development that may, in the opinion of the Development Authority, be considered to be a major home occupation. A minor home occupation does not include cannabis retail sales or cannabis production and distribution. The distinctions between minor home occupations and major home occupations are more fully described in **Section 8.14** of this Bylaw;
- (12) **“industrial use, heavy”** means a development which would be considered to be a light industrial use except that, in the opinion of the Development Authority, the development may not be able to co-exist compatibly in proximity to other uses or

population concentrations due to: the potential for an adverse environmental impact beyond the immediate site of the medium industrial use; the potential for significant toxic or noxious by-products such as air or water-borne emissions; or the potential to emit significant noise, smoke, dust, odour, vibration, etc., which may be offensive or hazardous to human health, safety or well-being. Heavy industrial uses also include: the storage of toxic, flammable or explosive products in significant quantities; rendering plants; natural resource or agricultural product processing plants or large-scale outdoor storage that is unsightly or visually offensive. Heavy industrial uses do not include heavy petrochemical industrial uses or cannabis production and distribution facilities or industrial hemp production and distribution facilities;

(13) "**industrial use, heavy petrochemical**" means a development involved in the processing and manufacturing of petrochemicals, including oil and gas refining, which, in the opinion of the Development Authority, may emit a significant level of noise, smoke, dust, odour, vibration, etc., and which may not be compatible with the surrounding land use. This use does not include cannabis production and distribution facilities or industrial hemp production and distribution facilities;

(14) "**industrial use, light**" means a development which, in the opinion of the Development Authority, may be able to co-exist compatibly in proximity to other uses or population concentrations. Light industrial uses are usually less capital intensive than heavy industrial uses, and may be more consumer-oriented than business-oriented. Light industrial uses often require only a small amount of raw materials, area and power.

For further clarification, light industrial uses include developments where:

- (a) raw materials are processed, and/or
- (b) semi-finished or finished goods, products or equipment are manufactured and/or assembled, and/or
- (c) materials, goods and equipment normally associated with industrial or commercial business are cleaned, serviced, repaired, salvaged, and/or tested, and/or
- (d) goods and equipment associated with personal or household use are cleaned, serviced, and/or repaired, and/or
- (e) materials, goods and equipment are stored and/or transhipped, and/or
- (f) materials, goods and equipment are distributed and/or sold to institutions and/or industrial and commercial businesses for their direct use and/or to general retail establishments and/or other retail establishments for resale to individual customers, and/or
- (g) personnel are trained in all industrial operations,

in such a manner, in the opinion of the Development Authority, that an adverse environmental impact is not created beyond the immediate site of the light industrial use, which does not produce significant toxic or noxious by-products, and which is compatible with other industrial and commercial uses in a concentrated setting. Light industrial uses include motor vehicle body and paint shops, but do not include the preparation of food and/or beverages for direct sale to the public.

Any indoor display, office, technical or administrative support areas or any retail sale operations shall be accessory and subordinate to the light industrial use activities identified above. The floor area devoted to such accessory activities shall not exceed a total of thirty-three percent (33%) of the total floor area of the building or buildings devoted to the light industrial use, except that this restriction shall not apply where, in the opinion of the Development Authority, a significant portion of the industrial activity naturally and normally takes place out of doors. This use does not include cannabis production and distribution facilities or industrial hemp production and distribution facilities;

(15) **“neighbourhood commercial development”** means a development where goods and services required by area residents or employees on a day to day basis are provided, bought or sold. The gross leasable area of a neighbourhood commercial development shall not exceed 275.0 m² (2,960 ft²). Neighbourhood commercial developments include small food stores, drug stores, and variety stores selling confectionary, tobacco, groceries, beverages, pharmaceutical and personal care items, hardware, and/or printed matter as well as small personal service shops. This use does not include alcohol retail sales or cannabis retail sales.

(16) **“private club”** means a development used for the meeting, social or recreational activities of members of a non-profit philanthropic, social service, athletic, business or fraternal organization, with neither on-site dwellings nor rentable units. Private clubs may include eating and drinking establishments and rooms for assembly. This use does not include cannabis lounges;

c. Section 3.4 Development Permit Applications, is amended by adding the following after Section 3.4.8, and renumbering the Part accordingly.

(9) In addition to the information requirements indicated in Section 3.4(1) and Section 3.4(4), an application for a development permit for cannabis retail sales establishments, shall be required to include with the application the following information:

(a) a map identifying the distance from the proposed development to all property boundaries of:

(i) buildings containing a school or a boundary of a parcel of land on which the building is located;

(ii) parcels of land that are designated as school reserve or municipal and school reserve under the *Municipal Government Act*, R.S.A. 2000, c. M-26, as amended;

(iii) provincial health care facilities or the boundary of a parcel of land on which the facilities are located;



(iv) any other development or land use required by the Alberta Gaming, Liquor, and Cannabis Commission; and

(v) parks and playgrounds within the Town of Redwater.

(10) In addition to the information requirements indicated in Section 3.4(1) and Section 3.4(4), an application for a development permit for an industrial hemp production and distribution facility or a cannabis production and distribution facility, may be required to include with the application, the following information:

(a) Waste Management Plan;

(b) Environment Site Assessment;

(c) Traffic Impact Assessment;

(d) Water / Wastewater report;

(e) Storm Water Management Plan;

(f) The separation distance, shown on a map, between the proposed facility and the property boundary of a school, or any other public place usually frequented by persons under the age of 18 years shall be determined by measuring a straight line from the closest point on the lot line of the lot on which the proposed facility is located to the closest point on the lot line of the lot on which the other specified use is located. The separation distance shall not be measured from district boundaries or walls of buildings;

(g) any other information as may be reasonably required by the Development Authority.

d. Section 3.7 Decision Process and Re-Application, is amended in accordance with the changes identified in *Schedule A* of this Bylaw.

e. Section 3.8 Development Permits and Notices, is amended in accordance with the changes identified in *Schedule A* of this Bylaw.

f. Section 4.1 Appeal Procedure, is amended in accordance with the changes identified in *Schedule A* of this Bylaw.

g. Part 8 Special Use Regulations, is amended by adding the following Sections after Section 8.7 Bed and Breakfast Establishments:

8.7(a) Cannabis Production and Distribution Facilities

Regulations within this section apply to the production and distribution of cannabis for medical and non-medical purposes.

- (1) No Cannabis production and distribution facility shall be allowed unless all applicable licensing and approvals have been provided for by the provincial and federal governments.
- (2) A Cannabis production and distribution facility must comply with the following requirements, in addition to any other municipal, provincial or federal regulations or requirements:
 - (a) only facilities licensed by Health Canada under the *Cannabis Regulations*, SOR/2018-144, or as amended or replaced, will be permitted
- (3) A copy of the current license(s) for the Cannabis production and distribution facility as issued by the provincial and/or federal government shall be provided to the Development Authority at time of application or provided as a condition of development permit approval.
- (4) A Cannabis production and distribution facilities must include suitable landscaping and parking requirements, as determined by the Development Authority. Parking and landscaping requirements shall comply with regulations relating to industrial uses within this Bylaw and meet all servicing standards of the municipality.
- (5) A Cannabis production and distribution facility shall meet security and premises requirements as required under applicable provincial or federal Acts or Regulations.
- (6) The development shall be designed and located to minimize any impacts on the natural environment.
- (7) The development shall be designed to minimize any exposure or disturbance to the surrounding area including, but not limited to, dust, pollution, noise, odour, or any other related land use nuisance effects.
- (8) No outdoor storage of goods, material, or supplies shall be permitted.
- (9) All activities related to Cannabis production and distribution facilities shall occur within fully enclosed stand-alone building(s), including but not limited to loading, receiving, and shipping of cannabis and any other goods, materials, and supplies.
- (10) Hours of operation may be restricted as a condition of the development permit issued by the Development Authority.



- (11) A cannabis production and distribution facility's exterior lighting and noise levels shall satisfy the following requirements:
- (a) the illumination of parking areas, walkways, signs, and other structures associated with cannabis production and distribution development shall be arranged to meet any requirements the Land Use Bylaw or any other bylaw and/or policy approved by the municipality and any other provincial or federal Acts or Regulations.
 - (b) noise from facilities shall not exceed that allowed under the Land Use Bylaw or any other bylaw and/or policy of the municipality and any other provincial or federal Acts or Regulations.
- (12) The minimum setback from any watercourse or water body shall be 30.0 m (98.4 ft.).
- (13) The maximum lot coverage shall be at the discretion of the Development Authority.
- (14) A building or structure used for security purposes for a cannabis production and distribution facility may be located in the front yard and must comply with the required minimum setbacks within the district.
- (15) On site buffering measures shall be required for all cannabis production and distribution facilities. Buffers may include a combination of space separation, vegetation, and fencing to mitigate the impacts on adjacent lots.
- (16) A site, building, or structure established, operated, or maintained as a cannabis production and distribution facility shall comply with the provisions made for in any applicable municipal, provincial and federal regulations as per this Bylaw..
- (17) Garbage containers and waste material shall be contained within an enclosed and locked building.
- (18) Solid waste material shall be secured in accordance with provincial and federal regulations until destroyed.
- (19) Further to subsection (18) solid waste material must be disposed of in accordance with the *Cannabis Act*, S.C. 2018, c. 16, and the *Cannabis Regulations*, SOR/2018-144, as amended, or any subsequent legislation that may be enacted in substitution.
- (20) These regulations are not exclusive and shall not prevent the municipality from exercising any other remedy available under the law, nor shall the provisions of this section prohibit or restrict other Federal or Provincial law or regulation to be enacted.
- (21) Applications for subdivision of land for this use shall include the information required by the Development Authority in **Section 3.4**.



8.7(b) Cannabis Retail Sales Establishments

- (1) Any cannabis retail sales establishment must comply with the following requirements, in addition to any other municipal or provincial regulations or requirements:
 - (a) only facilities licensed by the provincial or federal governments will be permitted; and
 - (b) a copy of the license(s) for the cannabis retail sales establishment as issued by the provincial government shall be provided to the Development Authority.
- (2) Cannabis retail sales establishments must include suitable landscaping and parking requirements, as determined by the Development Authority. Parking shall comply with regulations of this Bylaw for a commercial use and meet all servicing standards of the municipality.
- (3) The design of the buildings and the landscaping on the site shall be consistent with the characteristics and appearance of the surrounding neighbourhood.
- (4) No outdoor storage of goods, materials, or supplies shall be permitted.
- (5) Cannabis retail sales establishments shall meet security and premises requirements as required under applicable provincial and federal legislation.
- (6) Solid waste material shall be secured in accordance with provincial and federal regulations until destroyed.
- (7) Further to subsection (6), solid waste material must be disposed of in accordance with *Cannabis Act*, S.C., 2018, c.16 and the *Cannabis Regulations* SOR/2018-144, as amended, or replaced.
- (8) Hours of operation may be restricted as a condition of the development permit issued by the Development Authority.
- (9) A cannabis retail sales establishment's exterior lighting levels shall satisfy the following requirements:
 - (a) The illumination of parking areas, walkways, signs, and other structures associated with cannabis retail sale development shall be arranged to meet the requirements under municipal, provincial, and federal regulations.
- (10) Cannabis retail sales establishments as defined in this Bylaw shall be prohibited from locating near the following uses:



- (a) within 100.0 m (328.1 ft.) of a provincial health care facility (or a boundary of the parcel of land on which the facility is located), and
- (b) within 100.0 m (328.1 ft.) of a parcel designated as School Reserve or Municipal and School Reserve, (or a boundary of the parcel of land on which the facility is located), or a building containing a school (or a boundary of a parcel of land on which the building is located), and
- (c) within 100.0 m (328.1 ft.) of a parcel which contains a public park or playground excluding Devonian Park and the Town campground.

(11) The separation distance between the cannabis retail sales establishment and the uses listed in **PART 8.7(b) (8)** shall be determined by measuring a straight line from the outer wall of the proposed cannabis retail sales establishment to the closest point on the lot containing the uses identified in **subsection (8)**.

(12) A site, building or structure established, operated, or maintained as a cannabis retail sales establishment shall comply with the provisions made for in any applicable municipal, provincial, and federal regulations as per this Bylaw.

(13) These regulations are not exclusive and shall not prevent the municipality from exercising any other remedy available under the law, nor shall the provisions of this section prohibit or restrict other Federal or Provincial law or policy to be enacted upon.

(14) Applications for subdivision of land for this use shall be required to include the information required by the Development Authority in **Section 3.4**

h. Part 8 Special Use Regulations is further amended by adding the following Section after Section 8.13 Home Occupations:

8.13(a) Industrial Hemp Production and Distribution Facility

Regulations within this section apply to the production and distribution of industrial hemp.

(1) No industrial hemp production and distribution facility shall be allowed unless all applicable licensing and approvals have been provided for by the provincial and federal governments.

(2) An industrial hemp production and distribution facility must comply with the following requirements, in addition to any other municipal or provincial regulations or requirements:

- (a) only facilities licensed by Health Canada under the *Industrial Hemp Regulations*, SOR/2018-145, or as amended or replaced, will be permitted.

- (3) A copy of the current license(s) for the industrial hemp production and distribution facility as issued by the federal government shall be provided to the Development Authority at time of application or provided as a condition of development permit approval.
- (4) An industrial hemp production and distribution facility must include suitable landscaping and parking requirements, as determined by the Development Authority. Parking and landscaping requirement shall comply with regulations relating to industrial uses within this Bylaw and meet all applicable servicing standards of the municipality.
- (5) An industrial hemp production and distribution facility shall meet security and premises requirements as listed under applicable provincial or federal Acts or Regulations.
- (6) The development shall be designed and located to minimize any impacts on the natural environment.
- (7) The development shall be designed to minimize any exposure or disturbance to the surrounding area including, but not limited to, dust, pollution, noise, odour, or any other related land use nuisance effects.
- (8) No outdoor storage of goods, material or supplies shall be permitted.
- (9) All activities related to the industrial hemp production and distribution facility shall occur within a fully enclosed stand-alone building, including but not limited to loading, receiving, and shipping of industrial hemp and any other goods, materials, and supplies.
- (10) Hours of operation may be restricted as a condition of the development permit issued by Development Authority.
- (11) An industrial hemp production and distribution facility's exterior lighting and noise levels shall satisfy the following requirements:
 - (a) the illumination of parking areas, walkways, signs, and other structures associated with industrial hemp production and distribution facility shall be arranged to meet any requirements the Land Use Bylaw or any other bylaw and/or policy approved by the municipality and any other provincial or federal Acts or Regulations.
 - (b) noise from facilities shall not exceed that allowed under the Land Use Bylaw or any other bylaw and/or policy of the municipality and any other provincial or federal Acts or Regulations.
- (12) The minimum setback from any watercourse or water body shall be 30.0 m (98.4 ft.).



- (13) The maximum lot coverage shall be at the discretion of the Development Authority.
- (14) A building or structure used for security purposes for industrial hemp production and distribution facilities may be located in the front yard and must comply with the required minimum setbacks within the district.
- (15) On site buffering measures shall be required for all industrial hemp production and distribution facilities. Buffers may include a combination of space separation, vegetation, and fencing to mitigate the impacts on adjacent lots.
- (16) A site, building or structure established, operated, or maintained as an industrial hemp production and distribution facility shall comply with the provisions made for in any applicable municipal, provincial and federal regulations as per this Bylaw
- (17) Solid waste material shall be secured in accordance with provincial and federal regulations until destroyed.
- (18) These regulations are not exclusive and shall not prevent the municipality from exercising any other remedy available under the law, nor shall the provisions of this section prohibit or restrict other Federal or Provincial law or regulations to be enacted.
- (19) Applications for subdivision of land for this use shall include the information required by the Development Authority in **PART 3.4**.
- i. PART 8.0 – SPECIAL USE REGULATIONS is renumbered to reflect the above noted insertions.**
- j. Part 9.10(2)(b) Primary Commercial (C-1) District is revised to add “Alcohol retail sales” “Cannabis retail sales establishments” and “Head Shops” to the list of Discretionary Uses, in alphabetical order, and the Part is renumbered accordingly.**
- k. Part 9.11(2)(b) General Commercial (C-2) District is revised to add “Alcohol retail sales” “Cannabis retail sales establishments” and “Head Shops” to the list of Discretionary Uses, in alphabetical order, and the Part is renumbered accordingly.**
- l. Part 9.12(2)(b) Highway Commercial (C-3) District is revised to add “Alcohol retail sales,” “Head shops,” and “Cannabis Retail Sales Establishments” to the list of Discretionary Uses, in alphabetical order, and the Part is renumbered accordingly.**
- m. Part 9.13(2)(b) Industrial (M1) District is revised to Delete “Heavy Petrochemical Industrial Uses” from the discretionary uses in M1 and to further delete subsection 9.13 (4)(d).**



- n. **The following new land use district is added to PART 9.0 – District Provisions after Part 9.13 Industrial (M1) District:**

9.13(a) Industrial (M2) District

(1) Purpose

The purpose of this District is to provide for business and industrial uses, including Cannabis Production and Distribution Facilities and Industrial Hemp Production and Distribution Facilities, which create little or no nuisance or hazard beyond the site upon which they are located, but which, by their nature, are better suited to locations away from concentrations of population.

(2) Permitted and Discretionary Uses

(a) Permitted Uses

- (1) Automotive and equipment repair shops, heavy
- (2) Automotive and equipment repair shops, light
- (3) Automotive and recreational vehicles sales/rental establishments, heavy
- (4) Automotive and recreational vehicles sales/rental establishments, light
- (5) Business support services establishments
- (6) Cannabis production and distribution facilities
- (7) Drive-in businesses, but only if they are drive-through vehicle service establishments
- (8) Equipment rental establishments
- (9) Extensive agriculture
- (10) Fleet services
- (11) General contractor services
- (12) Greenhouses and plant nurseries
- (13) Industrial hemp production and distribution facilities
- (14) Industrial vehicle and equipment sales/rental establishments
- (15) Light industrial uses
- (16) Limited contractor services
- (17) Outdoor storage
- (18) Public parks
- (19) Public uses
- (20) Public utilities
- (21) Recycling depots
- (22) Sea cans
- (23) Self-service storage facilities
- (24) Service stations
- (25) Solar energy collection systems
- (26) Trucking and cartage establishments
- (27) Truck and recreational vehicle sales/rental establishments
- (28) Veterinary clinics
- (29) Wind energy conversion systems, micro
- (30) Buildings and uses accessory to permitted uses

(b) Discretionary Uses

- (1) Agricultural industry
- (2) Amusement establishments, outdoor
- (3) Animal hospitals
- (4) Auctioneering establishments
- (5) Eating and drinking establishments
- (6) Heavy industrial uses
- (7) Heavy petrochemical industrial uses
- (8) Large animal veterinary clinics
- (9) Large wind energy conversion systems
- (10) Major utility services
- (11) Recreational vehicle campgrounds, seasonal
- (12) Recreational vehicle campgrounds, workcamp
- (13) Recreational vehicle storage
- (14) Small animal breeding and boarding establishments
- (15) Small radio communications towers
- (16) Wind energy conversion systems, small
- (17) Surveillance suites
- (18) Staging area
- (19) Wireless communications facilities
- (20) Workcamps
- (21) Workcamps, short term
- (22) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses
- (23) Buildings and uses accessory to discretionary uses

(3) Subdivision Regulations

- (a) Minimum site area – 650.0 m² (6,996.5 ft.²)

(4) Development Regulations

- (a) Maximum Site Coverage – 60%
- (b) A fire protection and emergency response plan may be required with a development permit application. It will be submitted to the municipality's Fire Chief for consideration prior to the Development Authority's consideration of approval. Its implementation will be a condition of any approval by the Development Authority.
- (c) Minimum Required Front Yard – 6.0 m (19.7 ft.), unless a greater yard is deemed necessary by the Development Authority. No loading, parking, or storage area shall be allowed within the required minimum front yard.
- (d) Heavy petrochemical development will only be allowed on SE 29-57-21-W4; however, any development at that location will be at the complete and sole discretion of the Development Authority.



(e) Minimum Required Side Yard

- (i) The minimum required side yard shall be 6.0 m (19.7 ft.) on one side and 1.5 m (4.9 ft.) on the other for a building up to a height of 4.5 m (14.8 ft.). For a building over 4.5 m (14.8 ft.) the minimum required side yard shall be increased by 0.3 m (1 ft.) for every 1.0 m (3.3 ft.) of height up to a maximum requirement of 6.0 m (19.7 ft.).
- (ii) Corner and double fronting sites shall provide side yards as provided pursuant to Section 7.3 of this Bylaw.
- (iii) On corner sites, site lines shall be protected pursuant to Section 7.18 of this Bylaw.

(f) Minimum Required Rear Yard – at the discretion of the Development Authority, except that where the rear yard is adjacent to a Residential District, the minimum required rear yard shall be 5.0 m (16.4 ft.).

(g) Maximum Height – at the sole discretion of the Development Authority

(h) Setbacks from Pipeline Rights-of-Way

- (i) No building shall be located closer than 15.0 m (49.2 ft.) to the centreline of a pipeline right-of-way or the centreline of a pipeline within a pipeline right-of-way, whichever distance is the lesser.

(i) Access

- (i) Each site shall have direct access to a road designed and constructed to have regard for continuity of traffic flow, safety of vehicles, and avoidance of dangerous intersections, all in the opinion of the Development Authority.

(j) Outdoor Storage

All outdoor storage shall be screened to the height considered necessary by the Development Authority.

(k) Landscaping

All yards shall be landscaped with trees, shrubs and planted ground cover in accordance with plans approved by the Development Authority. In this regard, when adjacent to Residential Districts, particular reference will be made to Section 7.9(7) of this Bylaw.

(l) Upkeep of Site

The entire site and all buildings shall be maintained in a neat and tidy manner to the satisfaction of the Development Authority. This shall include the trimming and upkeep of landscaped areas and the removal of debris and unsightly objects.

(5) Additional Regulations

- (a) Fences shall be developed in accordance with Section 7.7 of this Bylaw.
- (b) Landscaping shall be provided in accordance with Section 7.9 of this Bylaw.
- (c) Grading and drainage of the site shall be provided in accordance with Section 7.17 of this Bylaw.
- (d) Accessory buildings shall be developed in accordance with Section 8.1 of this Bylaw.
- (e) No signs shall be allowed in the M2 District except as provided for in Section 8.32 of this Bylaw.

- o. The Town of Redwater Land Use District Map is hereby amended by redistricting the lands shown on **Schedule B**, which are currently within the Industrial (M1) District to Industrial (M2) District. The area is legally described as follows:

57 RW 708TR, Parcel A;2206HW, C;1;2353KS, OT;2353KS, Parcel B;2667MC, Parcel B;2679HW, N1/2 A; 3190HW, S 1/2 A;3190HW, B;3190HW, C;3190HW, D;3190HW, D;3190HW, E;3190HW, F;3190HW, G;3190HW, H;3190HW, C;5943KS, Nuisance Grounds 3448HW, 1;7622341, 2;7622341, A;8021984, 1;1;8122910, 2;1;8122910, 3;1;8122910, 4;1;8122910, 5;1;8122910, 19PUL;1;8122910, 7;2;8122910, 8A;2;8122910, 10;2;8122910, 11;2;8122910, 12;2;8122910, 18PUL;2;8122910, 13;3;8122910, 14;3;8122910, 15;3;8122910, 16;3;8122910, 17;3;8122910, 18;3;8221694, 19;3;8221694, 20A;3;8221694, 22;3;8221694, 23;3;8221694, 24;3;8221694, 25;3;8221694, 26;4;8221694, 27;4;8221694, 28;4;8221694, 29;4;8221694, 30;4;8221694, 31;4;8221694, 32;4;8221694, 33;5;8221694, 34;4;8221694, 2;8521895, 3;8521895, 4;8521895, 13;2;9621303, 14;2;9621303, 15;2;9621303, 16;2;9621303, 1;1;0823542, N.E.1/4-20-57-21-4, Pt. N.E.1/4-20-57-21-4, Pt. N.W.1/4-20-57-21-4, Pt.S.E.1/4-20-57-21-4, S.W.1/4-20-57-21-4, N.W.1/4-29-57-21-4, Pt. S.W.1/4-29-57-21-4, S.E.1/4-29-57-21-4, Pt. S.W.1/4-32-57-21-4,

- p. The entire Land Use Bylaw is revised to correct minor formatting, spelling and grammatical errors, where the correction will not impact the interpretation or intent of the regulations therein;
- q. The table of contents and internal references to specific sections throughout the Land Use Bylaw are updated to reflect the insertions and deletions described herein.


- r. It is the intention of the Town Council that each separate provision of this Bylaw shall be deemed independent of all other provisions, and it is further the intention of Town Council that if any provision of this Bylaw be declared invalid, that provision shall be deemed to be severed and all other provisions of the Bylaw shall remain in force and effect.

This Bylaw shall come into full force and effect upon the final passing thereof.

Read a first time this 4th day of September, 2018

Read a second time this 2nd day of October, 2018

Read a third time and finally passed this 2nd day of October, 2018



Mayor



Town Manager



SCHEDULE A

- 1) Insert the following new Section between Section 3.6 and Section 3.7:

3.6(a) Notice of Complete or Incomplete Application

- (1) The Development Authority Officer shall, within 20 days of the receipt of an application for a development permit, determine whether the application is complete.
- (2) The time period referred to in Section 3.6(a)(1) may be extended by an agreement in writing between the applicant and the Development Authority Officer.
- (3) An application is complete if,
 - a. in the opinion of the Development Authority Officer, the application contains the documents and other information necessary to review the application; or
 - b. the Development Authority does not make a determination within 20 days after receipt of an application for a development permit
- (4) If a Development Authority Officer determines that the application is complete, the Development Authority Officer shall issue to the applicant, by means of posted letter or electronic notification, an acknowledgment that the application is complete.
- (5) If the Development Authority Officer determines that the application is incomplete, the Development Authority Officer shall issue, to the applicant a notice, in writing or electronically, that the application is incomplete. This notice shall list any outstanding documents and information required to review the application, and provide a date by which the documents or information must be submitted in order for the application to be considered complete.
- (6) If the applicant fails to submit all the outstanding information and documents on or before the date referred to in Section 3.6(a)(5), the Development Authority Officer must deem the application to be refused.
- (7) Despite that the Development Authority Officer has issued an acknowledgment under Section 3.6(a)(4) or Section 3.6(a)(5), in the course of reviewing the application, the Development Authority Officer may request additional information or documentation from the applicant that the Development Authority Officer considers necessary to review the application.

- 2) Section 3.7(3)(b) is deleted in its entirety and replaced with the following:

- (b) Notwithstanding Section 3.7(1) of this Bylaw and Section 3.7(3)(a) above, the Development Authority Officer may, in deciding upon an application for a permitted or discretionary use, allow for a total minor variance to a maximum of 50% (fifty percent) of any or all of the following requirements:
 - (i) setback regulations of front, side or rear yards,
 - (ii) heights of buildings
 - (iii) floor area or site coverage or parking stalls.

(c) Notwithstanding Section 3.7(1) of this Bylaw and Section 3.7(3)(a) and (b) above, the Development Authority Officer may, in deciding upon an application for a permitted or discretionary use, allow for any variance of any or all of the following requirements:

(i) signs, sheds, decks, and fences.

3) Section 3.8(1) is deleted in its entirety and replaced with the following:

(1) A decision issued pursuant to this Part must be given or sent to the applicant on the same day the decision is made. A permit granted pursuant to this Section does not come into effect until twenty-one (21) days after the date of the decision on a development permit as described in Subsection (3) hereof. Any development proceeded with by the applicant prior to the expiry of this period is done solely at the risk of the applicant

4) Renumber the sections in PART 3.0 and update section references throughout the document which may change as a result of renumbering the sections in PART 3.0.

5) Section 4.1(1) is revised by adding the following subsection:

(d) does not receive the outstanding information and documents on or before the date referred to in subsection 3.7(5) and Section 683.1(8) of the Act.

6) Section 4.1(4) is deleted in its entirety and replaced with the following:

(4) An appeal shall be made by serving a written notice of appeal to the Secretary of the Board within twenty-one (21) days after:

(a) the date a notice of the decision or permit issued by the Development Authority was given in accordance with Section 3.9 of this Bylaw, or

(b) the date an order was given in accordance with Section 5.1(1) of this Bylaw, or

(c) the forty (40) day period or any extension referred to in Section 3.8(6) of this Bylaw has expired.

(d) the date by which the application was deemed refused in accordance with Section 683.1(8) of the Act.

Town of Redwater

Schedule B

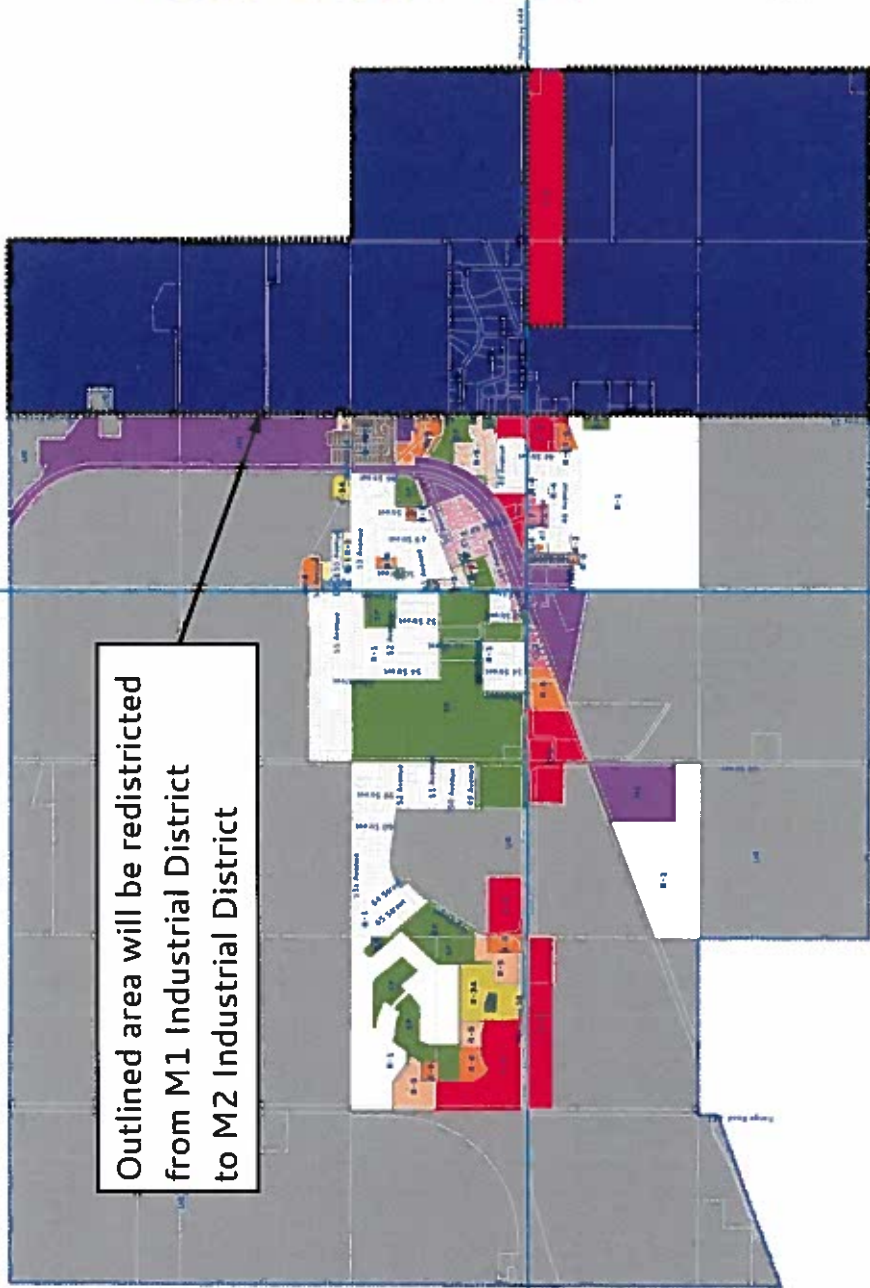
Land Use District Map



MAP 1.1

MAP 1.2

Outlined area will be redistricted from M1 Industrial District to M2 Industrial District



MAP 1.3

MAP 1.4

- R-1 Single Family Residential
- R-2 Single Family Large Dwelling & Large Lot Residential
- R-3 Single Family Compact Lot Residential
- R-3A Single Family Small Lot Residential
- R-4 Two Family Residential
- R-5 Medium Density Residential
- R-6 High Density Residential
- R-MHP Manufactured Home Park Residential
- R-MHS Manufactured Home Subdivision Residential
- C-1 Primary Commercial
- C-2 General Commercial
- C-3 Highway Commercial
- M1 Industrial
- M2 Industrial (NEW)
- SP Semi-Public
- UR Urban Reserve
- DC-1 Direct Control Residential

0 0.5 Kilometre

