

**TOWN OF VIKING
BY-LAW NO. 2018-669**

A BY-LAW OF THE TOWN OF VIKING IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE OF AMENDING BYLAW 2012-640, AS AMENDED, BEING THE LAND USE BYLAW.

WHEREAS, it is deemed advisable to amend the Land Use Bylaw;

NOW THEREFORE, the Council of the Town of Viking, duly assembled, pursuant to the authority conferred upon it by the Municipal Government Act, R.S.A. C.M-26, and amendments thereto, enacts as follows:

a) PART ONE – GENERAL

Section 1.3 Interpretations:

Insert the following new interpretations after (36) business support services establishment

(37) “**cannabis**” – means 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 include edible products that contain cannabis.

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

(39) “**cannabis lounge/café**” – means development where the primary purpose of the facility is the sale of cannabis to the public, for the consumption within the premises that is authorized by provincial or federal legislation. This use does not include cannabis production and distribution bars and neighborhood pubs, nightclubs, private clubs, etc.



(40) **“cannabis production and distribution”** – means development used principally for one or more of the following activities as it relates 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 goods or products.
- d. The storage or transshipping of materials, goods and products; or
- e. The distribution and materials, goods and products to cannabis retail stores or individual customers.

(41) **“cannabis retail sales”** – means a development used as a retail store, licensed by the Province of Alberta, where non-medical cannabis and cannabis accessories are sold to individuals who attend at the premises. This does not include cannabis production and distribution.

Amend the following interpretations:

(67) “eating and drinking establishments” interpretation

Insert **“This definition does not include cannabis retail sales of cannabis lounge/café”** after the last sentence.

(75) “entertainment establishment” interpretation

Insert **“This definition does not include cannabis retail sales of cannabis lounge/café”** after the last sentence.

(98) “general retail establishment”

Insert **“This definition does not include alcohol retail sales or cannabis retail sales.”** after the last sentence.

(101) "greenhouse" interpretation

Insert **"This definition does not include cannabis retail sales or cannabis production and distribution"** after the last sentence.

(113) "health service" interpretation

Insert **"This definition does not include cannabis retail sales"** after the last sentence.

(116) "home occupation major" interpretation

Insert **"A home occupation major shall not include cannabis retail sales or cannabis production and distribution"** after the last sentence.

(117) "home occupation, minor" interpretation

Insert **"A home occupation major shall not include cannabis retail sales or cannabis production and distribution"** after the last sentence.

(121) "industry use – heavy" interpretation

Insert **"This definition does not include cannabis production and distribution"** after the last sentence.

(122) "industry use – light" interpretation

Insert **"This definition does not include cannabis production and distribution"** after the last sentence.

(123) "industrial use – medium" interpretation

Insert **"This definition does not include cannabis production and distribution"** after the last sentence.

(182) “personal service shop” interpretation

Insert after “but not health service and cannabis retail sales”.

b) PART 7 – GENERAL PROVISIONS

Insert the following after 7.2 Building Exteriors

7.3 CANNABIS RETAIL SALES

- (1) Cannabis retail sales shall not be located with 200 metres of a provincial health care facility; a school or a parcel of land designated as school reserves or as amended from time to time by the Province of Alberta.
- (2) Cannabis retail sales shall not be permitted to co-locate with retail outlets dealing with pharmaceuticals, tobacco or alcohol, or as amended by the Province of Alberta.
- (3) Cannabis retail sales located adjacent to any site being used for public outdoor or indoor recreation shall be required to install uniform fencing around the perimeter of the site, with no pedestrian or vehicular access permitted between sites.
- (4) Cannabis retail sales shall not be located within 200 metres of any site being used for public assembly or any site being used for a daycare or after school care.
- (5) Cannabis retail sales shall not be located within 200 metres of any other cannabis retail sales outlet.
- (6) The hours of operation shall not extend beyond 10:00 am – 2:00 am, or as amended from time to time by the Province of Alberta.

- (7) A development authority must not issue a development permit if the proposed development does not comply with the applicable requirements of regulations under the Gaming, Liquor and Cannabis Act, respecting the location of premises described in a cannabis license and distances between those premises and other premises.
- (8) The separation distance Cannabis retail sales and any other uses identified in (1), (4) and (5) above shall be measured from the exterior wall of the building in which the proposed Cannabis retail sales use is located to the closest point of the exterior wall of the building in which the other use is located. The separation distance shall not be measured from the district boundaries.

Renumber from 7.4 Corner lots and double fronting lots to the end of Part 7.

c) PART 9 – LAND USE DISTRICTS

(1) Section 9.6 Central Commercial District – C1

Insert under “Permitted and Discretionary Uses”

(a) Permitted uses

(ii) Cannabis Retail Sales

Renumber from (a) (ii) to end of permitted uses

(b) Discretionary Uses

(v) Cannabis Retail Sales

Renumber from (b)(v) to end of discretionary uses.


This bylaw shall be in effect from the date of final passing thereof.

Read a **FIRST** time this 15th day of October, 2018.

Public Hearing Held this 19th day of November 2018

Read a **SECOND** time this 19^h day of November, 2018.

Read a **THIRD** time and passed this 19th day of November, 2018.



MAYOR



CAO