

BYLAW NO. 2018-37

THE REGINA ZONING AMENDMENT BYLAW, 2018 (No. 15)

THE COUNCIL OF THE CITY OF REGINA ENACTS AS FOLLOWS:

- 1 *Regina Zoning Bylaw No. 9250* is amended in the manner set forth in this Bylaw.
- 2 Chapter 2, Part 2C is amended by adding, in alphabetical sequential order, the following definitions:

“**CANNABIS**” – cannabis as defined in the *Controlled Drugs and Substances Act*”;

“**CANNABIS RETAIL STORE**” – a premises, licensed by Saskatchewan Liquor and Gaming Authority, where only cannabis for recreational purposes and cannabis related accessories are sold to persons who attend the premises.”

- 3 Chapter 4, Part 4C, Section 1.7 is repealed and the following substituted:

“1.7 SPACING REQUIREMENT

- (1) No more than 1 day care centre shall be allowed in a single block face in a residential zone; and
- (2) No Day Care Centre, Child shall be allowed within 182.88 metres from a Cannabis Retail Store as detailed in the regulations in Subpart 7D.6.”

- 4 Chapter 5, Part 5B, Table 5.1 is amended by striking out note 11 under the section “**Notes**” and substituting the following:

“11 Refer to the regulations in Subpart 4C.1 and 7D.6.”

- 5 Chapter 5, Part 5B, Table 5.2 is amended by adding, in alphabetic sequential order the following row under the section “**RETAIL TRADE**”:

“

Cannabis Store ⁴⁹	Retail	999									P	P	D
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”

- 6 Chapter 5, Part 5B, Table 5.2 is amended by adding reference to footnote 49 to the following rows under the section “**SERVICES**”:

- “Community Centre”;
- “Day Care Centre, Child”;
- “Library”;
- “School, Private”;

and under the section “CULTURE AND RECREATION”:

- “Rink, Enclosed”.

- 7 Chapter 5, Part 5B, Table 5.2 is amended by adding, in sequential order, the following under the section “**Notes**”:

“49 Refer to regulations in 7D.6.”

- 8 Chapter 5, Part 5B, Table 5.3 is amended by adding reference to footnote 43 to the row identified as land use type “Rink, Enclosed” under the section “MISCELLANEOUS”.

- 9 Chapter 5, Part 5B, Table 5.3 is amended by adding, in sequential order, the following under the section “**Notes**”:

“43 Refer to regulations in 7D.6.”

- 10 Chapter 5, Part 5B, Table 5.4 is amended by adding reference to footnote 15 to the following rows under the section “SERVICES”:

- “Community Centre”;
- “Day Care, Centre, Child”;
- “Library”;
- “School, Private”;
- “School, Public”;

and under the section “MISCELLANEOUS”:

- “Park and Open Space”.

- 11 Chapter 5, Part 5B, Table 5.2 is amended by adding, in sequential order, the following under the section “**Notes**”:

“15 Refer to regulations in 7D.6.”

- 12 Chapter 5, Part 5B, Table 5.4 is amended by striking out note 9 under the section “**Notes**” and substituting the following:

“9 Refer to the regulations in Subpart 4C.1 and 7D.6.”

- 13 Chapter 7, Part 7D is amended by adding the following section after Section 7D.5:

“7D.6 CANNABIS RETAIL STORE**6.1 INTENT**

- (1) The primary intent of these regulations is to ensure that Cannabis Retail Stores are not located near institutional land uses frequented by youth under the age of 19 and to ensure Cannabis Retail Stores are accommodated in accessible and visible locations.
- (2) The regulations also prevent Cannabis Retail Stores from clustering in locations, which may have cumulative impacts.

6.2 SEPARATION DISTANCE

- (1) In all applicable zones other than the D – Downtown Zone, no person shall establish a Cannabis Retail Store or enlarge an existing Cannabis Retail Store closer than 182.88 metres from:
 - (a) another Cannabis Retail Store
 - (b) a public school
 - (c) a private school
 - (d) a public park and open space
 - (e) a Day Care Centre, Child
 - (f) an enclosed rink
 - (g) a Library
 - (h) a Community Centre

and no person shall establish or enlarge any one of the land use types identified in clauses (b) – (h) closer than 182.88 metres from a Cannabis Retail Store.

- (2) In the D – Downtown Zone, no person shall establish a Cannabis Retail Store or enlarge an existing Cannabis Retail Store closer than 182.88 metres from:
 - (a) another Cannabis Retail Store

6.3 MEASUREMENT OF SEPARATION DISTANCE

- (1) The separation distance mentioned in subsection 6.2 shall be a straight line, measured from the nearest point of the portion of the building used or proposed to be used for a Cannabis Retail Store to the nearest portion of the lot currently developed with any of the uses mentioned in subsection 6.2.
- (2) The separation distance mentioned in subsection 6.2 shall be assessed as of the date of receipt of a complete application as determined by the Development Officer.

6.4 SALE OF CANNABIS AS ACCESSORY USE

Notwithstanding any part of Chapter 11 – Accessory Use Regulations, sale of Cannabis as an accessory use shall be subject to regulations in this part.

6.5 COMPLIANCE WITH FEDERAL/PROVINCIAL REGULATION

No Cannabis Retail Store may be established or begin operation until authorized by and compliant with superior legislation.

6.6 DEVELOPMENT PERMIT REQUIRED

- (1) No person shall undertake development of or commence a use of a property as a Cannabis Retail Store or any of the land use types identified in clauses 6.1(1)(b) – (h) unless the person obtains a development permit pursuant to Part 18C.1 of this Bylaw.
- (2) For the purposes of this Part 7D.6, section 18C.1.1(2) does not apply.
- (3) Any application submitted for a development permit in respect of a Cannabis Retail Store:

- (a) must be complete and in accordance with the requirements of Part 18C of this Bylaw;
- (b) must be accompanied by payment of the applicable development permit application fee, which fee is non-refundable;
- (c) must identify and include the consent of the property owner and the proposed Cannabis Retail Store operator licensed by Saskatchewan Liquor and Gaming Authority; and
- (d) only one application may be submitted per licensed operator identified pursuant to clause (c).

- 14 Chapter 14, Part 14B, Table 14.6 is amended by repealing the row which refers to Liquor Stores and substituting the following:

“ Liquor Stores Cannabis Retail Store	
a) D Zone	No requirement
b) All other zones	1 space per 20 square metres of gross floor area
”	

- 15 Chapter 18, Part 18C.1, Section 1.1 is amended by repealing subsection (2) and substituting the following:

“(2) Notwithstanding subsection (1) and other than as expressly set out in section 7D.6.6, authorization by the Development Officer of a Building Permit shall constitute an approved Development Permit.”

- 16 Chapter 21, Part 21F, Appendix F: USES SPECIFICALLY MENTIONED OR DEFINED is amended by adding the following, in alphabetic sequential order:

- “Cannabis Retail Store”;
- “Community Centre”;
- “Day Care Centre, Child”;
- “enclosed rink”;
- “Library”;
- “public park and open space”;

- “school, public”; and
- “school, private”

17 This Bylaw comes into force on the day of passage.

READ A FIRST TIME THIS 25th DAY OF June 2018.

READ A SECOND TIME THIS 25th DAY OF June 2018.

READ A THIRD TIME AND PASSED THIS 25th DAY OF June 2018.

Mayor

City Clerk

(SEAL)

CERTIFIED A TRUE COPY

City Clerk

ABSTRACT

BYLAW NO. 2018-37

THE REGINA ZONING AMENDMENT BYLAW, 2018 (No. 15)

PURPOSE:	To amend <i>Regina Zoning Bylaw No. 9250</i> .
ABSTRACT:	The proposed amendment is required to regulate Cannabis Retail Stores.
STATUTORY AUTHORITY:	Section 46 of <i>The Planning and Development Act, 2007</i> .
MINISTER'S APPROVAL:	N/A
PUBLIC HEARING:	Required, pursuant to section 207 of <i>The Planning and Development Act, 2007</i> .
PUBLIC NOTICE:	Required, pursuant to section 207 of <i>The Planning and Development Act, 2007</i> .
REFERENCE:	Regina Planning Commission, May 2, 2018, RPC18-22; City Council, May 28, 2018, CR18-49.
AMENDS/REPEALS:	Amends <i>Regina Zoning Bylaw No. 9250</i> .
CLASSIFICATION:	Regulatory
INITIATING DIVISION:	City Planning and Development
INITIATING DEPARTMENT:	Development Services