

TOWN OF KERROBERT
BYLAW No. 1076-21
A BYLAW OF THE TOWN OF KERROBERT TO AMEND BYLAW No.
995-14 KNOWN AS THE ZONING BYLAW

The Council of the Town of Kerrobert, in the Province of Saskatchewan, enacts this bylaw to amend Bylaw No. 995-14 as follows:

1. **SECTION 2, DEFINITIONS**, is amended by adding the following new definitions in the appropriate alphabetic sequence:

“

Ancillary Use: Means a building, structure or use of a specific site which is related in a subsidiary manner to the principal building, principal structure, or principal use of the same site. The ancillary use may form part of the principal building or structure or as a stand-alone building or structure within the site. It is not synonymous with “accessory” in that its existence does not support the main function of the principal use and is not typically customary thereto.

Cannabis: As defined by *The Cannabis Control (Saskatchewan) Act* [or replacement thereof].

Retail cannabis: A store or commercial establishment approved under federal and provincial regulations that sells cannabis and any of its derivatives at a retail level, but does not include production, processing, manufacturing, or wholesale distribution.”

2. **SECTION 5, DEVELOPMENT STANDARDS FOR DISCRETIONARY USES**, is amended by adding the following new subsection after subsection 5.13 *Shipping Containers*:

“

5.14 RETAIL CANNABIS

In addition to any development standards Council deems necessary to address the general evaluation criteria in 3.27, the following standards, regulations, and considerations may apply to the retail sale of cannabis:

- Compliance with any licensing or regulatory requirement of any higher order of government will be required as part of any permit application or issuance. Where conflict may arise between the provisions of this bylaw and any requirement of a higher order of government, the more stringent provision shall apply.
- Any application, to Council’s satisfaction, must sufficiently address any general or specific evaluation criteria in this Bylaw.
- Council may apply and standards or conditions to an approval to address evaluative matters in determining suitability of the use. The onus is on the proponent to satisfy evaluative criteria for Council’s review.

- At Council’s discretion, it may apply a time limit of no less than 5 years to the use to allow for evaluation and monitoring of the use within the community and on adjacent lands. Permit renewal may be done by resolution of Council where the use continues to conform with the provision of this Bylaw and the Act.
- Zoning District-specific regulations for the use shall apply.
- Where ancillary:
 - The retail sale of cannabis products and its derivatives must be clearly secondary and subordinate to a legally established principal use.
 - Where the use is located within the building or structure of the principal use of the site, the ancillary retail cannabis use shall have its own separate entrance to the exterior of the building and the area within the building devoted to the use shall be physically separated and partitioned off from the balance of the principal use.”

3. SUBSECTION 11.2, TOWN CENTRE COMMERCIAL DISTRICT – C1, DISCRETIONARY USES, is amended by adding the following new clause after clause d):

“

- e) Retail cannabis (both principal and ancillary)”

4. SUBSECTION 11.8, TOWN CENTRE COMMERCIAL DISTRICT – C1, DISCRETIONARY USE EVALUATION CRITERIA is amended by adding the following new clause after clause 11.8 d)

“

- e) Specific Discretionary Use Evaluation Criteria for **Retail Cannabis:**
 - i. Demonstrated conformance with all relevant portions of the Official Community Plan and this Bylaw;
 - ii. The applicants’ due diligence in seeking any necessary approvals or licensing from any higher order of government, and whether a development permit application is premature;
 - iii. The plans for additional security related to the storage or sale of product as it relates to crime and safety;
 - iv. Where ancillary, the degree to which the cannabis retail use is suitable and complementary with the principal use and other patrons;
 - v. The proposed or existing access to the site and whether said access can safely accommodate the additional anticipated traffic generated from the use;
 - vi. The potential effect(s) on adjacent land uses in the area, and measures taken to isolate the use from residential or community uses; and
 - vii. The appropriate permit validity period to allow a proper evaluation and monitoring of the use within the community and on adjacent lands.”

5. **SUBSECTION 12.2, HIGHWAY COMMERCIAL DISTRICT – C2, DISCRETIONARY USES**, is amended by adding the following new clause after clause *d*):

“

e) Retail cannabis (both principal and ancillary)”

6. **SUBSECTION 12.13, HIGHWAY COMMERCIAL DISTRICT – C2, DISCRETIONARY USE EVALUATION CRITERIA** is amended by adding the following new clause after clause *12.13 d*):

“

- e) **Specific Discretionary Use Evaluation Criteria for Retail Cannabis:**
- i. Demonstrated conformance with all relevant portions of the Official Community Plan and this Bylaw;
 - ii. The applicant’s due diligence in seeking any necessary approvals or licensing from any higher order of government, and whether a development permit application is premature;
 - iii. The plans for additional security related to the storage or sale of product as it relates to crime and safety;
 - iv. Where ancillary, the degree to which the cannabis retail use is suitable and complementary with the principal use and other patrons;
 - v. The proposed or existing access to the site and whether said access can safely accommodate the additional anticipated traffic generated from the use;
 - vi. The potential effect(s) on adjacent land uses in the area, and measures taken to isolate the use from residential or community uses; and
 - vii. The appropriate permit validity period to allow a proper evaluation and monitoring of the use within the community and on adjacent lands.”



SEAL

Mayor

Municipal Administrator

Read a third time and adopted this 22nd day of September. 2021

kerrobert.admin@sasktel.net

From: Zhao, Yuhong GR <yuhong.zhao2@gov.sk.ca>
Sent: October 15, 2021 3:39 PM
To: kerrobert.admin@sasktel.net
Cc: Campbell, Joshua GR
Subject: Town of Kerrobert, ZB Amendment Bylaw 1073-21, 1074-21 and 1076-21

Dear Tara Neumeier:

Thank you for filing Town of Kerrobert Bylaw No. 1073-21, 1074-21 and 1076-21 with our office.

Ministerial approval of urban OR northern municipal zoning bylaw amendments has been waived under subsection 78(1) of *The Planning and Development Act, 2007* (the Act). Thank you for fulfilling the requirement under subsection 78(4) of the Act, which requires a copy of the urban OR northern municipal zoning bylaw amendment to be filed with the Director of Community Planning within 15 days after the amendment is adopted by council.

As there are no further approvals required from our office, the bylaw took effect upon adoption by council.

If you have questions, please contact Josh Campbell at 306-933-5749.

Yuhong Zhao
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Administrative Support
Community Planning, Ministry of Government Relations

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