



**TOWN OF CARDSTON
IN THE PROVINCE OF ALBERTA**

BYLAW 1647K

LAND USE BYLAW AMENDMENT

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PUBLIC HEARING



TOWN OF CARDSTON IN THE PROVINCE OF ALBERTA

BYLAW 1647K

LAND USE BYLAW AMENDMENT

A BYLAW OF THE TOWN OF CARDSTON IN THE PROVINCE OF ALBERTA TO AMEND BYLAW NO. 1647, BEING THE MUNICIPAL LAND USE BYLAW.

WHEREAS, the municipal council wishes to amend the Land Use Bylaw to clearly define and regulate land uses involving liquor in response to Bill 2, Gaming, Liquor and Cannabis Amendment Act (2020).

AND WHEREAS, the municipal council wishes to provide for the opportunity for certain land uses involving liquor service to operate within the Town of Cardston.

AND WHEREAS, the municipality must prepare an amending bylaw and provide for its consideration at a public hearing.

NOW THEREFORE, under the authority and subject to the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, the Council of the Town of Cardston, in the Province of Alberta, duly assembled does hereby enact the following:

PART I - TITLE, PURPOSE, DEFINITIONS AND INTERPRETATION

- TITLE** 1) This bylaw shall be known as the “Land use bylaw Amendment” of the Town of Cardston.
- PURPOSE** 2) The Purpose of this Bylaw is to add a development standards section on “Uses Involving Liquor Service” to Schedule 5: Use Specific Standards.
- RULES FOR INTERPRETATION** 3) The table of contents, marginal notes and headings in this bylaw are for reference purposes only.

PART II – GENERAL

- SECTIONS** 4) Add a new development standards section on “Uses Involving Liquor Service” to Schedule 5: Use Specific Standards.

24. USES INVOLVING LIQUOR SERVICE

The following standards apply to any land use involving the service of liquor:

- 1) This bylaw regulates the service of liquor where associated with land uses that are regulated by this bylaw and does not pertain to special events or other activities not regulated by this bylaw.

Licensed Restaurants

- 2) The inclusion of liquor service within a restaurant shall only be allowed where a development permit for a “Restaurant, Licensed” is approved by the Development Authority, and shall be restricted to a “Class A – Minors Allowed” license issued by the Alberta Gaming & Liquor Commission (AGLC).
- 3) The hours of liquor service for a “Restaurant, Licensed” shall be restricted to between 10:00 a.m. to 1:00 a.m.

Licensed Recreational Uses

- 4) The inclusion of liquor service as part of a recreational use shall only be allowed where a development permit for a “Recreational use, Licensed” is approved by the Development Authority, and shall be restricted to either a “Class A – Minors Allowed” and / or a “Class B” license issued by the (AGLC).
- 5) The Development Authority may regulate the hours of liquor service for a “Recreational Use, Licensed.”

Application Requirements and Conditions of Approval

- 6) A detailed business plan including hours of operation, number of employees, exterior signage related to liquor and any other relevant matters.
- 7) New or existing developments proposing a **licensed restaurant, or** licensed recreational use shall be required to complete a crime prevention through environmental design (CPTED) analysis and, where required by the Development Authority, incorporate CPTED design principles into the design of the development.

Prohibited Liquor Uses

- 8) This bylaw defines various uses involving liquor including “Lounges/Beverage Rooms,” Nightclub,” and

“Liquor Store.” These uses are not listed in any land use district and therefore are prohibited uses.

- 5) Amend the existing definition for “Restaurant” and add a new definition for “Restaurant, Licensed” in Schedule 13: Definitions.

Amended Definition for Restaurant

- (a) **RESTAURANT** means an establishment where food and/or beverages are prepared and served on the premises for sale to the public, and may include entertainment which is ancillary to the preparation and service of food and/or beverages but does not include liquor service, liquor off-sales or liquor delivery services.

New Definition for Licensed Restaurant

- (b) **RESTAURANT, LICENSED** means an establishment where food is prepared and served on the premises for sale to the public as the primary service of the establishment, and may include entertainment which is ancillary to the preparation and service of food and includes liquor service allowable under a “Class A – Minors Allowed” liquor license issued by the AGLC but not including liquor off-sales or liquor delivery services.

- 6) Add a new definition for “Recreational Use, Licensed” in Schedule 13: Definitions.

New Definition for Licensed Restaurant

- (a) **RECREATIONAL USE, LICENSED** means any allowable use within the RO (Recreation & Open Space) land use district which includes liquor service allowable under a liquor license issued by the AGLC not including liquor off-sales or liquor delivery services.

- 7) Delete the definition for “Eating Establishment” from Schedule 13: Definitions and remove the use from all land use in Schedule 2: Land Use Districts.

- 8) Add “Restaurant, Licensed” as a discretionary use in the C1 (Central Commercial), C2 (Drive-in/Highway Commercial), and I2 (Light Industrial) land use districts within Schedule 2: Land Use Districts.

- 9) Add “Recreational Use, Licensed” as a discretionary use in the RO (Recreation & Open Space) land use district within Schedule 2: Land Use Districts.

EFFECTIVE DATE 10) This Bylaw shall come in force upon the date of its third and final reading.

- 11) Bylaw 1647 being the municipal Land Use Bylaw is hereby amended.

Received First Reading this 14 day of February, 2023

Public Hearing Held this

Received Second Reading this [Click here to enter a date.](#)

Received Third & Final Reading this [Click here to enter a date.](#)

Signed by the Mayor and the Chief Administrative Officer this [Click here to enter a date.](#)

TOWN OF CARDSTON

MAYOR – *Maggie Kronen*

CHIEF ADMINISTRATIVE OFFICER – *Jeff Shaw*