

BYLAW NO. 504-0903-2019

A BYLAW OF THE VILLAGE OF ELNORA, IN THE PROVINCE OF ALBERTA, TO AMEND BYLAW NO. 504-0903 (November 2009), THE LAND USE BYLAW, WITH AMENDMENTS AND CHANGES.

PURSUANT to the authority conferred upon it by the Municipal Government Act, the Council of the Village of Elnora enacts that Bylaw No. 504-0903, be amended as follows:

Amend **Section 1.6 Definitions** by adding the following definitions:

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 includes edible products that contain cannabis.

Cannabis Retail Sales means a retail store that is licensed by the Province of Alberta to lawfully sell cannabis and cannabis accessories.

Cannabis Production Facility means the facility of one or more buildings used for the purposes of growing, labelling, packaging, testing, destroying, storing, researching and developing, shipping and receiving of cannabis (marihuana) and cannabis oil by a licensed producer in natural, fresh, dry or processed form. This use does not include retail sales or a dispensary.

Amend **Central Commercial District**, Section "Discretionary Uses" by adding:

Cannabis Retail Sales

Amend **Highway Commercial District**, Section "Discretionary Uses" by adding:

Cannabis Retail Sales

Amend **Local Commercial District**, Section "Discretionary Uses" by adding:

Cannabis Retail Sales

Amend **Industrial District**, Section "Discretionary Uses" by adding:

Cannabis Production Facility

Amend the **Land Use Bylaw 504-0903**, by adding Section 3.40 as follows:

Cannabis Retail Sales

A Cannabis Retail Store shall comply with the following regulations (but not limited to):

- a) All garbage containers and waste material shall be fully enclosed within the building;
- b) No person may consume cannabis in the Cannabis Retail Sales premises;
- c) No outdoor storage shall be allowed on the site;
- d) The Cannabis Retail Sales use shall not permit the consumption of products sold on site and shall prevent patrons from producing nuisances including, but not limited to, odor, noise and light, that may have a negative impact to adjacent sites or the surrounding area;
- e) Products in the store must not be visible from outside the premises;
- f) Drive-through windows are prohibited;
- g) A Cannabis Retail Sales use must adhere to the prescribed security measures required by the Provincial department having jurisdiction in accordance with their license;
- h) Cannabis Retail Sales hours of operation shall be limited between 10:00am and 10:00pm only;
- i) Cannabis Retail Sales shall not be located within 100 meters of a school as defined by The School Act;
- j) Cannabis Retail Sales shall not be located within 100 meters of a Public Health Care facility;
- k) A Development Permit application for Cannabis Retail Sales must include:
 - iii. A site plan illustrating the location and separation distances from the proposed Cannabis Retail Sales use to a school and/or Public Health Care facility.
 - iv. Written confirmation from the Alberta Gaming and Liquor Commission (AGLC) that confirms the Applicant has satisfied AGLC eligibility requirements to sell Cannabis in Alberta.

Amend the **Land Use Bylaw 504-0903**, by adding Section 3.41 as follows:

Cannabis Production Facility

A Cannabis Production Facility shall comply with the following regulations (but not limited to):

- a) A Cannabis Production Facility may only be constructed within the Industrial District (Discretionary Use);
- b) Cannabis is regulated by the Federal Government under the "Controlled Drug and Substances Act" (Access for Purposes Regulations for which an established framework has been implemented to access this product);
- c) In making decisions relating to a Cannabis Production Facility, the applicant shall provide confirmation that a Federal License has been applied for, and that all other conditions have been satisfied, prior to a development permit being issued;
- d) All loading facilities shall be fully enclosed within the building;
- e) All garbage containers and waste material shall be fully enclosed within the building.
- f) The site shall be fully enclosed by a fence. Fencing on all street frontage shall be contained within the property line so as not to obscure landscaping;
- g) An Engineered Drainage Plan is required.

FIRST READING: DECEMBER 11, 2018
SECOND READING: FEBRUARY 12, 2019
THIRD READING: FEBRUARY 12, 2019

MAYOR

Date Signed:

CHIEF ADMINISTRATIVE OFFICER

Date Sign:

SCHEDULE "A"
BUFFER ZONE

