

Village of Hythe – Bylaw 540

A bylaw of the Village of Hythe in the Province of Alberta to amend Land Use bylaw #470.

Being a Bylaw of the Village of Hythe in the Province of Alberta to Amend Village of Hythe Land Use Bylaw 470 of the Village of Hythe.

WHEREAS the Council of the Village of Hythe has adopted Bylaw Village of Hythe Land Use Bylaw 470, and

WHEREAS the Council of the Village of Hythe deems it advisable to amend the said Bylaw;

NOW THEREFORE the Council of the Village of Hythe, duly assembled, hereby enacts as follows:

1. That Section B1 be amended to include 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 licensed by the Alberta Gaming, Liquor and Cannabis Commission (AGLC) where cannabis and cannabis accessories are sold to individuals who attend at the premises and where consumption of Cannabis must not occur.

“CANNABIS PRODUCTION FACILITY” means a premise used for growing, producing, processing of raw materials, testing, destroying, storing, or distribution of cannabis authorized by a license issued by Health Canada.

2. That Section L5 (C1 districts), L6 (C2 districts), L7 (M1 districts) be amended as follows:

a) That “Cannabis Retail Sales” be added as a Discretionary Use

3. That Section L5 (C1 districts), L6 (C2 districts), L7 (M1 districts), L9 (UR districts), L10 (direct control districts) be amended as follows:

a) That “Cannabis Production Facility” be added as a Discretionary Use

4. That Section J be amended to include the following:

J13 CANNABIS RETAIL SALES

J13.1 The owner or applicant must obtain any other approval, permit, authorization, consent or licence that may be required to ensure compliance with applicable federal, provincial or municipal legislation.

J13.2 Cannabis Retail Sales shall not be located within 100 meters from any of the following uses:

- a) The lot boundary of a provincial health care facility, health service, or health clinic.
- b) The lot boundary of a building containing a licensed child care facility.
- c) The lot boundary of a commercial recreation facility, indoor recreation facility, outdoor recreation facility, park or recreational use.
- d) Any other Cannabis Retail Sales.
- e) The Development Officer may reduce the separation distance where it is demonstrated that there would be no adverse land use impacts and the intent of the regulation is not compromised.
- f) The separation distance between uses shall be measured from lot line to lot line.

J13.3 Cannabis Retail Sales shall not be located within 200 meters from any of the following uses:

- a) The lot boundary of a building containing an elementary school or secondary school.
- b) The lot boundary of a parcel of land that is designated as a school reserve or municipal and school reserve under the Municipal Government Act.
- c) The separation distance between uses shall be measured from lot line to lot line.

J13.7 Parking shall be provided in accordance with the minimum requirement under the applicable land use district guidelines.

J14 CANNABIS PRODUCTION FACILITY

J14.1 The owner or applicant must provide as a condition of development a copy of the current licence for all activities associated with cannabis production as issued by the Federal Government.

J14.2 The owner or applicant must obtain any other approval, permit, authorization, consent or licence that may be required to ensure compliance with applicable federal, provincial or municipal legislation.

J14.3 Cannabis Production Facilities shall not be located within 100 meters from any of the following uses:

- a) The lot boundary of a provincial health care facility, health service, or health clinic.
- b) The lot boundary of a building containing a licensed child care facility.
- c) The lot boundary of a commercial recreation facility, indoor recreation facility, outdoor recreation facility, park or recreational use.
- d) The Development Officer may reduce the separation distance where it is demonstrated that there would be no adverse land use impacts and the intent of the regulation is not compromised.
- e) The separation distance between uses shall be measured from lot line to lot line.

J14.4 Cannabis Production Facilities shall not be located within 200 meters from any of the following uses:

- a) The lot boundary of a building containing an elementary school or secondary school.
- b) The lot boundary of a parcel of land that is designated as a school reserve or municipal and school reserve under the Municipal Government Act.
- c) The separation distance between uses shall be measured from lot line to lot line.

J14.5 The development must be done in a manner where all the processes and functions are fully enclosed within a stand-alone building including all loading stalls and docks, and garbage containers and waste material.

J14.6 The development shall not include an outdoor area for storage of goods, materials or supplies.

J14.7 The development shall not operate in conjunction with another approved use.

J14.8 The development must include equipment design and intended to remove odours from the air where it is discharged from the building as part of a ventilation system.

J14.9 The Development Officer may require, as a condition of a development permit, a waste management plan, completed by a qualified professional, which includes but is not limited to, details on:

- i. the incineration of waste products and airborne emissions, including smell;
- ii. the quantity and characteristics of liquid and waste material discharged by the facility;
and
- iii. the method and location of collection and disposal or collection and disposal liquid and waste material discharged by the facility.

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5. Severability

If any portion of the Bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion shall be severed.

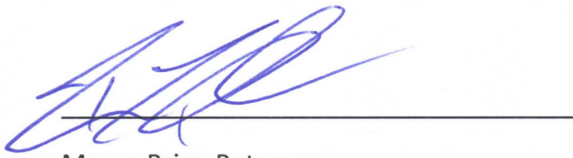
6. Effective Date

This Bylaw shall come into force and have effect on the date of its final passage.

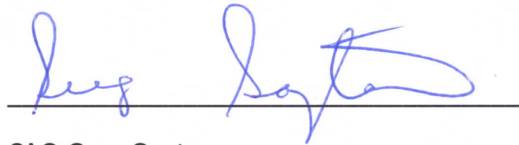
READ a first time this 22 day of October, 2018.

READ a second time this 25 day of November, 2018.

READ a third time this 25 day of Nov



Mayor Brian Peterson



CAO Greg Gayton