



TOWN OF EDSON BYLAW NO. 2225

A Bylaw of the Town of Edson in the Province of Alberta, pursuant to the provisions of the *Municipal Government Act*, being Chapter M-26 of the Statutes of Alberta 2000 and amendments thereto, to amend the Town of Edson Land Use Bylaw No. 2070 to include Cannabis Related Business Uses and Regulations.

WHEREAS it is deemed expedient and proper, under the authority of and in accordance with the Municipal Government Act, RSA 2000, Chapter M-26 and amendments thereto, to amend the Town of Edson Land Use Bylaw No. 2070, as amended; and

WHEREAS, the public participation requirements of Section 692 of the Municipal Government Act, RSA 2000, Chapter M-26, have been complied with;

NOW THEREFORE the Municipal Council of the Town of Edson, duly assembled, enacts as follows:

1. That Land Use Bylaw No. 2070, being the Land Use Bylaw of the Town of Edson is hereby amended as follows:
2. That in Section 6 Definitions, the wording "Does not include Cannabis or Cannabis Accessories" shall be added to the following definitions:
 - a. "BUSINESS COMMERCIAL"
 - b. "DRIVE THROUGH BUSINESS"
 - c. "HOME OCCUPATION"
 - d. "LIGHT INDUSTRIAL"
 - e. "NONCONFORMING BUILDING"
 - f. "PERSONAL SERVICE ESTABLISHMENT"
 - g. "PLACE OF WORSHIP"
 - h. "PRIVATE CLUB OR LODGE"
 - i. "PROFESSIONAL, FINANCIAL, OFFICE, AND BUSINESS SUPPORT SERVICE"
 - j. "QUASI-PUBLIC USE"
 - k. "REGIONAL BUSINESS OFFICE"
 - l. "REPAIR SERVICE ESTABLISHMENT"
 - m. "RETAIL ESTABLISHMENT"
 - n. "SECOND HAND STORE"
 - o. "SHOPPING CENTRE"
 - p. "WAREHOUSE"

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3. That in Section 6 Definitions, the following wording shall be added:

- a. "CANNABIS" – means cannabis plant, fresh cannabis, dried cannabis, cannabis oil and cannabis plant seed and/or 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.
- b. "CANNABIS ACCESSORIES" – means a cannabis accessory as defined in the *Cannabis Act* (Canada) and its regulations, as amended from time to time. This is deemed a Cannabis related use.
- c. "CANNABIS COUNSELLING BUSINESS" – means a business that provides counselling on cannabis use by persons who are not medical professionals and has been authorized by provincial and/or federal legislation. Cannabis consumption, Cannabis Retail Sales, sale of Cannabis Accessories, and sale of any other Cannabis related products is prohibited in conjunction with a Cannabis Counselling Business unless the site has been approved as a Cannabis Store. This is deemed a Cannabis related use.
- d. "CANNABIS FACILITY" – means a business where the primary use includes the growing, processing, producing, testing, destroying, storing, or distribution of cannabis. Recreational and medical production can occur on the same site that is authorized by Provincial and/or Federal legislation. This is deemed a Cannabis related use.
- e. "CANNABIS RETAIL SALES" – means a retail store that is licensed by the Province of Alberta where Cannabis and/or Cannabis Accessories are lawfully sold to individuals who attend at the premises that is authorized by provincial and/or federal legislation. This is deemed a Cannabis related use.
- f. "CANNABIS STORE" – means a premise for the display, resale, and storage of cannabis and cannabis related products which must have a Provincial retail cannabis license. A cannabis store is a stand-alone use, which means it cannot be combined with any other non-cannabis use and may only offer related services and products including Cannabis Retail Sales, Cannabis Accessories sale/rental, and/or Cannabis Counselling. Cannabis stores may occur in a multi-tenant building or as part of a mixed-use development provided the building requirements of the *Gaming Liquor and Cannabis Regulation* are met. This is deemed a Cannabis related use.
- g. "PUBLIC HEALTH FACILITIES" - means a premise providing health care via the prevention, diagnosis, and treatment of disease, illness, injury, and other physical and mental impairments in human beings. They include hospitals, medical clinics, outpatient care centers, and specialized care centers, such as birthing centers and psychiatric care centers.

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4. That the following wording shall be added as Section 16(4):
 - (4) Cannabis Related Use Applications must include:
 - (a) A site plan, acceptable to the Development Authority, illustrating the location and separation distances from the proposed Cannabis related use to those uses listed under Section 86 of this Bylaw.
 - (b) The Application must include a Certificate of Incorporation for the business as evidence of incorporation in Alberta or extra-provincially registered in Alberta for the exclusive purpose of Cannabis Retail Sales or Cannabis Counselling with each application.
 - (c) A color photo of the existing storefront taken directly in front of the proposed Cannabis establishment, unless the proposal does not intend to alter the existing exterior of the building.
5. That the following be added as Section 86:
 - 86 Cannabis Related Use Development Standards:
 - (1) Cannabis Facility, Cannabis Store, and Cannabis Counselling Business are cannabis related uses and will not be considered a like or similar Use to any other commercial, industrial, residential, or institutional use;
 - (2) A Cannabis related use shall be the exclusive business use on the premises and may not be operated in conjunction with a non-cannabis related use;
 - (3) Cannabis Retail Sales shall not be located adjacent to a Drinking Establishment or retail use which is approved for the sale of alcoholic beverages;
 - (4) All functions of the Use shall be fully enclosed within the Building;
 - (5) No Outdoor Storage shall be allowed on the Site;
 - (6) All garbage containers, waste material and loading facilities shall be fully enclosed within the Building and shall have a separate loading area;
 - (7) The Use shall not emit nuisances including, but not limited to odour, noise and light, that may have a negative impact to adjacent sites or the surrounding area;
 - (8) Drive through windows are prohibited, all sales must occur within the building, and no delivery services may be offered in conjunction with the business;
 - (9) The business name is to be prominently displayed in signage at all public access points of the Cannabis Related Use;

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- (10) A 200m separation distance between Cannabis Related Uses and certain uses is required. This setback is measured in a straight line from the exterior wall of the building containing the Cannabis Related Use to the closest point of a property boundary containing any of the following specified uses:
 - (a) Public Use and Parks;
 - (b) Provincial, Federal and Municipal Government Offices;
 - (c) Daycare Facilities;
 - (d) Schools and lands owned or designated for future school use; and
 - (e) Public Health Facilities operated by Alberta Health Services or designated as an Approved Hospital.
- (11) A 100m separation distance between a Cannabis Related Use and any other Cannabis Related Use is required.
- (12) Hours of operation shall be no longer than 10:00 AM to 2:00 AM and may be for a shorter period as identified within a development permit, at the discretion of the Development Authority.
- (13) All Cannabis related use permits will be referred to adjacent property owners within 200m of the site and the Royal Canadian Mounted Police for comment for a period of no less than 14 days, or longer as determined by the Development Authority, prior to issuing a decision.

6. That Cannabis Counselling Business be added to the following Districts as a Discretionary Use

- (1) C-1
- (2) C-2
- (3) M-1A
- (4) M-1B
- (5) M-2
- (6) GSIC

7. That Cannabis Store be added to the following Districts as a Discretionary Use

- (1) C-1
- (2) C-2
- (3) M-1A
- (4) GSIC

8. That Cannabis Facility be added to the following Districts as a Discretionary Use

- (1) M-1A
- (2) M-1B
- (3) M-2

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9. This Bylaw shall take effect on third and final reading.

READ a first time this 18 day of September, 2018.

Mayor

Chief Administrative Officer

READ a second time this ____ day of ____, 2018.

Mayor

Chief Administrative Officer

READ a third time and finally passed this ____ day of ____, 2018.

Mayor

Chief Administrative Officer