

**TOWN OF HIGH RIVER**

**IN THE PROVINCE OF ALBERTA**

**BYLAW 4576/2020 – CANNABIS BYLAW**

**A BYLAW OF THE TOWN OF HIGH RIVER TO AMEND LAND USE BYLAW 4510/2017**

WHEREAS pursuant to the provisions of the Municipal Government Act, Revised Statutes of Alberta, 2000, Chapter M26, Council of the Town of High River in the Province of Alberta (hereinafter called the "Council") has adopted Land Use Bylaw 4510/2017;

AND WHEREAS The Council deems it desirable to amend Land Use Bylaw 4510/2017;

NOW THEREFORE, the Town of High River Council, duly assembled, enacts that Land Use Bylaw 4510/2017 be amended as follows:

**PART I – AMENDMENTS TO LAND USE BYLAW 4510/2017**

1. *Section 3.3.2 (Urban Reserve District Uses) is amended by adding **Cannabis Facility** as a **Discretionary Use** under **Manufacturing** within the **Urban Reserve District**.*
2. *Section 3.3.3 (Urban Reserve District Specific Use Standards) is amended by adding the following specific use standards:*
  - Cannabis Store** *i. At the time of Development Permit application, a **Cannabis Store** shall not be located closer than 100 metres to any of the following, as measured from the closest point of the **Cannabis Store Building** to the closest point of the **Site** boundary of:*
    - a. A school;
    - b. An early childhood services program private operation (as defined by the School Act);
    - c. School reserve or municipal and school reserve;
    - d. A provincial health care facility as defined by the Minister of Health; or
    - e. A public park.
  - ii. Where a proposed **Cannabis Store** is within a 150 metre radial distance of an existing **Cannabis Store**, as measured from the closest point of the **Cannabis Store Building** to the closest point of the other **Cannabis Store Building**, any cumulative impacts of the facilities on existing Development within the area must be considered by the Development Authority.*
- Cannabis Facility** *i. At the time of Development Permit application, a **Cannabis Facility** shall not be located closer than 75 metres to any of the following, as measured from the closest point of the proposed **Cannabis Facility Building** to the closest point of the **Site** Boundary of:*
  - a. A school;
  - b. An early childhood services program private operation (as defined by the School Act);
  - c. School reserve or municipal and school reserve;
  - d. A public park; or

- e. Any land zoned Traditional Neighbourhood District.
3. Section 3.5.2 (Neighbourhood Centre District Uses) is amended by adding **Cannabis Store** as a **Discretionary Use** under **Retail & Entertainment** within the **Neighbourhood Centre District**.
  4. Section 3.5.4 (Neighbourhood Centre District Specific Use Standards) is amended by adding the following specific use standards:
 

**Cannabis Store**

    - i. At the time of Development Permit application, a **Cannabis Store** shall not be located closer than 100 metres to any of the following, as measured from the closest point of the **Cannabis Store Building** to the closest point of the **Site** boundary of:
      - a. A school;
      - b. An early childhood services program private operation (as defined by the School Act);
      - c. School reserve or municipal and school reserve;
      - d. A provincial health care facility as defined by the Minister of Health; or
      - e. A public park.
    - ii. Where a proposed **Cannabis Store** is within a 150 metre radial distance of an existing **Cannabis Store**, as measured from the closest point of the **Cannabis Store Building** to the closest point of the other **Cannabis Store Building**, any cumulative impacts of the facilities on existing Development within the area must be considered by the Development Authority.
  5. Section 3.6.3 (Central Business District Uses) is amended by adding **Cannabis Store** as a **Discretionary Use** under **Retail & Entertainment** within the **Central Business District**.
  6. Section 3.6.4 (Central Business District Specific Use Standards) is amended by adding the following specific use standards:
    - i. Where a proposed **Cannabis Store** is within a 150 metre radial distance of an existing **Cannabis Store**, as measured from the closest point of the **Cannabis Store Building** to the closest point of the other **Cannabis Store Building**, any cumulative impacts of the facilities on existing Development within the area must be considered by the Development Authority.
  7. Section 3.7.2 (Service & Employment District Uses) is amended by adding **Cannabis Facility** as a **Discretionary Use** under **Manufacturing** within the **Service & Employment District**
  8. Section 3.7.3 (Service & Employment District Specific Use Standards) is amended by adding the following specific use standards:
 

**Cannabis Store**

    - i. At the time of Development Permit application, a **Cannabis Store** shall not be located closer than 100 metres to any of the following, as measured from the closest point of the **Cannabis Store Building** to the closest point of the **Site** boundary of:
      - a. A school;
      - b. An early childhood services program private operation (as defined by the School Act);
      - c. School reserve or municipal and school reserve;
      - d. A provincial health care facility as defined by the Minister of Health; or

- e. A public park.
- ii. Where a proposed **Cannabis Store** is within a 150 metre radial distance of an existing **Cannabis Store**, as measured from the closest point of the **Cannabis Store Building** to the closest point of the other **Cannabis Store Building**, any cumulative impacts of the facilities on existing Development within the area must be considered by the Development Authority.

**Cannabis Facility**

- i. At the time of Development Permit application, a **Cannabis Facility** shall not be located closer than 75 metres to any of the following, as measured from the closest point of the proposed **Cannabis Facility Building** to the closest point of the **Site Boundary** of:
  - a. A school;
  - b. An early childhood services program private operation (as defined by the School Act);
  - c. School reserve or municipal and school reserve;
  - d. A public park; or
  - e. Any land zoned Traditional Neighbourhood District.

9. Section 5.1 “Definitions” is amended as follows:

- **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 Store** means an establishment licensed by the Province of Alberta where Cannabis is sold for consumption off the premises that may include ancillary retail sales of merchandise and where counselling on Cannabis for medical purposes may be provided.
- **Cannabis Counselling Business** means an establishment where counselling on Cannabis is provided, where consumption of Cannabis must not occur, where the dispensing or sale of Cannabis must not occur, and may include the ancillary retail sale or rental of merchandise.
- **Cannabis Facility** means a use where Cannabis is grown, processed, packaged, tested, stored, or destroyed where a license for all activities associated with cannabis growing, processing, packaging, testing, storage, or destruction has been issued by Health Canada and must include odour mitigation measures to the satisfaction of the Development Authority. A Cannabis Facility may include a Cannabis Store as an ancillary use. This definition does not apply to a registered person as defined in the Access to Cannabis for Medical Purposes Regulations Act and its regulations, as amended from time to time.

10. Section 5.1 is amended by amending the following definitions (underlining notes the proposed amendments):

- **Rural Intensive Agriculture** means **Agriculture** conducted at the rural scale that requires intensive use of resources such as land or water. This use does not include Cannabis.

- **Rural Non-Intensive Agriculture** means **Agriculture** conducted at the rural scale that does not require intensive use of resources such as land or water. This does not include Cannabis.
- **Urban Agriculture** means community oriented **Agriculture** including, but not limited to, community gardens or orchards. This does not include Cannabis.
- **Retail & Service, General** means a business that provides goods or services directly to the consumer, and where such goods or services are available for immediate purchase on the premises by the purchaser. This does not include Cannabis.
- **Heavy Industrial** means the processing, manufacturing, or compounding of materials, products, or any industrial activities which because of their scale or method of operation regularly produce noise, heat, glare, dust, smoke, fumes, odours, vibration, or other external impacts detectable beyond the **Lot Lines** of the property. This use does not include Cannabis.
- **Light Industrial** means the manufacturing, fabrication, assembly, distribution, disposal, warehousing or bulk storage, trucking and equipment facilities, or any industrial activities primarily within a Building and does not produce noise, heat, glare, dust, smoke, fumes, odours, vibration, or other external impacts. This use does not include Cannabis.
- **Human Services** means an establishment that provides services to persons in need of assistance due to age, physical or mental disability, addiction, illness, or injury. **Uses** may include, but are not limited to, assisted living facilities, Cannabis Counselling Businesses, treatment centre, and community support services.

**PART II - GENERAL**

**Effective Date**


11. This Bylaw comes into effect when it is passed by the Council.

**Repeals**

12. Bylaw No 4537/2018, being the Cannabis Bylaw, is hereby repealed.

PUBLIC HEARING HELD ON July 13, 2020

READ A FIRST TIME THIS 13 DAY OF July, 2020

  
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 MAYOR/DEPUTY MAYOR


CHIEF ADMINISTRATIVE OFFICER

READ A SECOND TIME THIS 13 DAY OF July, 2020.

  
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MAYOR/DEPUTY MAYOR


  
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CHIEF ADMINISTRATIVE OFFICER

READ A THIRD TIME THIS 13 DAY OF July, 2020.

  
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MAYOR/DEPUTY MAYOR

  
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CHIEF ADMINISTRATIVE OFFICER

SIGNED AND PASSED THIS 13 DAY OF July, 2020.

  
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MAYOR/DEPUTY MAYOR

  
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CHIEF ADMINISTRATIVE OFFICER