

## **VILLAGE OF ALIX**

### **BYLAW NO. 437/18**

**BEING** a Bylaw of the Village of Alix, in the Province of Alberta, to amend Bylaw No. 396/11, the Land Use Bylaw

**WHEREAS** Section 639 of the Municipal Government Act, being Chapter M-26 of the Revised Statutes of Alberta 2000, and amendments thereto, provides that every municipality must pass a land use bylaw; and

**WHEREAS** the Municipal Government Act, being Chapter M-26 of the Revised Statutes of Alberta 2000, and amendments thereto, permits a Council to pass a bylaw to amend the Land Use Bylaw; and

**WHEREAS** the Council of the Village of Alix deems it necessary and expedient to amend Land Use Bylaw Number 396/11;

#### **NOW THEREFORE COUNCIL OF THE VILLAGE OF ALIX DULY ASSEMBLED ENACTS AS FOLLOWS:**

- 1) Part 9; Highway Commercial District (C2) is amended by ADDING “Cannabis Retail Sales” as a Discretionary Use.
- 2) Part 9; Highway Commercial District (C2) General Regulations is amended by ADDING the following section: Cannabis Retail Sales Development Standards:
  - a) Cannabis Retail Sales shall not be co-located with the retail sale of tobacco and/or pharmaceuticals, a Drinking Establishment, or Liquor, Beer, and/or Wine Sales use;
  - b) Cannabis Retail Sales shall not be located adjacent to or connected to a Drinking Establishment, Liquor, Beer, and/or Wine Sales use;
  - c) No person may smoke, vape or otherwise use Cannabis in the Cannabis Retail Sales premises;
  - d) All functions of the use shall be fully enclosed within the Building;
  - e) No outdoor storage shall be allowed on the Site;
  - f) All garbage containers, waste material and loading facilities shall be fully enclosed within the Building;
  - g) The use shall not emit any odour or other substance which is harmful or injurious to health or physical well-being;
  - h) 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;
  - i) Products in the store must not be visible from outside the premise;
  - j) Drive-through windows are prohibited;

- k) A Cannabis Retail Sales use must be protected by a professionally installed and supervised alarm system;
- l) A Cannabis Retail Sales use must have a digital camera security system;
- m) A Cannabis Retail Sales use must secure perimeter entry points against unauthorized access;
- n) The business name is to be prominently displayed in signage at all public access points of the Cannabis Retail Sales use;
- o) Hours of operation for Cannabis Retail Sales shall be limited to between 10:00 a.m. and 10:00 p.m. only;
- p) The following separation distances, measured in a straight line from the closest points; to/from the following specified uses are to be met, regardless of which use is approved first:
  - (i) 200 meters from the property boundary of all “schools” as defined by the School Act, other than early childhood services programs or homeschool sites to the occupied floor area of a Cannabis Retail Sales use;
  - (ii) 100 meters from the occupied floor area of a Child Care Facility to the occupied floor area of a Cannabis Retail Sales use;
  - (iii) 100 meters from the property boundary of an indoor Village operated recreation facility, to the occupied floor area of a Cannabis Retail Sales use; and
  - (iv) 100 meters from the property boundary of an “approved hospital” as defined by the Hospitals Act, to the occupied floor area of a Cannabis Retail Sales use.
- r) The occupied floor area of one Cannabis Retail Sales use must be 100 meters from the occupied floor area of another Cannabis Retail Sales use.

3) Section 3.1 Permission for Development is amended by ADDING the following as subsection (1)(h);

- h) In addition to the foregoing, a Development Permit application for a Cannabis Retail Sales use must include:
  - (i) a site plan, acceptable to the Development Officer, illustrating the location and separation distances from the proposed Cannabis Retail Sales use to those uses identified in Part 9; Highway Commercial District (C2) General Regulations, Cannabis Retail Sales Development Standards;
  - (ii) a site plan, acceptable to the Development Officer, illustrating compliance with applicable provincial setbacks; and
  - (iii) written confirmation from the Alberta Gaming and Liquor Commission (AGLC) that confirms the applicant

has satisfied AGLC eligibility requirements to sell Cannabis in Alberta.

Read a first time this 3<sup>rd</sup> day of October, 2018

Read a second time this \_\_\_\_ day of \_\_\_\_\_, 2018.

Read a third and final time this \_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
CAO

DRAFT