

VILLAGE OF BERWYN

BYLAW NO. 651

LAND USE BYLAW AMENDMENT

A BYLAW OF THE VILLAGE OF BERWYN IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE OF AMENDING THE VILLAGE OF BERWYN LAND USE BYLAW NO. 601, AS AMENDED.

WHEREAS Pursuant to the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, Council may amend a Land Use Bylaw, and;

WHEREAS the Council of the Village of Berwyn, in the Province of Alberta, has adopted the Village of Berwyn Land Use Bylaw No. 601, as amended, and;

WHEREAS the Council of the Village of Berwyn, in the Province of Alberta, deems it necessary to amend the Village of Berwyn Land Use Bylaw, to revise provisions related to the legalization of cannabis. and;

NOW
THEREFORE Pursuant to Sections 230, 606 and 692 of the Province of Alberta Municipal Government Act, the Village of Berwyn Council, duly assembled, hereby enacts as follows:

1. Add the following to "SECTION 6 SPECIAL LAND USE PROVISIONS":

6.11 CANNABIS RETAIL SALES

- 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 other municipal legislation.
- 2) Cannabis Retail Sales use shall not be located within 100 metres from:
 - a) a private or public school; or
 - b) a provincial health care facility;
- 3) The separation distance between uses shall be measured from lot line to lot line.
- 4) The development shall not operate in conjunction with another approved use.
- 5) Customer access to the store is limited to a store-front that is visible from the street.
- 6) No customer parking shall be located behind a facility and all parking areas in front of the building shall be well lit.
- 7) Parking shall be provided in accordance with Section 5.14 and the minimum requirements for *Retail Shops and Personal Service Establishments*.

2. Add the following to "Section 6 SPECIAL LAND USE PROVISIONS"

6.12 CANNABIS PRODUCTION FACILITY

- 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.
- 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 other municipal legislation.
- 3) The development must be done in a manner where all of the processes and functions are fully enclosed within a stand-alone building including all loading stalls and docks, and garbage containers and waste material.
- 4) The development shall not operate in conjunction with another approved use.
- 5) The development shall not include an outdoor area for storage of goods, materials or supplies.
- 6) The development must include equipment designed and intended to remove odours from the air where it is discharged from the building as part of a ventilation system.
- 7) The Development Officer may require, as a condition of a development permit, a waste management plan, completed by a qualified professional, which includes but not limited to, details on:
 - a) the incineration of waste products and airborne emissions, including smell;
 - b) the quantity and characteristics of liquid and waste material discharged by the facility; and
 - c) the method and location of collection and disposal of liquid and waste material discharged by the facility.
- 8) Parking shall be provided in accordance with the minimum requirements for Industrial under Other Non-Residential Uses in Section 5.14 Parking and Loading Facilities.

3. Add "CANNABIS RETAIL SALES" as a discretionary use to the following districts:

Primary Commercial District	C-1
Secondary Commercial District	C-2

4. Add "CANNABIS PRODUCTION FACILITY" as a discretionary use to the following district:

Industrial District	M-1
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5. If any portion of this bylaw is declared invalid by a court of competent jurisdiction then the invalid portion shall be severed.
6. This Bylaw shall take force and effect on the date of "Cannabis Legalization".

First Reading given on the 26 day of July, 2018.




Ken Montie, Mayor

Cathie Bailey, Chief Administrative Officer

Second Reading given on the 30 day of AUGUST, 2018.



Ken Montie, Mayor

Cathie Bailey, Chief Administrative Officer

Third Reading and Assent given on the 30 day of AUGUST, 2018.



Ken Montie, Mayor

Cathie Bailey, Chief Administrative Officer