

Town of Mayerthorpe  
Province of Alberta  
Canada.

**BYLAW NO. 1094**

**BEING A BYLAW OF THE TOWN OF MAYERTHORPE IN THE PROVINCE OF  
ALBERTA TO AMEND LAND USE BYLAW NO. 1066**

**WHEREAS**, under the provisions of the Municipal Government Act, being Chapter M-26.1, Division 5 and Section 692(1) of the Revised Statutes of Alberta 2000 R.S.A., a municipality may amend an adopted Land Use Bylaw;

**AND WHEREAS**, the Government of Canada and the Province of Alberta has determined that cannabis will be a legal product for growing, sale, manufacture and distribution through current and future legislation.

**AND WHEREAS** the Council of the Town of Mayerthorpe determined it necessary to amend Town of Mayerthorpe Land Use Bylaw No. 1066 for the purpose of ensuring that the said Bylaw remains a current document;

**NOW THEREFORE**, the Council of the Town of Mayerthorpe in the Province of Alberta, duly assembled, hereby enacts as follows:

- 1) That Section 22, Terminology be amended with the addition of the following in alphabetical order:

**CANNABIS** – means a plant, oils, seeds and other products belonging to the genus “cannabis” as is defined under the *Government of Canada Cannabis Act*, and its regulations.

**CANNABIS ACCESSORY** – means rolling papers, holders, pipes, water bongs and vaporizers for the purpose of being used in the consumption of cannabis; or other products that are permitted to be legally sold at the same point of sale within a cannabis retail facility.

**CANNABIS COMMERCIAL CULTIVATION** – means the growing of cannabis on a large scale within a greenhouse facility for wholesale distribution.

**CANNABIS HOME GROWN** - means cannabis that is grown at a residential property for personal consumption.

**CANNABIS MANUFACTURING** – means the manufacturing of cannabis products for wholesale distribution in accordance with legislation enacted by the Governments of Canada and Alberta.

**CANNABIS RETAIL SALES** – means a store front retail store where cannabis and accessory products may be sold.

2) That section numbers of the Land Use Bylaw, from Section 89: Car Wash onwards, be renumbered to allow for the insertion of new regulations related to Cannabis as described in this Bylaw. *(Note: Bylaw section references from this point forward reflect the new numbering)*

3) That Section 89: Cannabis Cultivation, Manufacture and Sale Requirements, be added:

Section 89: Cannabis Cultivation, Manufacture and Sale Requirements

- 1) All commercial cannabis related operations shall require as part of the development permit application and review process:
    - a) Legal authorization under the laws of the Government of Canada,
    - b) Legal authorization under the laws of the Province of Alberta, and
    - c) Approved licensing from the Government of Canada and/or the Province of Alberta, as required under statute.
  - 2) Commercial Retail Sales businesses shall be subject to a building setback of no less than 100 metres from a school, playground and a provincial health care facility; as measured from the closest point of the school, playground or the provincial health care facility to the commercial retail sales building.
  - 3) Commercial Retail Sales businesses shall be located at street level in buildings with primary street access onto 50th Street and buildings with primary street access one (1) block east or west of 50th Street north of Highway No. 43 and south of 51st Avenue.
  - 4) A development permit for a cannabis related business shall include a plan view or rendering showing the portion of the exterior of the building facing the street, and examples of signage, flagging or sandwich boards that are to be used to advertise the business.
  - 5) Home grown cannabis shall be an accessory use not requiring a development permit to an occupied residential building or lot containing an occupied residential building.
  - 6) Except where otherwise approved under this Bylaw and in compliance with the laws and regulations governing cannabis growth, sale and manufacture, cannabis shall not be grown, manufactured or sold within the Town of Mayerthorpe.
  - 7) Commercial cannabis development is subject to the character and appearance requirements of this Bylaw.
- 4) Cannabis Commercial Cultivation shall be added to the list of discretionary uses described in Section 131: Industrial – M1 and Section 134: Urban Reserve – Ur Land Use Districts.
- 5) Cannabis Retail Sales shall be added to the list of discretionary uses described in Section 129: Commercial – C1 and Section 130: Commercial C2 Land Use Districts.

6) Cannabis Manufacturing shall be added to the list of discretionary uses described in Section 130: Commercial C2 and Section 131 Industrial – M1 Land Use Districts.

7) That:

Home grown cannabis in compliance with Section 89(2) (e) of this Bylaw, be added to the list of uses that do not require a development permit in Section 24: Development Not Requiring a Permit, of this Bylaw.

8) That:

A Home Occupation for the purpose of selling cannabis is a prohibited land use within the Town of Mayerthorpe be added to Section 96: Home Occupations.

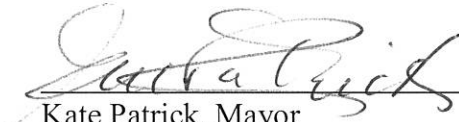
This bylaw comes into force and effect upon the date that the Government of Canada and the Government of the Province of Alberta implement legislation that makes this Bylaw lawful; and upon the date of 3<sup>rd</sup> and final reading of this Bylaw.

READ a first time this 27<sup>th</sup> day of August, A.D. 2018.

READ a second time this 9<sup>th</sup> day of October, A.D. 2018.

READ a third time this 15<sup>th</sup> day of October, A.D. 2018.

**SIGNED** by the Mayor and Chief Administrative Officer this 17 day of October, 2018.

  
\_\_\_\_\_  
Kate Patrick, Mayor

  
\_\_\_\_\_  
Karen St. Martin, CAO