

**BYLAW NO. 18-09**  
**TOWN OF FALHER**

A BYLAW OF THE TOWN OF FALHER, IN THE PROVINCE OF ALBERTA TO AMEND BYLAW NO. 14-05.

**WHEREAS** the Council of the Town of Falher, in the Province of Alberta has adopted the Bylaw No. 14-05, being the Land Use Bylaw; and

**WHEREAS** the Council of the Town of Falher, pursuant to the provisions of the Municipal Government Act, R.S.A. 2000, deems it advisable to amend the said Bylaw.

**NOW THEREFORE**, the Council of the Town of Falher, duly assembled, hereby enacts as follows:

**1. Add Section 6.34 Cannabis Retail Sales to Part Six General Land Use Provisions:**

6.34 CANNABIS RETAIL SALES

6.34.1 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.

6.34.2 Cannabis Retail Sales use shall not be located within 100 metres from:

- (a) a private or public school;
- (b) a provincial health care facility;
- (c) a park or playground;
- (d) a campground;
- (e) a recreational vehicle park;
- (f) an arena;
- (g) a public swimming pool;
- (h) a liquor store; or
- (i) a cannabis retail store.

6.34.3 The separation distance between uses shall be measured from lot line to lot line.

6.34.4 The development shall not operate in conjunction with another approved use.

6.34.5 Customer access to the store is limited to a store-front that is visible from the street.

6.34.6 No customer parking shall be located behind a facility and all parking areas in front of the building shall be well lit.

6.34.7 Parking shall be provided in accordance with the minimum requirements for "Retail Shops and Personal Service Shops" under Section 6.2.3 of this Bylaw.

**Add Section 6.35 Cannabis Production Facility to Part Six General Land Use Provisions:**

6.35 CANNABIS PRODUCTION FACILITY

6.35.1 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.

6.35.2 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.

6.35.3 A Cannabis Production Facility use shall not be located within 100 metres from:

- (a) a private or public school;
- (b) a provincial health care facility;
- (c) a park or playground;
- (d) a campground;
- (e) a recreational vehicle park;
- (f) an arena;
- (g) a public swimming pool;
- (h) a liquor store; or
- (i) a cannabis retail store.

6.35.4 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.

6.35.5 The development shall not operate in conjunction with another approved use.

6.35.6 The development shall not include an outdoor area for storage of goods, materials or supplies.

6.35.7 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.

6.35.8 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.

6.35.9 Parking shall be provided in accordance with the minimum requirements for "Manufacturing and Industrial Plants, Warehousing, Wholesale and Storage Buildings and Yards, Servicing and Repair Establishments and Public Utility Buildings" under Section 6.2.3 if this Bylaw.

2. **Add the following use to Section 7.9.1 General Commercial (C-1) (b) Discretionary Uses:**  
Cannabis Retail Sales
3. **Add the following use to Section 7.11.1 Light Industrial (M-1) (b) Discretionary Uses:**  
Cannabis Production Facility
4. **Add the following use to Section 7.12.1 Heavy Industrial (M-2) (b) Discretionary Uses:**  
Cannabis Production Facility
5. **Remove the following use from Section 7.11.1 Light Industrial (M-1) (b) Discretionary Uses:**  
Licensed Medical Marijuana Production Facility
6. **Remove the following use from Section 7.12.1 Heavy Industrial (M-2) (b) Discretionary Uses:**  
Licensed Medical Marijuana Production Facility
7. **If any portion of this bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion shall be severed.**

**8. That this bylaw shall take force and effect on the date of its final passage.**

READ a first time this \_\_\_\_\_ day of \_\_\_\_\_, 2018

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
MUNICIPAL ADMINISTRATOR

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

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

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
MUNICIPAL ADMINISTRATOR