

**BYLAW 835
OF THE VILLAGE OF BIG VALLEY
IN THE PROVINCE OF ALBERTA**

Being a bylaw of the Village of Big Valley to amend Land Use Bylaw 765

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 Big Valley deems it necessary and expedient to amend Land Use Bylaw Number 835;

NOW THERE COUNCIL OF THE VILLAGE OF BIG VALLEY DULY ASSEMBLED ENACTS AS FOLLOWS:

1. THAT Section 1.7: Definitions be amended to include the following definitions, in alphabetical order:

*“**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 accessory** means a thing, including but not limited to, rolling paper or wraps, holders, pipes, water pipes, bongs and vaporizers, or any other thing described in the Cannabis Act (Canada) that is used in the consumption or production of cannabis.”*

*“**cannabis production and distribution** means an establishment used principally for one or more of the following activities as it relates to Cannabis:*

- (a) The production, cultivation, and growth of Cannabis;*
- (b) The processing of raw materials;*
- (c) The making, testing, manufacturing, assembling or in any way altering the chemical or physical properties of semi-finished or finished goods and products;*
- (d) The storage or transshipping of materials, goods and products; or*
- (e) The distribution and sale of materials, goods and products to Cannabis Retail Sales stores or to individual customers.”*

*“**cannabis lounges** means an establishment where the primary purpose of the facility is the sale of cannabis and cannabis accessories to the public, for consumption of cannabis within the premises that is authorized by provincial or federal legislation. This use does not include Cannabis Production and Distribution.”*

“cannabis retail sales means an establishment used for the retail sale of cannabis and cannabis accessories that is authorized by provincial or federal legislation. This use does not include Cannabis Production and Distribution.”

“indoor merchandise sales” means the indoor sale or display of merchandise, including indoor storage of merchandise in quantities limited to the needs of the outlet. This does not include cannabis retail sales or medical cannabis counselling;”

“medical cannabis means a substance used for medical purpose authorized by a licence issued under the federal government’s Access to Cannabis for Medical Purposes Regulations, or any subsequent legislation which may be enacted in substitution.”

“medical cannabis counselling means a use where counselling on medical cannabis is provided by persons who are not medical professionals, and that may include the ancillary retail sale or rental of cannabis accessories.”

“medical cannabis production facility means any building in which an activity authorized by the Access to Cannabis for Medical Purposes Regulations, or any successor or replacement legislation or regulation, is or may be conducted including such activities as growing, processing, labeling and packaging, storing and transporting of cannabis.”

2. THAT Part Ten: Definitions be amended by replacing the definitions listed below with the following:

“agricultural operation” means an agricultural activity conducted on agricultural land for gain or reward or in the hope or expectation of gain or reward, and includes but is not limited to:

- a) The cultivation of land
- b) The raising of poultry and livestock, including game-production animals within the meaning of the livestock Industry Diversification Act
- c) The raising of fur-bearing animals, birds or fish
- d) The production of agricultural field crops
- e) The production of fruit, vegetables, sod, trees, shrubs and other special horticultural crops
- f) The production of eggs and milk
- g) The production of honey
- h) The operation of agricultural machinery and equipment, including irrigation pumps and
- i) The application of fertilizers, manure, insecticides, pesticides, fungicides and herbicides, including application by ground and aerial spraying, for agricultural purposes.

This does not include cannabis production and distribution or medical cannabis production facility.”

“drinking establishment” means an establishment the primary purpose of which is the sale of alcoholic beverages for consumption on the premises and the secondary purposes of which may include entertainment, dancing, music, the preparation and sale of food for consumption on the premises,

take-out food services and the sale of alcoholic beverages for consumption away from the premises. This includes any premises in respect of which a "Class A" Liquor License has been issued and where minors are prohibited by the terms of the license. This does not include cannabis lounge;"

*"**drive-in business**" means an establishment with facilities for on-site service to customers who remain in their motor vehicles, but does not include a drive-in theater. This does not include cannabis retail sales or cannabis lounges;"*

*"**heavy manufacturing**" means the manufacture of products, the process of which generates fumes, gases, smoke, vapours, vibrations, noise or glare, or similar nuisance factors which have a high probability of occurring and which may cause adverse effects to the users of adjacent land. This does not include cannabis production and distribution or medical cannabis production facility;"*

*"**home occupation – class 1**" means an accessory use of a dwelling unit by a resident or an accessory building located on the same parcel as the dwelling unit of the resident for a small scale business which is incidental to the primary use as a residence and is undetectable from outside the dwelling unit and accessory building. This does not include cannabis retail sales, medical cannabis counselling or cannabis production and distribution;"*

*"**home occupation – class 2**" means an accessory use of a dwelling unit by a resident or an accessory building located on the same parcel as the dwelling unit of the resident for a small scale business which is incidental to the primary use as a residence. In accordance with the foregoing, home occupation – class 2 uses may include such activities as music lessons, offices and indirect sales, but may not include such uses as medical clinics, veterinary clinics or retail sales. This does not include cannabis retail sales, medical cannabis counselling or cannabis production and distribution;"*

*"**light manufacturing**" means the manufacture of products, the process of which does not create and emit fumes, gases, smoke, vapours, vibrations, noise or glare or other factors which are regarded as nuisances which would cause adverse effects to the users of adjacent land. This does not include cannabis production and distribution or medical cannabis production facility;"*

*"**office**" means a facility providing for the administration of business, or government, or the provision of professional services. This does not include medical cannabis counselling;"*

*"**personal service**" means the provision of a service to individuals on a commercial basis, and includes but is not limited to such services as photographers, travel agencies, beauty salons and dry cleaners. This does not include medical cannabis counselling;"*

*"**restaurant**" means a building or part of a building the primary purpose of which is the preparation and sale of food for consumption on the premises and the secondary purpose of which may include the sale of alcoholic or*

non-alcoholic beverages incidental to the meal, take-out food services and catering. A restaurant may include premises in respect of which a "Class A" Liquor License has been issued and where minors are not prohibited by the terms of the license. This does not include cannabis lounge;"

Read a first time on the 26 day of April, 2018.

Public Hearing held on the _____ day of _____, 2018.

Read a second time on the _____ day of _____, 2018.

Read a third and final time on the _____ day of _____, 2018.

Mayor

CAO