

TOWN OF PENHOLD
BYLAW NO. 755/2018

Being a Bylaw with the purpose to amend the Land Use Bylaw 661/11 for the
Town of Penhold in the Province of Alberta.

WHEREAS: The *Municipal Government Act*, as amended, authorizes the Council of a Municipality to enact a Land Use Bylaw to regulate and control the use and development of land and buildings within the Municipality; and

WHEREAS: The Council of the Town of Penhold deems it necessary and expedient to amend Land Use Bylaw No. 661/11

NOW THEREFORE, Council of the Town of Penhold duly assembled enacts as follows:

1. Section 1.4 Definitions is amended by ADDING the following:

“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.”

“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. Section 1.4 Definitions is amended by DELETING the following:

“ Home Occupation, Major” and “Home Occupation, Minor”

3. Section 1.4 Definitions is amended by ADDING the following:

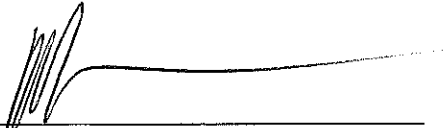
“Home Based Business, Major means the subordinate use of a principal dwelling unit, its accessory structures and site, or a combination thereof by at least one (1) permanent resident of the dwelling to conduct a business or occupation and which creates additional traffic. A major home based business shall not employ more than two (2) non-residential employees or business partners concurrently and does not exhibit outdoor activity or storage of materials and/or equipment. This does not include Cannabis Retail Sales, Cannabis Production and Distribution or Medical Cannabis Counselling.”

“Home Based Business, Minor means the subordinate use of a principal dwelling unit by the permanent resident(s) of the dwelling to conduct a business, profession or craft which does not require deliveries, storage, signage, commercial vehicles, does not employ any non-residents of the dwelling unit and does not generate non-residential traffic. Businesses of this type typically involve the use of an office or workroom, a computer, a phone or a facsimile machine and are essentially “invisible” within a residential neighbourhood. This does not include Cannabis Retail Sales, Cannabis Production and Distribution or Medical Cannabis Counselling.”

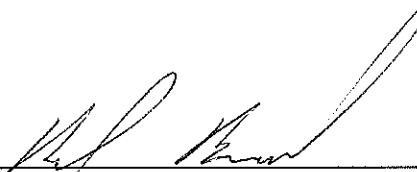
Read a first time this 25th day of June, 2018.

Read a second time this 27th day of August, 2018.

Read a third time and final time; and passed this 27th day of August, 2018.



Mayor



Chief Administrative Officer