

Section 37A Cannabis Related Uses

37A.1 Purpose:

- a. To align with or exceed Federal and Provincial legislation regarding cannabis related uses;
- b. To allow for reasonable opportunities for cannabis related uses within the community;
- c. To ensure that opportunities for cannabis related uses are balanced with opportunities for other types of commercial and industrial uses;
- d. To avoid the potential for negative perceptions that may be created when there is an over concentration or clustering of cannabis retail stores in the community; and
- e. To limit immediate access and visibility of cannabis related uses from schools and places where residents may have substance abuse issues.

37A.2 For the purpose of this Section only:

- a. 'Provincial Health Care Facility' means an approved hospital as defined in the *Hospitals Act*;
- b. 'Addiction Treatment Facility' means a licensed facility specializing in evaluation and treatment of drug addiction, alcoholism, and associated physical and/or mental disorders. The facility must offer overnight accommodation to monitor patient health;
- c. Elementary school means a school as defined in the *School Act* that contains grades K through 9 or any combination of grades therein; and
- d. High school refers to a school as defined in the *School Act* that contains grades 8 through 12 or any combination of grades therein.

37A.3 Retail Store, Cannabis use shall not be located within 100m of:

- a. The boundary of a parcel of land containing a Provincial Health Care Facility;
- b. The boundary of a parcel of land designated as a future Provincial Health Care Facility; and
- c. An Addiction Treatment Facility.

37A.4 Retail Store, Cannabis use shall not be located within 150m of:

- a. The boundary of a parcel of land containing an elementary school; and
- b. The boundary of a parcel of land designated as a future elementary school site.

The separation distances are established by measuring the shortest distance between the property lines of the parcels containing the uses to be separated.

37A.5 Retail Store, Cannabis use shall not be located within 300m of:

- a. The boundary of a parcel of land containing a high school; and
- b. The boundary of a parcel of land designated as a future high school site.

The separation distances are established by measuring the shortest distance between the property lines of the parcels containing the uses to be separated.

37A.6 Notwithstanding 37A.4 and 37A.5, the separation distances between Retail Store, Cannabis and schools do not apply within the CC - Central Commercial land use district.

37A.7 The Development Authority shall not grant a variance to setbacks from schools or Provincial Health Care Facilities.

37A.8 Retail Store, Cannabis uses will be limited based on allowing no more than a maximum of three (3) Retail Store, Cannabis uses within a 360m radius surrounding and including the proposed property. A proposed Retail Store, Cannabis use will not be permitted if it renders an approved Retail Store, Cannabis use a non-conforming use based on this limit. The 360m radius will be measured from any part of the property boundary. The 360m radius will also be measured from any Retail Store, Cannabis use that falls within the 360m radius of the subject property to determine whether the proposed development would render an existing one non-conforming. All lots contained wholly or in part within the 360m radius will be included in this calculation.

(Bylaw C-1260-119 - April 20, 2020)

37A.9 In addition to 37A.6, Retail Store, Cannabis uses within the CC - Central Commercial land use district will be limited based on a required minimum separation distance of 180m between Retail Store, Cannabis uses when facing the same street. The separation distances are established by measuring the shortest distance between the property lines of the parcels containing the uses to be separated.

37A.10 Cannabis Production and Distribution use shall not be located within 200m of:

- a. A residential land use district;
- b. The boundary of a parcel of land containing an elementary or high school;
- c. The boundary of a parcel of land designated as a future elementary or high school site; and
- d. An Addiction Treatment Facility.

The separation distances are established by measuring the shortest distance between the property lines of the parcels containing the uses to be separated.

37A.11 Cannabis Production and Distribution uses must include an air filtration system to remove odours and must have no odour impact on adjacent properties.

37A.12 Parking requirements shall be in accordance with Part 9, Section 72, of this Bylaw. The number of parking stalls required for Retail Store, Cannabis shall be the same as those for Retail Store, General. The number of parking stalls required for Cannabis Production and Distribution uses shall be the same as Manufacturing/Fabrication Plants.”

37A.13 All cannabis related uses must obtain and maintain a valid City of Grande Prairie Business License.

(Bylaw C-1260-94 - June 18, 2018)