

VILLAGE OF LUMBY

BYLAW No. 813

A bylaw to amend the text of Zoning Bylaw No. 750, 2012 to regulate the production, sale and distribution of cannabis and consumption within a cannabis lounge in the Village of Lumby.

WHEREAS pursuant to Section 479 [Zoning bylaws] of the *Local Government Act*, the Village of Lumby may, by Bylaw, divide the whole or part of the Village into zones, name each zone, establish boundaries for the zones and regulate uses within those zones;

AND WHEREAS the Village of Lumby has created zones, named each zone, established boundaries for these zones and regulated uses within those zones by Bylaw No. 750, being the "*Village of Lumby Zoning Bylaw No. 750, 2012*" and amendments thereto;

NOW THEREFORE, the Council of the Village of Lumby, in open meeting assembled, enacts as follows:

A. CITATION

This Bylaw may be cited as "**Zoning Text Amendment Bylaw No. 813, 2018**".

B. AMENDMENTS

The Village of Lumby Zoning Bylaw No. 750, 2012 is hereby amended as follows:

1. By inserting in alphabetical order, the following in Section 200 – Definitions:

CANNABIS, also known as marihuana among other names, has the same meaning as defined under the *Cannabis Act*, as amended or replaced from time to time. Cannabis can be consumed by smoking, vaporizing, within food, as an extract or otherwise ingested.

CANNABIS LOUNGE means a building or part thereof including decks, patios and balconies used for medicinal or recreational consumption (smoking oral or other means of consumption) of cannabis.

2. Removing the Marihuana and Medical Marihuana Production Facility definitions from Section 200 – Definitions.
3. By replacing the words "Medical Marihuana" with "Cannabis" in Section 304.f – Prohibited Uses of Land, Buildings, and Structures.
4. By inserting the following new subsections after Section 304.f – Prohibited Uses of Land, Buildings, and Structures:
 - g. Cannabis retail in zones which broadly permit retail store or sales, farm or off-farm product sales, convenience store, accessory retail use and home based businesses, except as explicitly permitted under the provisions of this Bylaw.
 - h. Cannabis lounge, except as explicitly permitted under the provisions of this Bylaw.
5. By replacing the words "medical marihuana production facilities" within Section 601.3 – Off Street Parking Regulations with "cannabis production facilities".

- 6. By replacing the words “medical marihuana production facilities” within Section 602.4 – Off Street Loading Regulations with “cannabis production facilities”.
- 7. By adding the retail sale of “cannabis” as a permitted use in Section 1001.1.h – General Commercial Zone (C.1) - Permitted Uses of Land, Buildings and Structures:
- 8. By replacing the words “medical marihuana production facilities” in Section 1102.1 – General Industrial Zone (I.2) - Permitted Uses of Land, Buildings and Structures with “cannabis production facilities”.
- 9. By replacing the words “medical marihuana” with “cannabis” within Section 1102.7 – General Industrial Zone (I.2) Setbacks wherever “medical marihuana” appears.

Read a First Time this 13th day of August, 2018

Read a Second Time this 13th day of August, 2018

Advertised on this 12th day of September, 2018

this 14th day of September, 2018

Public Hearing held this 17th day of September, 2018

Read a Third Time this 17th day of September, 2018

Approved by Minister of Transportation and Infrastructure this 20th day of September, 2018

(Transportation Act s. 52(3))

D. Lantzenhammer

ADOPTED

this 1st day of October, 2018

Administrator

Mayor