

Attachment

Town of Amherst

By-Law P-2-XX to amend the Land Use By-Law, P-2

1. This is a by-law to amend the Land Use By-Law of the Town of Amherst with respect to the matter of regulating cannabis-related uses.
2. In the Land Use By-law *Section 1.0 Definitions*, add section 17a that provides a definition for *Cannabis Production Facility*, add section 17b that provides a definition for *Cannabis Lounge*, and add section 17c that provides a definition for *Cannabis Retail Sales*.

17(a) **Cannabis Lounge** means premises where the primary purpose of the facility is the consumption of cannabis, cannabis products or any of its derivatives such as oils or edible products. A cannabis lounge may or may not include cannabis retail sales.

17(b) **Cannabis Production Facility** means premises used or occupied by a person or organization licensed by the Government of Canada for the production of cannabis or cannabis products,

(a) including

(i) where cannabis or any of its derivatives, such as resin or oils, is grown, cultivated, harvested, manufactured, processed, packaged, or labelled, and

(ii) associated activities permitted by the federal license, such as research and development, storage, and destruction, and

(b) excluding

(i) industrial hemp, and

(ii) premises used for personal production permitted by federal legislation.

17(c) **Cannabis Retail Sales** means premises used for the retail sale of cannabis, cannabis products or any of its derivatives, such as oils or edible products, to the general public.

3. In the Land Use By-law, Section 8.0 General Provisions for Commercial Zones add section 8.1.4 as follows:

8.1.4 Cannabis-Related Uses

Notwithstanding any other provision in this Bylaw, cannabis retail sales and cannabis lounges are only permitted if such facilities are operated by the Nova Scotia Liquor Commission (NSLC).

4. In the Land Use By-law, Section 8.2.1 Highway Commercial Zone Uses Permitted, add *Cannabis Lounges and Cannabis Retail Sales subject to section 8.1.4* to the list of permitted uses after the words '*Business and Professional Offices*', and before the words '*Commercial Recreation Centres*'.

5. In the Land Use By-law, Section 8.3.1 Downtown Zone Uses Permitted, add **Cannabis Lounges and Cannabis Retail Sales subject to section 8.1.4** to the list of permitted uses after the words '*Business and Professional Offices*', and before the words '*Commercial Recreation Centres*'.
6. In the Land Use By-law, Section 9.1 *Industrial Zone Uses Permitted*, add Cannabis Production Facility to the list of permitted uses

9.1 Industrial Zone Uses Permitted

The following uses shall be permitted in the Industrial Zone:

Any manufacturing, industrial, assembly or warehousing operation
Any activity connected with the automotive trade, excluding salvage yards
Boat and Marine Supplies and Sales
Building supply and equipment depots including the bulk storage of sand or gravel
Railway uses
Recycling Collection and Storage Facilities, excluding salvage yards
Retail and office uses incidental to the main industrial use

Cannabis Production Facility, subject to section 9.6

7. In the Land Use By-law, add section 9.6 regarding Cannabis Production Facilities:

9.6 Cannabis Production Facilities

Where a lot containing a cannabis production facility abuts a lot

- (i) zoned or used for residential purposes, or
- (ii) that is used for a daycare, community centre, school, religious institution, public park or playground,

such facility, including any building or outdoor area used as a cannabis production facility, shall be set back a minimum 230 feet (70 metres) from the abutting lot line.

Clerk's Annotation for Official By-Law Book

Date of First Reading:

Date of Notice of Intent to Consider:

Date of Second Reading:

Date of Advertisement/Notice of Publication (to be published following Ministerial approval)

Date of mailing to Minister a certified copy:

I certify that this **By-Law P-X, a By-Law to Amend the Land Use By-Law**, was adopted by Council and published as indicated above.

Gregory D. Herrett, CA
Chief Administrative Officer

Date

*Effective Date of the By-Law unless otherwise specified in the text of the By-Law.